



FairPlay

- a guide compiled by the LEGO Group



INTRODUCTION

Rights Worth Defending

Parasitic copying of original designs and products is a growing problem, whether you make watches, clothes, medical products – or toys.

Insufficient protection of product rights works to the disadvantage of manufacturers who invest heavily in product development, product safety, quality control and marketing.

Copying makes it difficult for consumers to choose on an informed basis.

To protect consumers against being misled and to ensure that it continues to be profitable for manufacturers to develop, make and market quality products, it is becoming ever more important to establish worldwide regulations on protection of intellectual property rights. Equally important are routines for informing our customers and consumers of how they can make sure they are choosing the genuine product.

These are the reasons underlying the LEGO Group's decision to produce this brochure. It explains what we are doing to protect our products and trademarks, why we do so and for what reasons we believe it important to avoid the risk of our products' identities being diluted. The brochure also explains what we believe should be done on the legislative side to strengthen protection of consumers' and manufacturers' rights alike.

Trademark

The typical function of a trademark is to identify a given product with its manufacturer. Trademarks consist of names, words, word combinations, devices etc. Sometimes a product shape can qualify as a trademark. The protection against identical or confusingly similar trademarks in principle lasts forever.

Patent

A patent grants a time-limited protection for new inventions, e.g. new technical developments.

Design

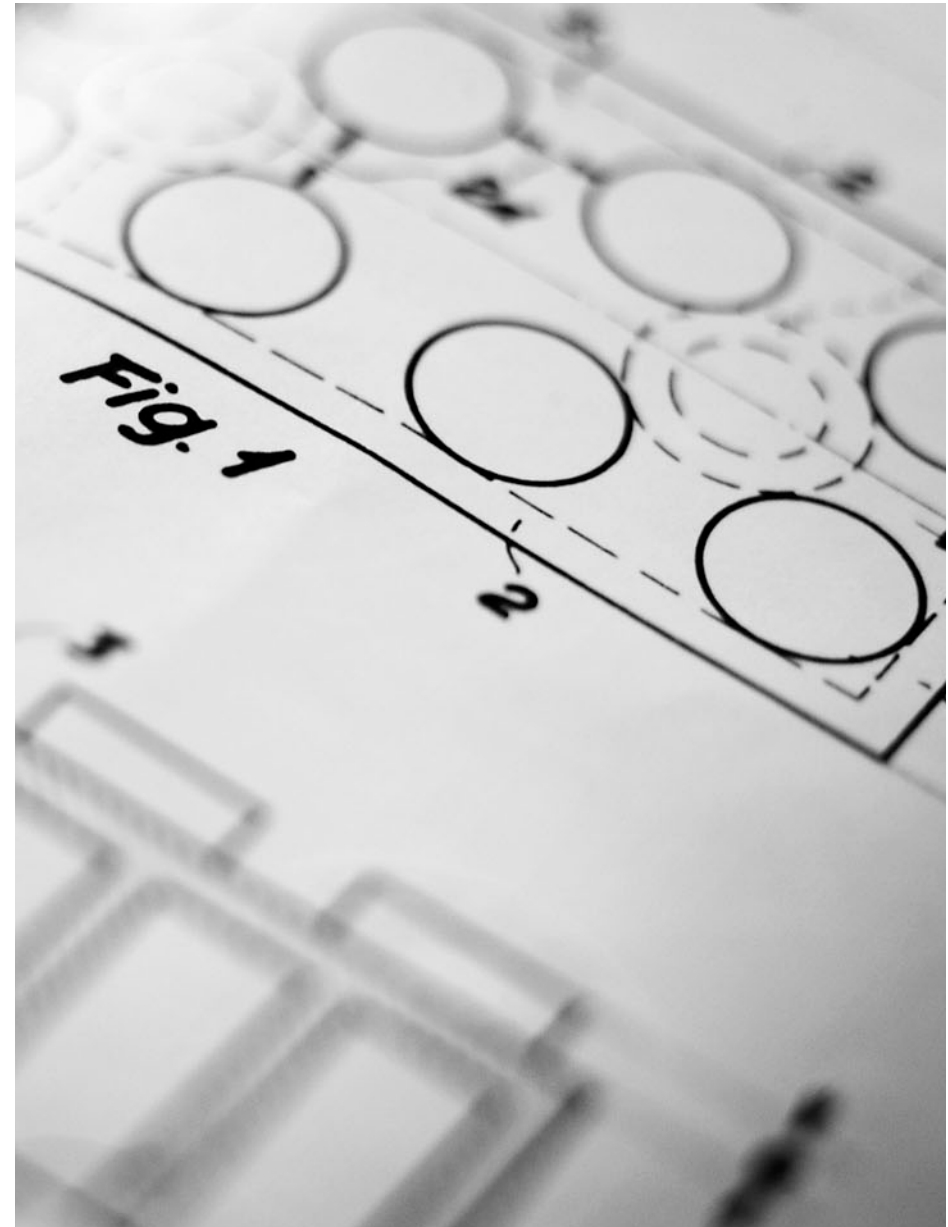
A design registration grants a time-limited protection for new designs, e.g. new product shapes. Sometimes designs are protected without registration.

