CONDITIONS OF PARTICIPATION

Version as of 15 October 2024

INTRODUCTION

The FRUIT LOGISTICA Innovation Award "FLIA 2025" recognises outstanding innovation across the entire fruit and vegetable supply chain – from production to the point of sale. From 2024, the FRUIT LOGISTICA Innovation Award Technology (FLIA Technology) will also be presented additionally.
Innovations can include products, services or technical processes. The award is presented each year at FRUIT LOGISTICA by Messe Berlin GmbH – organiser of the exhibition – and Fruitnet Media International GmbH, Düsseldorf.
If your company or organisation has introduced such an outstanding innovation to the market in the period from 1 November 2023 to 31 October 2024, you are free to submit it to the competition. Only registered exhibitors and registered co-exhibitors of FRUIT LOGISTICA 2025 shall be admitted to the competition.

Section 1. DEFINITIONS

1. By **AWARD** we mean either the FRUIT LOGISTICA Innovation Award (FLIA) or the FRUIT LOGISTICA Innovation Award Technology (FLIA Technology).
2. The **EXHIBITION** is FRUIT LOGISTICA 2025 in Berlin, or the special exhibition space for the innovations nominated by the jury.
3. **COMPETITION** refers to the processing and evaluation of applications for the FRUIT LOGISTICA Innovation Award, as well as the nomination of the innovations and their presentation at the exhibition, any voting by trade visitors, the counting of votes and the announcement of the winners during the awards ceremony.
4. The **INNOVATION** is the product, service, process or similar item that is registered for competition.
5. The **NOMINATED INNOVATION** is an innovation nominated by the jury for the final round and presented to the trade visitors for voting.
6. The **ENTRANT** or **APPLICANT** is the person, company or organisation entering the innovation in the competition.
7. The **APPLICATION** or **REGISTRATION** is the process by which innovations are submitted for participation in the competition.
8. The **ORGANISERS** are Messe Berlin GmbH, Berlin, and Fruitnet Media International GmbH, Düsseldorf.
9. The **EXHIBITOR** or **EXHIBITING COMPANY** is a company or organisation officially registered with Messe Berlin GmbH as an exhibitor or co-exhibitor at FRUIT LOGISTICA 2025 in Berlin.
10. **COMMERCIAL TRADE/COMMERCIAL ACTIVITY** means that the innovation has been sold, traded or used commercially as a commercial product (i.e. not as a prototype or test sample).

Section 2. CONDITIONS OF PARTICIPATION

A. The Prize – Eligibility for participation

1. The FRUIT LOGISTICA Innovation Award is presented annually at FRUIT LOGISTICA in Berlin. From 2024, the FRUIT LOGISTICA Innovation Award Technology (FLIA Technology) will also be presented additionally. These will be awarded to the innovations selected by the trade visitors as the best "Fresh

Produce" or technical innovation of the year from the candidates nominated by the jury. The winner of the respective award will be honoured with an award.

2. Participation in the competition is free of charge and open to all admitted exhibitors and co-exhibitors at FRUIT LOGISTICA 2025 in Berlin. The innovations must first be presented to a jury for selection and nomination. The jury will nominate a maximum of ten entries for both awards (FLIA and FLIA Technology) for presentation and voting by trade visitors at FRUIT LOGISTICA 2025. The winners will be announced during the exhibition.
3. Participants must be the rightful owners or otherwise the authorised users of such rights – including patents, copyrights, intellectual property rights or registered trademarks or brands – in order to submit the innovation to the competition and present it during the exhibition. By participating in the competition, the participants explicitly declare that the organisers cannot be held liable for unlawful use of any rights to the innovation by the participant. Any claims against the organisers in connection with the competition – irrespective of the legal grounds – are excluded.
4. Only one innovation per exhibitor or co-exhibitor may be submitted.
5. The innovation subject to application must belong to one of the officially designated product categories of FRUIT LOGISTICA 2025 (See "FRUIT LOGISTICA product group index 2025"). The innovation applied for FLIA must be available in a form that can be presented at the exhibition in Berlin, either as a product itself or (e.g. in the case of services, processes, systems or abstract concepts or very large products or innovations for FLIA Technology) in the form of a video or graphic that facilitates an appropriate impression of the actual nature and novelty character of the innovation.
6. The innovation must have been sold or commercially traded or used (not as a prototype/test sample) at arm's length during the period from **1 November 2023 to 31 October 2024**.
7. The following persons or organisations are not eligible to participate:
    a) Members, employees or family members of the jury or the company or organisation to which jury members belong, in particular, Messe Berlin GmbH and Fruitnet Media International GmbH.
    b) Persons, companies and organisations not admitted as exhibitors at FRUIT LOGISTICA 2025.
8. By registering an innovation for the competition, applicants hereby expressly agree to the conditions of participation; they also agree to accept the decisions of the organisers and the jury as binding and final and to waive any recourse.
9. If both the legal owner and a distributor or dealer enter the same innovation separately for the competition, only the application of the legal owner will be considered, unless it is waived in writing in favour of the distributor or dealer. If the same innovation is entered for competition by more than one legal owner or more than one distributor or dealer, respectively, or if it is impossible to determine who the rights holder is, the jury may – at its discretion and with the agreement of all parties – allow a joint (single) application from the applicants concerned. In this case, however, the applicants for the innovation must submit a new joint application with a single set of application documents. However, if applicants cannot agree on a joint application, the organisers reserve the right to draw lots to determine who may maintain their candidature or, alternatively, to exclude all identical applications from the competition.
10. English and German are admitted to the competition as official languages. All communication must be in one of these two languages.

