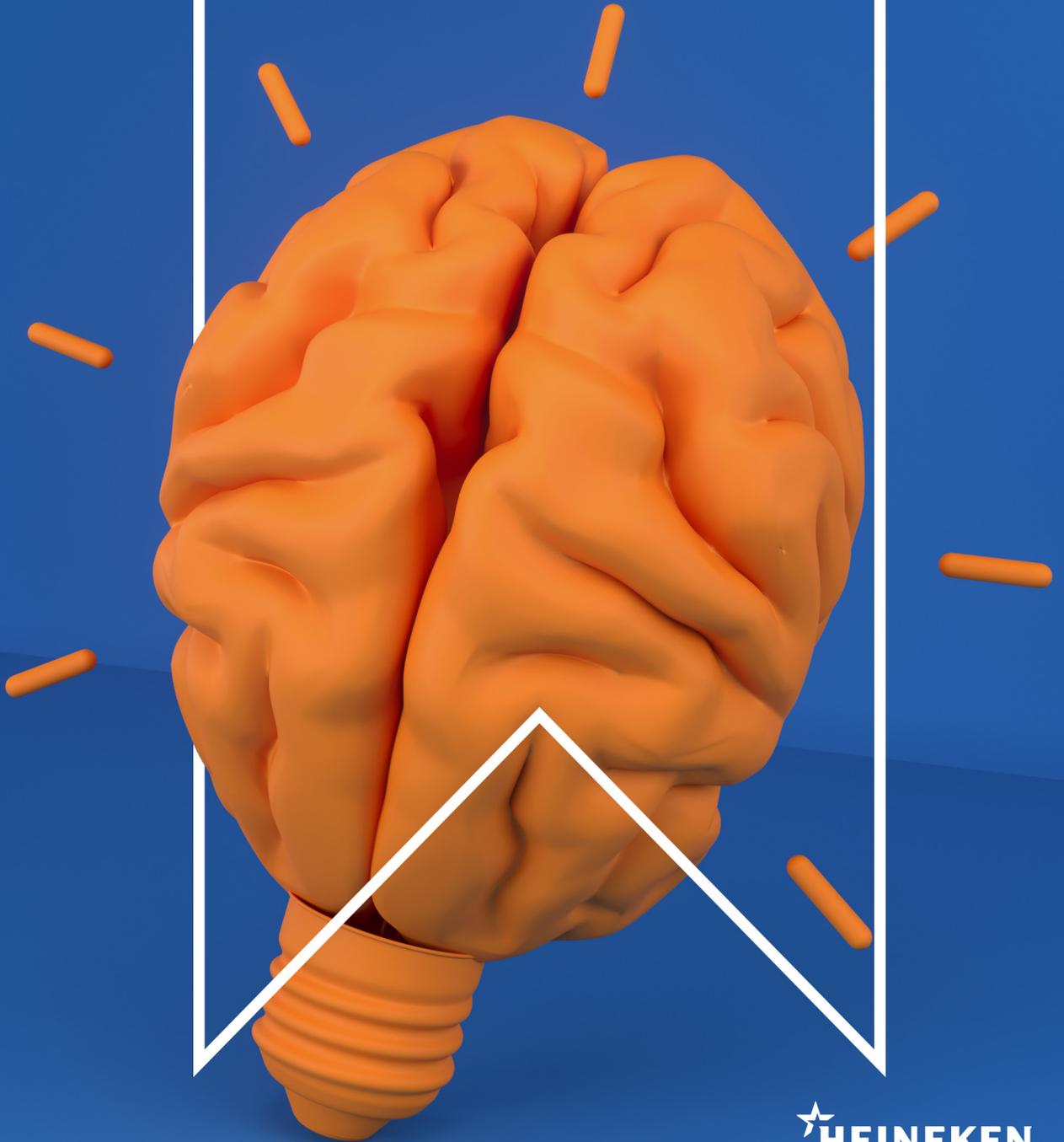


IP POLICY



We respect and protect intellectual property

WHY THIS POLICY?