Copyright

Literature and certain artistic works are automatically protected against copying for a considerable period of time, typically for 70 years after the death of the person who created them.

Unfair Competition Laws

In cases when patent, design and trademark protection may not apply, and the overall presentation of a rival product is clearly designed to induce consumer association with an original product and to mislead as to the origin of the rival product, the remedy is found under unfair competition / passing off laws.



HISTORY

The LEGO® Brick / Toy of the Century

On the verge of the 21st Century, the LEGO® Brick was voted “Toy of the Century”, first by Fortune Magazine, later by the British Association of Toy Retailers. When Danish Carpenter Ole Kirk Christiansen began making wooden toys in 1932, he could not have foreseen the process he was setting in motion. Today the LEGO Group is among the largest toy companies in terms of sales and its products are among the best-known and the most loved in the world. The LEGO Group is dedicated to delivering quality play experiences and constantly seeking out new ways of learning and being creative.

LEGO System of Play

The iconic LEGO brick was developed more than 60 years ago. During the late 1940s plastic bricks became part of the LEGO assortment and in 1955 the LEGO Group launched its revolutionary “LEGO System of Play” with the first “Play and Learn” concept which stressed the importance of learning through play. This led to further development of the plastic bricks and in 1958 the LEGO brick was launched with its now classic knob-and-tube coupling system. The famous 1958 patent, the LEGO patent, concerns the tubes only.

Inventing the Wheel

To the LEGO Group this was only the starting point for the LEGO System. In 1962 the wheel was re-invented and experiments with electric motors began. In 1966 the

first LEGO train with accompanying rails and a 4.5-volt motor for propulsion was introduced. The LEGO Technic range was introduced in 1977.

Big Bricks for Small Hands

Another ground-breaking event occurred in the late 1960s: Instead of aiming at the broad target group “children”, LEGO products were split into age and development segments. LEGO DUPLO® was launched to give the youngest children a chance to play with LEGO products. LEGO DUPLO bricks are twice as big in each dimension as ordinary LEGO bricks and are therefore easier for young hands to handle.

LEGOLAND® Parks on the Map

In 1968 the LEGO Group set up a LEGOLAND® Park in Billund. It would become the most famous and living symbol of creativity and imagination from a child’s perspective. Seven additional LEGOLAND Parkshave been opened since: in Windsor, England (1996), in California, USA (1999), in Günzburg, Germany (2002), in Florida, USA (2011), in Iskandar Puteri, Malaysia (2012), in Dubai, UAE (2016), and in Nagoya, Japan (2017). A ninth LEGOLAND Park is set to open in Goshen, New York, in 2020. In 2005 the LEGO Group sold the Parks to Merlin Entertainments Group. The LEGOLAND trademark is still owned by the LEGO Group and continues to be used under license. The owners of the LEGO Group, KIRKBI A/S, owns approximately a third of the shares in Merlin Entertainments Group.



HISTORY

LEGO® Education

Since 1981 the LEGO Group has marketed products for schools. LEGO® Education products have been developed specially for the educational sector and contain material for both teachers and pupils. Pupils get the opportunity to do their own research, for example, into how cause and effect are related. When you learn by doing, you remember it better than if someone simply tells you. This is the philosophy behind LEGO Education's teaching concepts.

Robot Technology for Children

The 1990s was the decade in which the LEGO Group moved into robotics. Intelligence and behavior became well and truly an integral part of the LEGO product range. By integrating robot technology with the LEGO building system, LEGO MINDSTORMS® enabled children to create and program intelligent LEGO models. The technology system was launched in 1998. In 2006, the second generation, LEGO MINDSTORMS NXT, was launched, and in 2013 it was time for the third generation, LEGO MINDSTORMS EV3 – powered by the EV3 Intelligent Brick. With the launch in 2017 of LEGO BOOST, the LEGO Group introduced coding to younger children through an easy-to-use, app-based coding environment. Where LEGO MINDSTORMS is based on the Technic™ brick platform, LEGO BOOST is mainly based on the System brick platform.