B. Application procedure

1. Registration must be made via an official digital registration form by an authorised signatory representative online exclusively. The **registration** form must be completed in full, supplemented with the necessary uploads and sent by **15 November 2024**.

    Each completed application form (fully digital) must include the following elements by upload:

    a) **One to two high-quality digital full-colour photos of the innovation in high resolution (300 dpi)**:
    - one in square format with a minimum size of 10 x 10 cm, jpg.
    - a second photo in landscape format 15 x 10 cm, jpg. The photos should be provided in a high-resolution JPG format together with the application form via upload. For a potential publication

(subsequent to a nomination by the jury) in a print medium, the photos must be suitable for high-quality reproduction.

b) **An invoice from the period 1 November 2023 to 31 October 2024 as proof of the commercial use of the innovation**. This proof shall remain with the organisers, it will not be passed on to third parties and will, of course, be handled in accordance with the General Data Protection Regulation (GDPR). Confidential passages – such as prices, personal names, addresses etc. can (and should) be blacked out.

2. Each applicant may supplement the uploads with a link to a video on their company website or one of the usual video portals (e.g. YouTube) with a maximum running time of 3 min. This video should briefly and concisely highlight the benefits of the innovation. The video must be playable via Windows Media Player or QuickTime. Preferably, a low-resolution file should be used, as it is particularly suitable due to its system compatibility.

3. **Each applicant company must send one or more samples of the innovation for evaluation by the jury in addition to the digital application.** If – for any reason – the innovation cannot be submitted to the jury for evaluation in its original form (e.g. because of its size, weight, excessive transport distances or because the innovation is a service, process, system or abstract concept), the applicant must submit an appropriate concise, technically meaningful documentation such as a film or video presentation (see 2.).

   The sample shall be sent to the organisers at the applicant's expense and risk exclusively during the period from 26 to 29 November 2024, 9.00 am - 4.00 pm at the latest, to the following address:

   Fruitnet Media International GmbH
   FRUIT LOGISTICA Innovation Award, Applicant: [your company name]
   F.A.O. Lena Manteuffel
   Simrockstrasse 64-66
   40235 Düsseldorf, Germany

   E-mail events@fruchthandel.de

   All expenses – such as transport costs and insurance, customs duties, taxes, etc. – incurred in connection with the application shall be borne by the applicant. Applications and deliveries for which the organisers have to pay additional transport costs, customs duties or other fees set by customs officials, courier services or institutions will be excluded from the competition.

C. Advertising – Property rights

1. In the case of applications, the organisers shall be entitled to publish information about the nominated innovation in connection with the competition via the organisers' press releases, the official FRUIT LOGISTICA Exhibition Guide, publications of Fruitnet Media International GmbH and the organisers' official websites, in any form and in any medium they wish. In particular, the organisers hereby reserve the right to use the information regarding the nominated innovation in connection with any kind of advertising and promotion for the current competition, as well as for a future FRUIT LOGISTICA Innovation Award. Applicants shall not receive any payment or remuneration of any kind for the use of the information on the nominated innovation set out in this paragraph.

2. It shall be the sole responsibility of all applicants to take any steps they deem necessary to protect their innovation and intellectual property – such as patent applications, copyrights, registered names or trademarks or any other type of intellectual property right.

3. Participation in the competition shall not entail any transfer of intellectual property rights, copyright or registered trademarks. The organisers shall respect all rights related to the innovations. However, applicants hereby expressly and explicitly authorise the organisers to use registered trademarks and copyright protected illustrations and descriptions of the nominated innovation in the presentation of the nominated innovation in connection with the organisation and any other promotional efforts – including the exhibition and the award ceremony.

D. General liability

1. Applicants shall, at all times, be responsible for all aspects and costs associated with the transportation and appropriate insurance for all innovations, application documents and materials provided to the jury for the exhibition of the nominated innovations. The organisers shall endeavour to take all necessary measures to protect the innovation and the documents or materials used for the application for as long as they are in their possession. However, the organisers cannot be held liable for any instances of damage, loss or other risk, except for malicious fault or gross negligence on their part. Applicants shall be required to take out adequate insurance to cover all conceivable risks in connection with the transport, storage and exhibition of the items and documentation.