This IP Policy provides a set of rules and guidelines for the protection of the Intellectual Property (“IP”) of the HEINEKEN Company, in particular regarding copyrights, trademarks, (industrial) designs, patents and domain names. The rules and guidelines in this document are mandatory for all HEINEKEN company products and brands and their line extensions worldwide. The IP Policy is part of HEIRULE 3.

IP protection means providing the brand with a good starting position for growth, and with sufficient protection against abuse. The use and protection of IP should be according to the following rules and guidelines.

ORGANISATION

The HEINEKEN Company: All companies in which Heineken N.V. owns more than 50% of the share capital. Each company of the HEINEKEN Company that owns the IP of a brand or technology (“Brand Owner”) is responsible for its proper protection. Each HEINEKEN Company shall ensure that an employee is appointed to manage its IP (“IP Manager”).

Global Legal Affairs is responsible for the protection of the IP of HEINEKEN Head Office, as well as for enabling the HEINEKEN Companies – by providing advice and tools – to protect their IP in a sufficient and consistent manner.

Only by the Brand Owner: IP may only be registered by and in the name of the relevant Brand Owner, and not by affiliated companies or third parties.

Other stakeholders: IP Managers will liaise on a regular basis with other colleagues involved in the innovation, design, marketing, sales of the products and brands in order to optimise knowledge about the practical and commercial side of the products and brands.

IP Agent: HEINEKEN Companies shall retain an IP Agent for the daily administration of their IP portfolio. Such firm will be responsible for trademark searches, filing of IP, following up questions of the various trademark registries, renewals, etc., while the HEINEKEN Companies will decide which IP it will protect in which countries.

Patent Manager: All patents of the HEINEKEN Company shall be assessed and filed by the Patent Manager only.



THINGS TO DO

Search: Prior to the registration of new trademarks the Brand Owner shall conduct a search in the relevant registers in order to assess the possibilities and risks of registration. A search can also be conducted in case of an IP audit in order to establish strengths and weaknesses of an IP portfolio.

Registration: In most cases, registration is the most effective way to protect IP.

Registration - What will be registered?

- **Trademarks:** word (name) and device (logo, label); we do not register slogans or other promotional items, unless these will be running for a long time (longer than 3 years), involve high investments or if such registration is obligatory for broadcasting purposes; we do not file descriptive marks. Trademarks shall be filed in the relevant product class only; no registration in other classes unless such specific use is planned.
- **Designs:** clear (stylized) drawings of the outward appearance of a product.
- **Patents** will be filed for technologies and processes that could give Heineken a competitive advantage. Patents will be filed in accordance with the Patent strategy. ▶▶▶ **You can find more guidance in the Patent strategy**
- **Domain names:** registration of relevant domain names in accordance with the Domain name Policy. ▶▶▶ **You can find more guidance in the Domain name Policy**
- **Copyrights:** can only be registered in a few countries. Keeping evidence of the development of copyrighted materials is essential.

Where and how will be registered?

- **Where:** in countries where the product or brand is being sold or will be sold within 5 years, or where defensive registration is desirable (seat of competitor, China).
- **How:** through HEINEKEN Companies' relevant IP agent (for trademarks, designs and patents) and through CSC for domain names.

Renewal: Trademarks and designs that have been used during the past 5 years must be renewed. IP that has not been used during the past 5 years but will be used within 2 years after renewal must be renewed if possible (in some countries renewal of trademarks is only possible if use of the trademark can be proven). The patent portfolio will be discussed on a regular basis by the Patent Manager with the relevant managers, to make sure it is in line with the business needs.

Monitoring: Brand Owners must keep track of trademark applications or registrations by third parties that may threaten or dilute the trademark registrations of the Brand Owner. Brand Owners are also encouraged to keep track of the use of its IP by third parties online.