Licence

The first LEGO Star Wars™ products were marketed in 1999. This was the first time the LEGO Group decided to license a story into the LEGO world and LEGO Star Wars products have become an evergreen product line. Since then, several licensed LEGO products have been marketed, such as Harry Potter™, Disney™, DC Comics™ Super Heroes and Jurassic World™.

Digitalisation

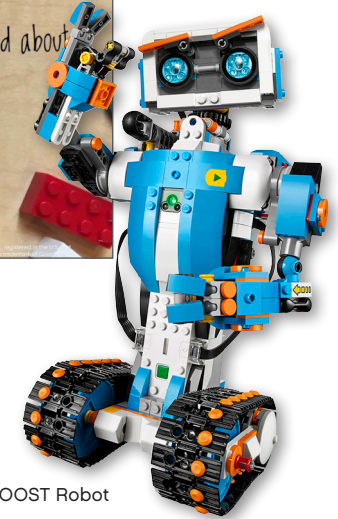
The LEGO Group currently operates on various electronic platforms through the www.LEGO.com website, video games, apps and mobile games.

The first LEGO computer game, LEGO Island, was launched in 1997. It was the first serious move to place the LEGO brick in the digital world. In 2010 the LEGO Group launched its first MMOG (Massively Multiplayer Online Game), LEGO Universe, and in 2011 its first so-called appcessory, LEGO Life of George, which was the world's first interactive game combining real, physical LEGO bricks with a mobile app. In 2017 the LEGO Group truly brought LEGO bricks to life with its augmented reality app, LEGO AR-Studio™, which allows children to play with digital versions of LEGO models in real-world scenes using augmented reality.

The digital presence was further expanded in 2017 with the launch of LEGO Life, a safe social network for children under 13.

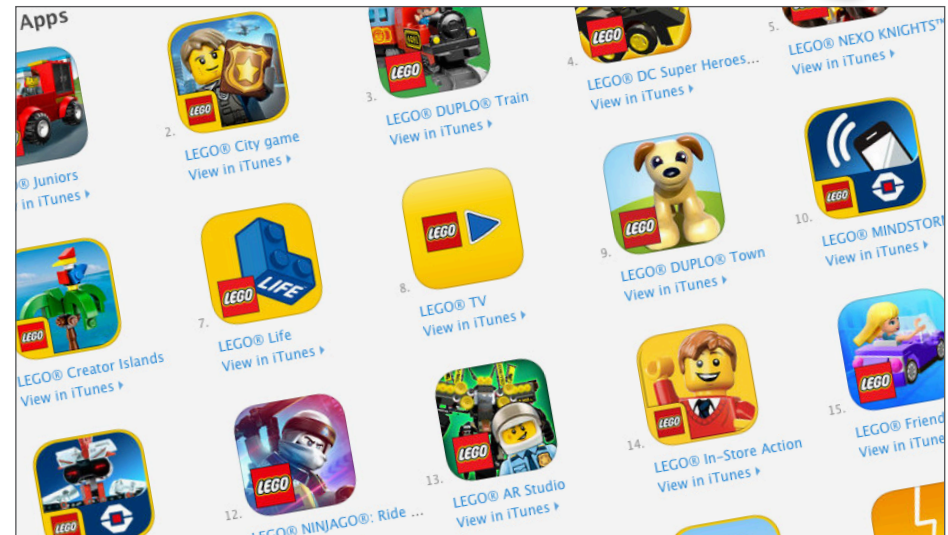


LEGO® Life App



The LEGO BOOST Robot

LEGO Apps



HISTORY

Movies

Warner Brothers and the LEGO Group announced their plans to develop the first-ever feature film based on LEGO® bricks and icons in 2009. Five years later, in 2014, THE LEGO MOVIE™ premiered. It was followed by THE LEGO BATMAN MOVIE and THE LEGO NINJAGO® MOVIE™, both in 2017. THE LEGO MOVIE™ 2 is set to premiere in 2019.

LEGO House - Home of the Brick

In 2017 the LEGO Group opened a 12,000 square metre experience house in Billund, Denmark. LEGO House, also known as "Home of the Brick", is filled with 25 million LEGO bricks ready to give LEGO fans of all ages the ultimate LEGO experience.

