

2018 B&C IMAGE POLICY – USAGE RULES

Dear user,

- This Image Policy applies to any use, distribution, or publication of B&C marketing materials (logos, visuals, technical guide, photographs, video-material, etc.) by a user. A 'user' may be either a wholesaler of B&C or a reseller who obtained access to the B&C marketing materials through a wholesaler or through authorised access to B&C's private room (<http://www.bc-collection.eu/en/private-room>).
- The user understands that (s)he is granted a limited non-exclusive authorization to publish the B&C marketing materials on the user's websites, folders, catalogi, social media platforms, etc., in order to promote B&C products and subject to compliance with the conditions mentioned in this Image Policy. This authorization is limited in time to each collection year, is limited to "B2B" ("business-to-business") purposes only, is revocable at any time, and is subject to the correct and timely payment by the user of all monies due to B&C (if applicable).
- All material or intellectual property rights to the B&C marketing materials (logos, visuals, technical guide, photographs, video-material, etc.) belong to B&C. B&C shall use its best efforts to inform its wholesalers of any change in its marketing materials and associated rights. The user undertakes to use B&C marketing materials only in their most recent forms as published in B&C's private room (<http://www.bc-collection.eu/en/private-room>). Therefore, the authorization to use the B&C marketing materials of a particular collection year is always limited to the collection year in question.
- B&C will review its visuals on a yearly basis and will upload the new visuals at the end of each year in its private room, for use by the users during the following year. Any such change (as well as changes during the year) will be communicated by B&C to its registered Private Room users. The user will be responsible for timely removing B&C visuals at the end of each collection year and to replace these by the new B&C visuals. This includes use on websites (including archived or obsolete pages), folders, catalogi, social media platforms, etc. In case the user does not comply with this requirement, B&C shall not be held liable for any claims by third parties such as photographers or models. The user understands and agrees in particular that any use, distribution, or publication of material of the 2017 visuals library or previous years (except packshots and Jackets Streetstyles) will be strictly forbidden as from 1 January 2018 and must be replaced by the new 2018 B&C visuals as communicated by B&C to the users., B&C shall not be held liable for any claims by third parties such as photographers or models if the user continues using, distributing, or publishing such pre-2018 visuals after 31 December 2017.
- The uniformity of the image of B&C and its products is essential. Therefore, the authorization to use any B&C marketing material is always subject to the condition that only B&C marketing materials are used in relation to B&C products. In other words, it is not permitted to mix B&C marketing materials (pictures, etc.) with non B&C marketing materials.

- The authorization to use B&C marketing materials does not include the right to modify or combine, in whole or in part, such materials. However, B&C authorizes the user to decorate the packshots provided that the illustrations/distinctive signs :
 - do not constitute an infringement of third party rights (including the copyright and other rights of photographers or models for example);
 - do not have a deceptive or misleading content;
 - do not contain any element contrary to public order or morality;
 - do not contravene any applicable law or regulation;
 - do not damage the reputation of B&C, the photographer, or the models or other.

- The sharing of B&C marketing materials with resellers is subject to compliance by such resellers with this B&C Image Policy. In this respect, the wholesaler (i) shall maintain at all times an updated list of all its resellers whom it provided access to B&C marketing materials and provide such list to B&C upon simple request and (ii) ensures and warrants that its resellers will at all times agree and comply with the present B&C Image Policy. The wholesaler understands that it will be responsible towards B&C and third parties for the compliance of such resellers with this Image Policy. This clause also applies to resellers or other users who share the B&C marketing materials with other parties.

- Each user is solely responsible for maintaining the confidentiality of his/her password, user name, account information and other logins or entry codes for the private room. The user agrees to immediately notify B&C of any unauthorized use of his/her account or any other breach of security or abuse of login data known to him/her.

- The user warrants that the use of B&C marketing materials will not create confusion regarding the status of the user (as an authorised wholesaler or distributor v. an independent reseller).