Infringements: An infringement is every use by a third party without our prior written consent, of a product, device, word, design, work or domain name similar or identical to our (registered) IP in commercial trade or in a way which may damage the goodwill or reputation of our companies or IP. In order to determine the importance of undertaking action against infringements we distinguish the following categories and priorities:

- ✓ Patent infringement: technology or method similar or identical to what is claimed in our granted patents;
- ✓ Counterfeits: words and devices identical to our trademarks or designs used for beer;
- ✓ Look a-likes: words or devices similar to our trademarks used for other beer brands;
- ✓ Internal infringement: wrong use/abuse of Heineken trademarks by Heineken employees;
- ✓ Collateral: Use of words or devices identical or similar to our registered trademarks on other goods than beer;
- ✓ Other infringements: all other abuse of our patents, trademarks or designs.

THE USE OF IP BY THE HEINEKEN COMPANY, ITS LICENSEES AND DISTRIBUTORS

1. Trademarks

- Always use the trademark as registered. A trademark is only protected as registered. Therefore, use of a trademark must be in line with its registration, otherwise rights can be lost and protection is futile.
- Always distinguish the trademark in relation to other words in a sentence:
 - ✓ Heineken[®] should always be written with capital “H” and be followed by [®];
 - ✓ Heineken[®] must never be joined to other words (such as “Heinekenmusic”);
 - ✓ Heineken[®] must be accompanied by [®] in markets where it’s registered, or by [™] where it is not (yet) registered: When used several times in a text, the [®] symbol need only be used the first time it appears, as well as in places where the trademark is especially stressed, such as in headlines;
 - ✓ A note explaining the significance of [®] should always appear in a suitable position in the communication concerned, e.g. at the foot of an advertisement or at the back page of a booklet: “Heineken[®]” is a registered trademark”.
- Always use the trademark as an uninflected adjective, for example: “Let’s drink some Heineken[®] beer!”, and not “let’s drink a Heineken”.
- Never change or adjust the graphic design of the trademark:
 - ✓ Never use other colours, dimensions or combinations than prescribed;
 - ✓ Always refer to the manual, and where this is not clear, you may contact the Brand Owner.

- Act against incorrect use and abuse of the trademark by third parties:
 - ✓ When third parties use the trademark in a neutral or descriptive way (e.g. in a newspaper article) without observing the above, they should be requested politely (and in writing) to use the trademark according to the above rules in future;
 - ✓ When third parties use our trademark to promote their own business, they should be notified in writing that they are infringing our trademark and cease that infringement immediately;
 - ✓ In exceptional cases suppliers may obtain permission to use our trademarks for a limited period of time and for a specific purpose, according to the “Rules for permission”. [▶▶▶ You can find more guidance in the Rules for permission](#)

2. Patents

- In case of new inventions, always check with the HEINEKEN Patent Manager whether such inventions are patentable or should be protected in any other way (secrecy);
- Always make sure that you do not violate any patents of third parties;
- NOTA BENE: Do not publish any details about a new invention before (a) a patent application has been filed or (b) it has been decided that no patent will be applied for. In the latter case never voluntarily supply details about our new inventions unless such is either confirmed to be “public knowledge” or covered by a confidentiality agreement.

3. Designs

- Always use the design as registered. A design is only protected as registered. Therefore, use of a design must be in line with its registration, otherwise rights can be lost and protection is futile.
- Act against incorrect use and abuse of the design by third parties:
 - ✓ When third parties use the design in a neutral or descriptive way (e.g. in a newspaper article) without observing the above, they should be requested politely (and in writing) to use the design according to the above rules in future;
 - ✓ When third parties use our design to promote their own business, they should be notified in writing that they are infringing our design and cease that infringement immediately;
 - ✓ In exceptional cases suppliers may obtain permission to use our designs for a limited period of time and for a specific purpose, according to the “Rules for permission”. [▶▶▶ You can find more guidance in the Rules for permission](#)
- NOTA BENE: Designs must be registered before the relevant design is shown to the public: please make sure you contact Global Legal Affairs in time for registration.