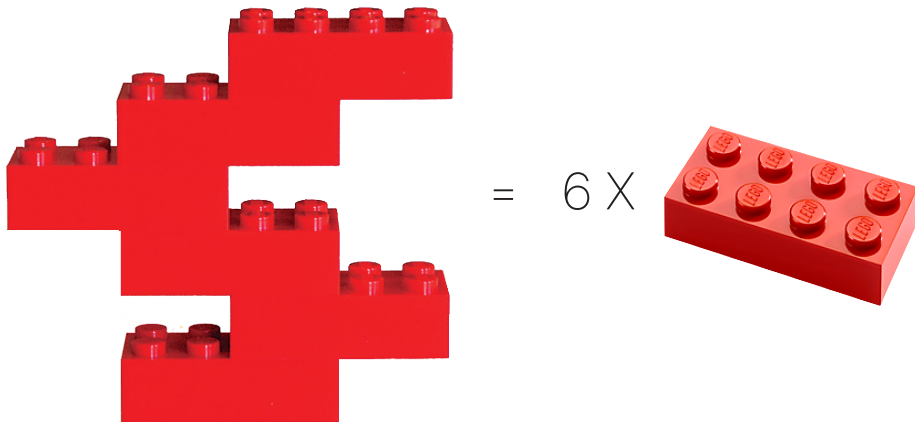
FACTS & FIGURES

When moulding LEGO® elements the tolerance of accuracy is 4 my (0.004 mm).

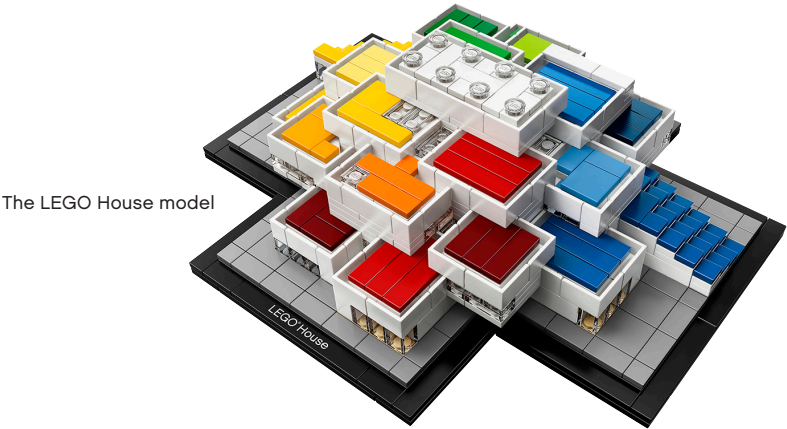
Approximately 75 billion LEGO elements are sold per year – in more than 140 countries.

There are 915,103,765 different ways of combining six 8-stud bricks of the same colour.

One of the more than nine hundred million ways in which six 2x4 LEGO Bricks of the same colour can be combined.



LEGO® House



The LEGO House model

QUALITY AND SAFETY

No short-cuts in Quality or Safety

We are as demanding in our quality, product safety and precision requirements as we are about the creative possibilities. All LEGO® elements are made in high-precision moulds and elements made more than a generation ago still fit with those made today.

Every LEGO element is extensively tested for such durability qualities as breaking and clutch power, the latter measured through the amount of force required to separate two elements. All raw materials are, of course, non-toxic and every element is tested according to the highest safety standards and rules. Building instructions are precise and easily understood.

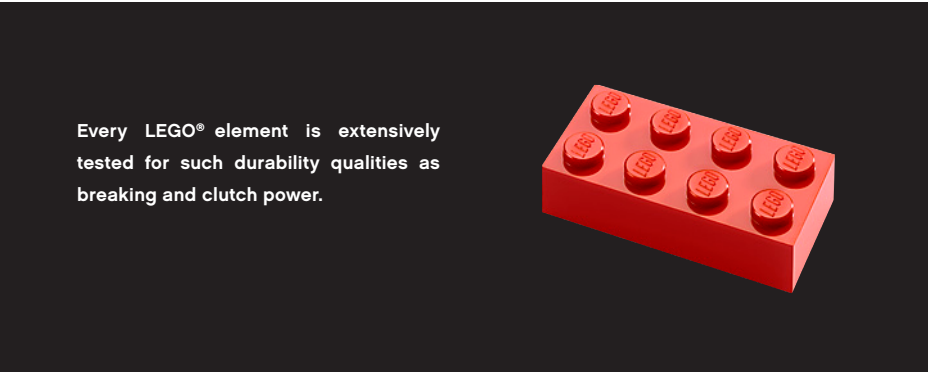
FAIR OR UNFAIR

Fair Play or Unfair Competition?

Legal rights as well as common regard for fair play are increasingly violated by copyists in their attempts to mislead consumers by trading on the reputation of well-established products and trademarks.

The LEGO Group actively opposes any misuse that violates the protection granted under national and international legislation. We feel we have good reasons to do so; one of the aims of such legislation is to guarantee to consumers that they are buying the genuine, original product and not an inferior copy. Generally, the LEGO Group has focus on these major areas:

1. Policing our Rights
2. Misuse of Trademarks
3. Misuse of Trademarks and Copyrighted Material on the Internet
4. Attempted Association with the LEGO Group by Unrelated Parties
5. Product Copying
6. Licence and Co-Promotion



POLICING OUR RIGHTS

Correct use of our trademarks protects our rights, whereas incorrect use leads to dilution and eventually loss of rights. By following a simple set of rules we can all contribute to the protection of our trademarks.

