



Fondazione
ARENA DI VERONA*

Sales and Marketing Department

Verona, 28-Apr-2009

Notice from the Arena di Verona Foundation to the users of online booking services.

The Arena di Verona Foundation wishes to inform the general Public that on 28 February 2009 the Court of Verona has delivered judgment against Mr. Rainer Carl Klose, owner of the company R.C.K. Production Medien.

The judgment of the Court of Verona is available on the website of the Foundation at the following link: "www.arena.it/it-IT/documenti.html". The judgment brings to **an end a legal proceeding** that was started by Arena Foundation in 1999, when domain names registered by the company R.C.K. started to appear on the Internet. These names contained the words "arena" and "Verona" which **according to the opinion of Arena di Verona Foundation – now confirmed by the above judgment** – were able to give rise to confusion between Arena di Verona Foundation and R.C.K. and to "divert" the public from the Internet site of the Arena di Verona Foundation to the sites of R.C.K.

While wholly accepting the claim made by Arena di Verona Foundation, the Court condemns by default Mr Rainer Carl Klose for violation of the right to a name and of the exclusive right conferred by the trademark **and for violation of the regulations on unfair competition**, ordering in particular:

- That Mr Rainer Klose be forbidden from using on the Internet domain names containing the words "arena" and "Verona"
- That the Arena di Verona Foundation be paid an adequate amount as a compensation for damage
- That the Arena Foundation be paid an adequate amount for each day of delay in applying the judgement
- That Internet services providers be ordered to black out the sites of the defendant in case he fails to apply the judgement
- That the judgement be published in two national newspapers, one in Italy and one in Germany, as well as in a local newspaper, with Mr Rainer Klose bearing all expenses related thereto.

In expressing the regret of Arena di Verona Foundation for any inconvenience caused to its Public by the existence on the Internet of sites that have carried out and are still carrying out unauthorized sales activities of tickets for the Festival of the Arena di Verona, it is reiterated that the Arena di Verona Foundation is ready to take, *both nationally and internationally*, any further action for the protection of its rights and image and for the defence of its Public.

(Prof. Corrado Ferraro)
Sales and Marketing Director