4. Copyrights

- Act against incorrect use and abuse of the copyrights by third parties:
 - ✓ When third parties use the copyright in a neutral or descriptive way (e.g. in a newspaper article) without observing the above, they should be requested politely (and in writing) to use the copyright according to the above rules in future;
 - ✓ When third parties use our copyright to promote their own business, they should be notified in writing that they are infringing our copyright and cease that infringement immediately;
 - ✓ In exceptional cases suppliers may obtain permission to use our copyrights for a limited period of time and for a specific purpose, according to the “Rules for permission”. [▶▶▶ You can find more guidance in the Rules for permission](#)
- NOTA BENE: Always make certain that before any creative work is assigned to a designer, advertising company or other third party rendering creative services, Heineken has agreed in writing with such party that all copyrights in such work (which may include the design of logo's - trademarks - or designs) will be vested in Heineken.
- Always mention in or on the work where appropriate a copyright line, such as for example: “© Heineken Brouwerijen B.V., 2018 (or other date), Amsterdam”.
- Always require third parties having permission to use such work to mention the copyright line and – for example – “by courtesy of Heineken Brouwerijen B.V.”

5. Domain names

- The terms of paragraph 1. Trademarks above apply, as well as the Domain name Policy.
[▶▶▶ You can find more guidance in the Domain name Policy](#)
- Domain names of all brands of the HEINEKEN Company shall all be registered by Global Legal Affairs and HEINEKEN Companies in the name of Heineken International B.V. only as set out in the Domain name Policy.

LICENSES

To whom: HEINEKEN only grants trademark or technology licenses to third parties (breweries) to make, market and sell certain beers or beer appliances owned by the HEINEKEN Company. We do not grant licenses to third parties to manufacture, market or sell other products than beer or beer related items (such as draft appliances) with our trademarks.

By whom: Only the Brand Owner may grant licenses for use to third parties. For the brands Heineken® and Amstel® , brands identified by Global Commerce as Global or International Brands or any patented technology this requires the prior written consent of Global Legal Affairs. Global Legal Affairs will provide License Agreements for the Global and International brands and patented technology.

No automatic authorization: No third party ever has the right to use one of our trademarks in the promotion of their own business, unless with the prior written consent from Global Legal Affairs or the relevant Brand Owner.

Trade names: We never authorise third parties, whether they do business with us or not, to use (parts of) our trademarks as part of their business name.

Instruction: People of all levels and of all HEINEKEN Companies must be aware of these rules and be instructed to direct all requests for licensing to Group Legal Affairs or the relevant Brand Owner.

TOOLS

Global HEINEKEN IP Database: All HEINEKEN Companies have access to the Global HEINEKEN IP Database which contains all trademarks and designs owned by the HEINEKEN Company. Global Legal Affairs is responsible for the management of the Database while all HEINEKEN Companies shall send monthly updates of their respective trademark and design portfolios.

IP Awareness Training: All HEINEKEN Companies have access to the IP Awareness training, i.e. a presentation developed by Global Legal Affairs to train employees that are involved in the development, marketing and sales of HEINEKEN Brands or other assets involving IP about relevant aspects of IP.

Templates: Global Legal Affairs can provide HEINEKEN Companies with templates for infringement letters, assignment and license agreement, registered user agreements, agreements with IP Service Providers, etc.

Advice: Global Legal Affairs advises on aspects of IP both at its own initiative ("IP Alerts") and at the request of a HEINEKEN Company.

Audit: Global Legal Affairs conducts IP audits both at its own initiative and at the request of a HEINEKEN Company.



SPEAK UP

If you have any concern regarding a possible violation of this policy, speak up! Raise any concern you have through your manager, Trusted Representative, Global Business Conduct or through our internal Speak Up service: online (<http://speakup.heineken.com>) or by phone through the Integrity Line in your country. All reporting is done confidentially and you can share your concerns anonymously (if allowed by the laws of your country) or not; whatever feels comfortable to you.



▶▶▶ You can find more guidance in the [HEINEKEN Speak Up Policy](#)

QUESTIONS?

If in doubt, discuss any questions you may have with your colleagues or consult your manager or Legal function.

For further guidance and support you can contact the IP Team at Global Legal Affairs.

- Note that not acting in accordance with this policy may lead to disciplinary measures, including dismissal.
▶▶▶ You can find more guidance in the [HEINEKEN Policy on disciplinary measures](#)
- This policy applies to all individuals as described in the HEINEKEN Code of Business Conduct.