ALWAYS write our trademarks in capital letters.

ALWAYS use a noun after the trademark, e.g. LEGO® toys, LEGO values.

NEVER add a possessive “s”, plural “s” or hyphen, e.g. **LEGO’s design, more LEGOs to play with, LEGO-bricks.**

NEVER change or adjust the graphical design of a trademark, e.g. change the colours or shape of the LEGO logo.



In order to emphasize further the trademark status we insert either the symbol ® (for registered trademark) or the symbol ™ (for pending/unregistered trademark). Furthermore, a legal line (an explanatory note) is placed on all material. An example of a legal line is:

LEGO, the LEGO logo and the Minifigure are trademarks of the LEGO Group.

Copyright normally requires no registration but to prevent unauthorised copying it is important to use the internationally accepted notice comprising the symbol © followed by the year in which the work was first published, and the name of the owner of the copyright. The following copyright notice is used on all materials just below the legal line, e.g.

©20xx The LEGO Group.

Trademarks and company names are two different things. A trademark can be part of a company name or may even be the same as a company name. This is the case in the LEGO Group. Most of our companies have the word LEGO® in their name.

Please note that the ® symbol is NOT used under any circumstances in company names such as e.g. the LEGO Group, LEGO System A/S, etc.



MISUSE OF TRADEMARKS

Product names, logos and product shapes which obviously imitate the LEGO Group's registered trademarks are frequently used to mislead consumers into thinking that they are buying genuine LEGO® products.

The most important asset of the LEGO Group is the LEGO trademark. The LEGO trademark was created in the early days of the company in 1932 from the Danish words "leg godt" meaning "play well". The LEGO trademark is registered in more than 150 countries all over the world.

The LEGO Group is also the owner of a whole range of additional trademarks, including the LEGO logo, the minifigure, the basic brick and the knobs. It is a common misunderstanding that the basic brick and the knobs are not protected as trademarks; even though they are not registered for construction toys, they are still registered for other toys and various other goods.

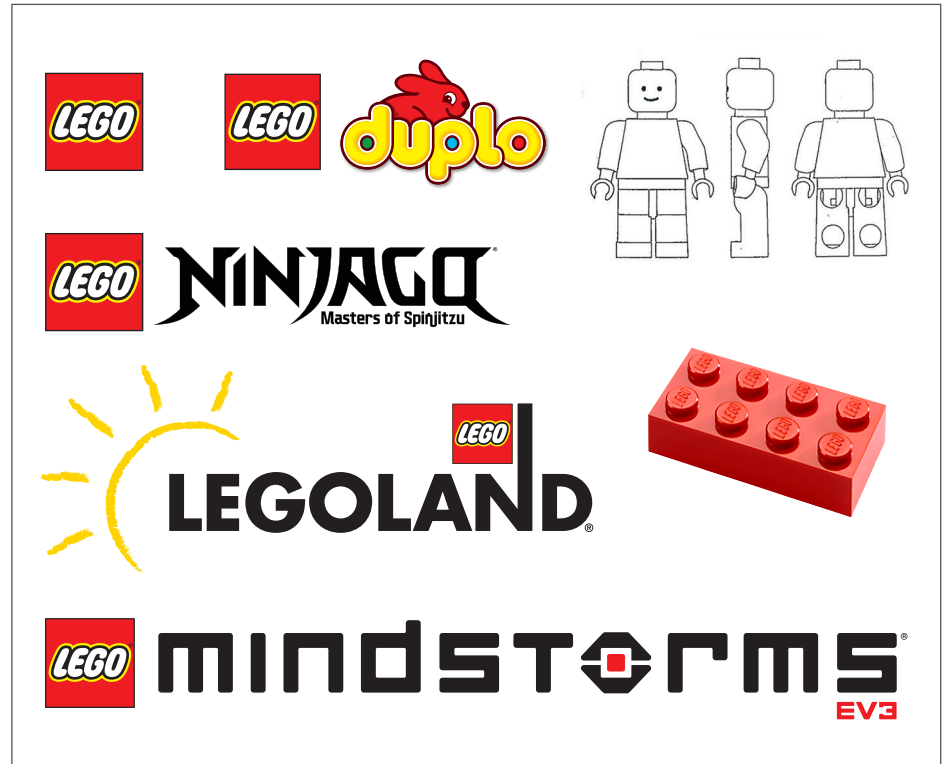
Our policy is to protect, maintain and defend our trademark rights in the best possible way. Therefore, the LEGO Group has established a number of clear rules for the proper use of its trademarks.