- The user understands and agrees that this authorization is limited to a “B2B” use and that the B&C marketing materials cannot be used on B2C webshops. For use on B2C webshops, other images are created specifically for this specific purpose, namely instudio images without heads/faces of the models.

- The user understands and agrees that all use of the B&C marketing materials on social media platform must comply with (1) the applicable legislation; (2) the rules of the specific social media platform; and (3) the rights of third parties (including photographers and models).

- In case of any claims or objections that the use of B&C marketing materials infringes third party rights (including but not limited to copyrights, image rights, etc.), the user shall provide the fullest cooperation and assistance to B&C to take the necessary action in connection with such claims or objections. In this respect, it is crucial that the user has an updated list of all its resellers or other parties who received access to B&C marketing materials.

- In case of infringement of this Image Policy, the user commits to fully indemnify B&C for all damages, costs, expenses and indemnities of any kind (including attorneys' fees) as a result of complaints, claims, and/or actions initiated by third parties based on the violation of their rights (including intellectual property rights and image rights) and/or any other costs or damage caused by the user's breach of the above conditions.

- B&C shall not be liable to the user for any direct, indirect, incidental, consequential, special or exemplary damages such as, but not limited to, loss of revenue or anticipated profits or lost business.

- The authorization mentioned in this Image Policy shall cease upon the termination, for any reason, of the relationship between B&C and the user (or, for resellers, between the wholesaler and the reseller). Upon such termination, the user shall promptly remove all B&C marketing materials from his/her websites, folders, catalogs, social media platforms, etc

- This Image Policy shall be governed by and construed in accordance with the laws of Belgium. Belgian courts will be exclusively competent to deal with any claims or disputes arising out of or based upon a breach of this Image Policy.

Please find hereafter a guide that will help you understand the usages of the B&C visual library.
If you have any question or request, please contact the B&C Communication Team at info@bc-collection.eu

AMBIANCE



- / No modification is allowed
- / You need always to use latest version (available in B&C Private Room) & Current year only
- / **In compliance with B&C Image Policy**

ATTITUDE

- / No modification is allowed
- / You need always to use latest version (available in the B&C Private Room)
- / **In compliance with B&C Image Policy**



STREET STYLES



Streetstyles are available for Inspire, Triblend and Sublimation and are recommended for any communication on these new styles.

- / No modification allowed except garment recolouring
- / You need always to use latest version (available in the B&C Private Room) / In compliance with B&C Image Policy

These visuals can't be modified. Why is this? Because a model always keeps his or her image rights (even if this topic is covered by a contract) >example of 2 reasons:

1. If the style on the picture is decorated with a brand being a competitor of a brand (s)he is running for another customer at that time.
2. If the image of the brand is not perceived as in line with his or her public or private image > for instance, tobacco, alcohol, political opinion, NGO or any other message not matching his/her image.

IN STUDIO



- / No modification allowed except garment recolouring
- / You need always to use latest version (available in the B&C Private Room)
- / **In compliance with B&C Image Policy**

These visuals can't be modified. Why? Because a model always keeps his image rights (even if this topic is covered by a contract) ›example of 2 reasons:

1. If the style on the picture is decorated with a brand being a competitor of a brand he is running for another customer at that time.
2. If the image of the brand is not perceived as in line with his public and private image › tobacco, alcohol, political opinion, NGO or any other message not matching his image.

PACKSHOTS



- / You can modify in compliance with B&C Image Policy
- / You need always to use latest version (available in the B&C Private Room)

WHAT IMAGES CAN BE USED FOR B2C WEBSHOP? – MANDATORY FOR B2C



CROPPED IN STUDIO: Instudio images that don't show any heads/faces.

/ Usage: B2C webshops. These images are created only for this specific purpose: instudio images without heads/faces.

For B2B websites, webshops and other online/offline communications, our standard imagery can be used.

/ Can be modified in compliance with B&C Image Policy

/ You need always to use latest version (available in the B&C Private Room)

You can also use PACKSHOTS