

MOTION REGARDING REVISION OF THE STATUTES
OF ASSOCIATION TYPOGRAPHIQUE INTERNATIONALE

(1) Effective immediately, ATypI accepts the following text as their Statutes, thereby replacing the statutes from September 25, 1995.

(2) ATypI agrees that “the Moral Code of the Association Typographique Internationale” (“Code Morale”) is no longer conforming to the Association’s objectives and therefore decides to retire the Code Morale document without replacement.

This motion was passed by the General Assembly at the Annual General Meeting of ATypI on October 3, 2004 in Prague by a vote of 73 Yes, 3 No, and 12 Abstaining.

The tellers who counted the votes for this election were:

John Berry

Peter Bain

Tiffany Wardle

Wolfgang Homola

Prague, October 3, 2004

THE MORAL CODE OF THE ASSOCIATION TYPOGRAPHIQUE INTERNATIONALE

Whereas one of the aims of the Association Typographique Internationale as given in article II of the Statutes is

“To fight by all means in its power against unauthorized copying; and to insist on the observance of industrial property laws and copyright legislation, and to uphold among its members the principles of professional ethics expressed in its moral code,”

Members of the Association Typographique Internationale agree to honour the following Moral Code, provided it does not conflict with their obligations under national and international laws which define property rights, and national and international cartel laws:

- (1) In accordance with the terms of the Vienna Agreement for the Protection of Type Faces and their International Deposit, members understand typefaces to mean sets of designs of
 - (a) letters and alphabets as such with their accessories such as accents and punctuation marks
 - (b) numbers and other figurative signs such as conventional signs, symbols and scientific signs
 - (c) ornaments such as borders, fleurons and vignettes

which are intended to provide means for composing texts by any graphic technique. The term “typefaces” does not include typefaces of a form dictated by purely technical requirements.

- (2) Members consider it to be incompatible with their professional ethics to make a reproduction of another member’s typeface, whether identical or slightly modified, irrespective of the medium, technique, form or size used, unless the owner of the typeface has given his written agreement on terms granting a license.
- (3) If, after a minimum period of fifteen years of the typeface first being offered for sale, the owner refuses to grant a license, members may copy the typeface provided that the unlicensed copy is sold under a name which is in no way connected with the original name. The manufacturer of a copy made under these circumstances must not contravene trade mark rights, industrial property rights, copyrights, laws against unfair competition etc., or private agreements.

(4) If a typeface in the public domain is adapted for contemporary use with a high degree of artistic skill and ingenuity, members of ATypI consider it as being new, and will respect the design accordingly.

(5) Typographic layouts enjoy the same protection as typefaces.

Members understand a typographical layout to be an artistic creation made for selecting and disposing typefaces, illustration etc. for a specific purpose.

(6) All typefaces and layouts will be considered to be new upon their first appearance, unless a board of experts nominated by the Board of Directors of ATypI rules to the contrary.

(7) Where licenses are granted, members are recommended to specify precisely what rights are granted, and the purposes to which they may be applied. Provisions should cover possible alterations and additions to a typeface for which a license is granted.

(8) If a dispute arises between members of ATypI over the interpretation of the terms of this Moral Code, members ought not to resort to law before trying to settle the dispute between themselves. For this purpose an arbitration committee can be set up within ATypI. Only if the parties to a dispute fail to agree before an arbitration committee should a lawsuit be started.

The arbitration committee of ATypI is also competent to establish the fact that a copy has been made of a typeface by a non-member of ATypI.