The LEGO trademark is considered a famous trademark in a number of jurisdictions. In some indicated in a registration certificate or included on a list of famous trademarks, but most often confirmed through decisions rendered in specific cases. It means that the LEGO trademark has the widest possible protection, i.e. for all goods and services, and that we should be able to prevent others from using the LEGO trademark, not just for toys, but for any goods.



The top box to the right shows some of the trademarks of the LEGO Group. They are not to be copied, depicted or used in any way without the prior consent of the LEGO Group.

The bottom examples on the right are imitations of the LEGO® logo made to deceive the buyer or to create a false association with the LEGO Group.



MISUSE ON THE INTERNET

Misuse of Trademarks and Copyrighted Material on the Internet

Improper use of the LEGO® trademarks may cause consumer confusion and lead to the dilution of such marks. We actively seek to prevent misuse of the LEGO trademarks and the LEGO Group's copyrighted material and any confusion as to whether the LEGO Group sponsors or authorizes unofficial and/or unlicensed sites.

For this reason, certain guidelines have been developed to outline the proper use of the LEGO Group's trademarks and copyrighted material for **non-commercial purposes** in domain names and websites. The LEGO Group's trademarks and copyrighted material may **NEVER** be used by unrelated third parties for their own **commercial or marketing purposes**, unless formal permission or a written licence has been granted by the LEGO Group.

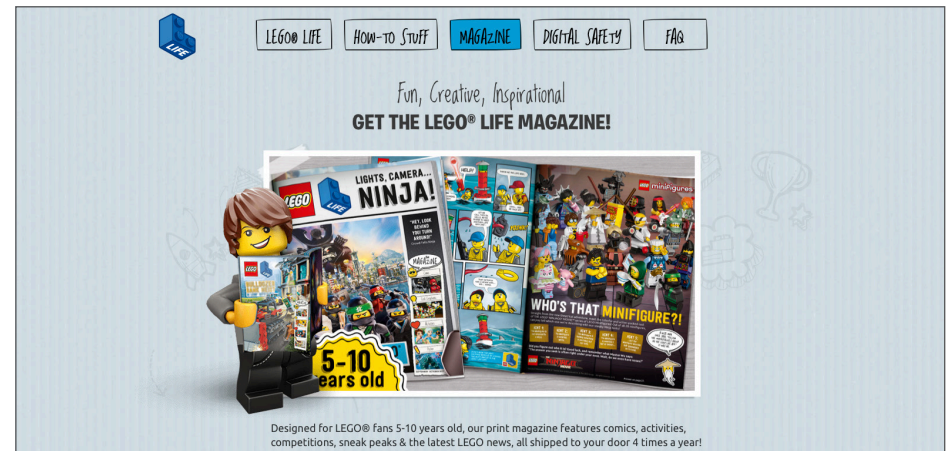
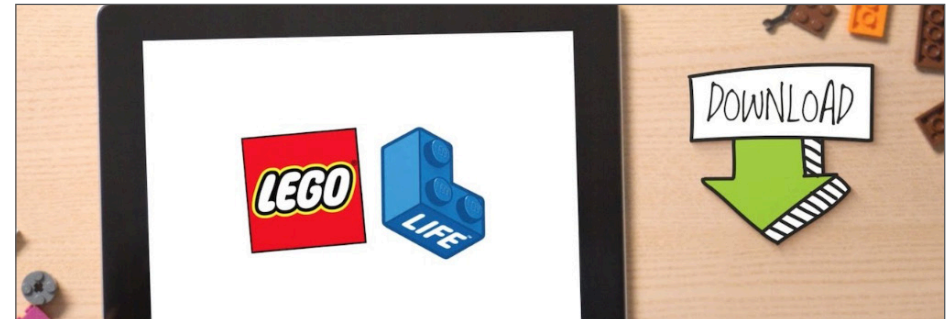
Domain Names

Use of a LEGO trademark in a domain name is an infringement of LEGO trademark rights. Further to this, it is highly likely that an observer will make the mistaken presumption that the site is in some way related to, sponsored or endorsed by the LEGO Group. As a consequence, LEGO trademarks cannot be incorporated in domain names. This restriction applies to all registered LEGO trademarks, such as but not limited to; LEGO, MINDSTORMS®, DUPLO®, NINJAGO® and LEGOLAND®.

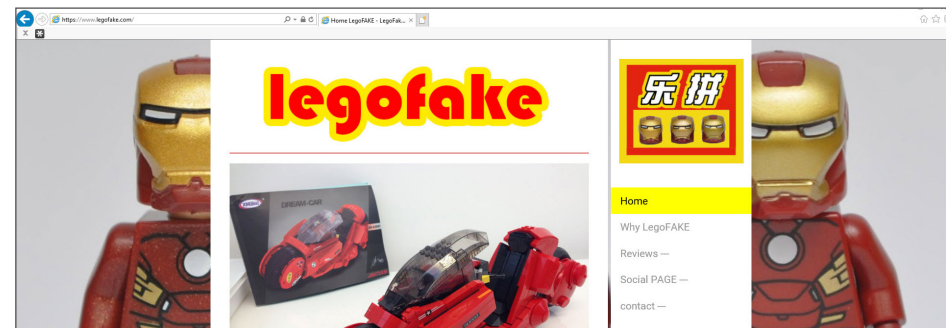
Use in Unofficial Websites

The protection of the reputation and goodwill of the LEGO Group is a major concern when developing guidelines for use of our trademarks for non-commercial purposes in unofficial websites. **For this reason the red LEGO logo may NEVER be used on any unofficial website.**

The LEGO trademark may be used in a non-commercial manner to refer to LEGO products or elements which are shown or discussed on a website, as long as the trademark is not unduly emphasized or used in a way that can lead an observer to mistakenly believe that the website is sponsored or authorized by the LEGO Group. If the LEGO trademark is used at all, it must be used in accordance with the rules described previously in this brochure under "Policing our Rights".



Our own LEGO® Life pages where the fans (primarily children) can participate in a community.



Example of a website we believe is infringing.

MISUSE ON THE INTERNET

The LEGO Group owns copyrights to all of the building instructions, publications and photographs used in its catalogs, on its packages and websites. Copying, scanning and distributing these materials in the internet would be an infringement of the LEGO Group's copyrights.

Nevertheless, we permit very limited reproduction of our copyrighted material on websites for **non-commercial purposes only**, e.g. posting on a website to exchange information or making fair use commentary). The copyrighted material used should be unaltered and must be limited to extracts only, and it should never be given such prominence as to indicate sponsorship of the website by the LEGO Group. The same rules and guidelines apply to sites/domains belonging to fans of the LEGO® brand.

Disclaimers

Disclaimers should be included in any non-official site making use of any LEGO trademarks and/or copyrighted material in order to ensure that the site is not mistakenly seen as affiliated, authorized or sponsored by the LEGO Group.

For any LEGO trademark appearing on a page, the following disclaimer is appropriate:

LEGO is a trademark of the LEGO Group, which does not sponsor, authorize or endorse this web site.

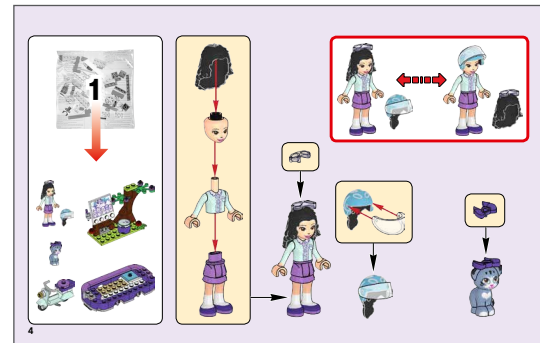
The disclaimer should include a reference to all LEGO trademarks that are included on the site. For example, if a reference is made on a web site to the LEGO DUPLO® trademark, DUPLO should also be included in the disclaimer.

For any copyrighted material used, the following copyright line should be included:

**©20xx The LEGO Group.
All Rights Reserved.**

This copyright line must be included under any copyrighted material and the year used must be the year of actual publication of the material displayed.

Finally, it must be observed that a disclaimer **will not undo** an improper trademark or copyright use.



An example of the legal line, including the copyright line. LEGO, the LEGO logo and the Friends logo are trademarks of the LEGO Group. ©2018 The LEGO Group.

ATTEMPTED ASSOCIATION

Attempted Association with the LEGO Group by Unrelated Parties

Time and again, we see our products and trademarks used in the marketing of totally unrelated products and services, giving the impression that the LEGO Group is somehow involved in or associated with such business activities or services, which we are actually not.

When used in these unrelated settings, be it in printed material or on the internet, the value of our trademarks may be diminished and the identities of our company, our products and our trademarks can lose their distinctiveness.

The LEGO Group is a toy company which has kept children all over the world occupied in creative, enjoyable play for many decades. As such, we now enjoy a tremendous amount of goodwill. Our name, the “red square” LEGO® logo, the minifigure, the brick and the knobs are instantly identifiable, and the general public associates any products bearing our trademarks and copyrights with the LEGO Group. Research has even shown that consumers tend to identify distinctly different types of toys (and products in general) as LEGO products when the manufacturer chooses circular knobs for connecting (or purely decorative) purposes.

The attempts of others to gain a reputation by associating their unrelated, unauthorized or unlicensed products

with the LEGO Group may enhance their commercial prospects, but if used without our permission, may constitute trademark or copyright infringement.

Therefore, we emphasize that unrelated third parties are not permitted to use trademarks or copyrights of the LEGO Group for their own commercial or marketing purposes, unless formal permission or a written licence has been granted by the LEGO Group. This includes the use of the LEGO logo, the minifigure, the brick and the knobs.

For these same reasons, the LEGO Group has implemented a general policy against the use of our name, products and logos by business associates, e.g. suppliers, in their own advertising.

In the past several years, more and more unauthorized books and publications have been written about LEGO products and the history of the LEGO Group. The above also applies to such unauthorized books, e.g. only in books which have been officially endorsed and/or licensed by the LEGO Group is it permitted to use the LEGO logo. Official endorsement comes through a formal license agreement with the LEGO Group.

What are LEGO® toy elements doing in these settings? Nothing at all. When a product offered has nothing to do with LEGO bricks, we insist on being left out.



PRODUCT COPYING

The LEGO Group owns copyrights to the minifigure, all of the building instructions, all illustrations and photographs used on its packaging, and its marketing material. A large proportion of the approximately 3,900 different elements developed for the LEGO® product programmes are protected by the laws of a substantial number of countries. In some countries the minifigure, the brick and the knobs are protected as trademarks.

To the buyer – whether an adult or a child – a LEGO building set consists of building elements, the packaging with its illustrations and photographs and detailed building instructions. We strictly oppose copying and manufacture of close look-alikes of the minifigure, our elements, packaging, building instructions and marketing material, and we do what we can to stop copycats. We do so to safeguard our reputation as well as the consumer's ability to choose on an informed basis.

As shown in this brochure, the intention to copy products, packaging and trademarks seems to know no limits. The aim of many copyists is to induce a mis-conception as to the origin of their product and thus confuse the consumer and to trade on the reputation the LEGO Group has built up over decades. The LEGO logo is the consumers' guarantee that they have bought a genuine LEGO product.

Even less tangible is the process known as post sale confusion. For example, the

child receiving a box of building elements will almost certainly add these to the collection of LEGO elements it already has and experience that the new buy does not live up to the quality and play value known from the LEGO elements. Few look-alikes are made in accordance with the quality and safety standards met by the genuine LEGO products.

Some copyists take the final step by simply reproducing the LEGO® packaging.



LICENCE AND CO – PROMOTION

The LEGO Group cooperates with other companies that are known and respected leaders in their line of business. This is done both by granting licences and in co-promotional initiatives. It only happens when both parties stand to benefit from

the effort and after carefully choosing “playmates” whose products or services are suitable for a LEGO® licence product or for co-promotion with LEGO products.



CONCLUSION

Fair Play

National patent, design and trademark laws – not to mention the observance of such laws and associated regulations – differ quite substantially from country to country. Laws against unfair competition do not even exist in a number of countries.

Lately, the absence of regulations against counterfeiting, trademark infringements etc. has confronted the owners of original rights with growing problems from copy producers, especially in some Asian and Eastern European countries. Since the lack of regulations clearly invites counterfeiting and copy production, the LEGO Group naturally welcomes all steps taken to introduce product and trademark protection into national legislation. We also support the regulation of the European Union on the seizure of counterfeit products and the efforts of the World Intellectual Property Organization (WIPO) and the European Union to strengthen and harmonize the relevant laws.

Even in highly developed markets, the laws on protection of intellectual property have loopholes and some defects, and obtaining protection against copying of trademarks and products is all too often a difficult, time-consuming and expensive process. The LEGO Group therefore

cooperates with other manufacturers of branded products on an international basis with the goal of strengthening, harmonizing and simplifying international legislation and enforcement.

We believe that any original product design should be protected against copying and that designs and trademarks should not be used in unrelated settings without the owner's consent. We also believe that it should be possible to stop such copying and other infringements easily. Each year, our legal department handles hundreds of incidents involving infringement of our rights and regularly brings infringers to court.

We want to make sure that consumers can have confidence that anything bearing the LEGO Group's trademarks or characteristic product features is a LEGO® brand product. This is in the best interest not only of our company but also of consumers – primarily children – all over the world.

ALL WE ASK IS THAT THERE SHOULD BE FAIR PLAY.

All we ask
is that there should be
FAIR PLAY



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