2. The organisers, their employees or agents shall accept no liability whatsoever for any costs, losses, damages or claims for liability incurred by the applicant in connection with the award or the competition process – except for malicious default or gross negligence on the part of the organisers, their employees or vicarious agents.

E. Nomination by the jury

1. All applications submitted to the competition that meet the entry requirements shall be evaluated by the jury for nomination.

2. The jury will be appointed by the organisers. The organisers hereby undertake to ensure the competence, impartiality and fairness of the jury members. The jury shall include independent external experts selected by the organisers and invited to participate, as well as employees of the organisers' companies. The latter shall not be entitled to vote. The members of the jury shall not receive any remuneration for their work. A jury member who acts as a general merchant or service provider and who has traded, is trading or is likely to trade in the future in an innovation submitted for the competition – but who does not hold the special or privileged status as a commercial agent for a specific innovation – must declare this interest in the innovation in advance, but will not automatically be excluded as a jury member. However, he must prove to the organisers' satisfaction that he has no personal interest in the competition's outcome, and cannot derive any undue advantage from it.

3. All applicants hereby agree that the jury's decision regarding the nominated innovations is final. Neither the jury members nor the organisers shall be permitted to comment on the jury's decisions in any form, be it written or verbal.

4. If the jury finds that no award-worthy applications have been received, no nomination will be made. Should this be the case, it remains at the discretion of the organisers whether the competition is abandoned, postponed or cancelled.

5. Applicants whose innovation is nominated by the jury for presentation and voting at the exhibition shall receive written notification from the organisers as soon as possible after the jury meeting.

6. In this notification, applicants shall be asked to explicitly acknowledge the nomination and all conditions of participation by signing the attached declaration of consent, and to return the document to the organiser.

7. Applicants who have received official written notification from the organisers that their innovation has been nominated may refer to their nominated innovation as "Nominated for the FRUIT LOGISTICA Innovation Award 2025" or "Nominated for the FRUIT LOGISTICA Innovation Award Technology 2025" from a date specified by the organisers, unless the applicant has withdrawn its candidature or the nomination has been subsequently withdrawn by the organisers. Other formulations shall not be permitted. This designation shall be limited to the innovation in its unaltered original form in which it was submitted to the competition, and may not be used to draw attention to the exhibiting company or the owner itself, as well as any distributor of the innovation or any other version of the innovation that is not identical to the innovation originally submitted. The competition year "2025" must always be used in connection with the description of the nominated innovation so that no confusion is possible with FLIA competitions in previous or subsequent years.

The official competition logo – including the competition year – may also be used, but without any modification and always in accordance with the prevailing terms and conditions, which will be gladly provided together with the logo upon request. If necessary, the organisers shall reserve the right to take appropriate action – including legal action – to ensure the correct use of the name and competition logo.

8. Applicants with an innovation that is not nominated by the jury for presentation and voting at the exhibition shall receive written notification from the organisers. Submitted innovations that have not been nominated may not be mentioned in connection with the competition or the award.

F. Presentation of nominated innovations at the exhibition

1. All applicants whose innovation is nominated for the FLIA will have the opportunity to present their innovation at FRUIT LOGISTICA 2025 in the special exhibition area designated for this purpose by Messe Berlin, subject to the conditions listed below. Messe Berlin GmbH shall provide each nominated applicant with a neutral presentation area. The size and equipment found in the presentation area shall be communicated to the nominated companies in January 2025. The order and placement of the innovations within the exhibition area shall be at the sole discretion of Messe Berlin. Larger-scale innovations (or innovations for FLIA Technology) should be presented using illustrations, charts, videos or computer presentations within the normal exhibition space. Innovations, documents and other necessary materials provided by the applicants for the exhibition shall hereinafter be referred to as "exhibition elements".

2. Messe Berlin GmbH shall be solely responsible for providing the neutral and simple display area. All organisational aspects, costs and risks are at the applicant's expense. These shall include:

    a. the punctual and direct delivery of the exhibition elements on Tuesday, 4 February 2025 between 12.00 noon and 5.00 pm to the specially designated exhibition areas within the exhibition halls in a form appropriate for the presentation. (The organisers shall not be responsible for the transport of the exhibition elements provided for the jury evaluation to the exhibition area)
    b. the timely placement and installation of the approved exhibition elements on the display area allocated for the final presentation on Tuesday, 4 February 2025 by 5.00 pm at the latest
    c. the preparation and installation of additional exhibition materials or equipment expressly approved by the organisers – including, for example, necessary containers for the innovation, information boards in a form prescribed by the organisers, any type of technical equipment necessary for the exhibition of the innovation (including refrigerated display case, video displays, computer equipment, etc.)
    d. maintaining the good condition of the exhibition elements during the exhibition. In order to ensure their requisite quality, the applicant is required to review these regularly. Particularly in the case of perishable products, the applicant shall take due care to ensure that they remain in good condition throughout the duration of the exhibition. This includes, if necessary, keeping the innovation overnight in his own refrigerator and/or refilling a fresh product during the exhibition. It is at the sole discretion of the organisers to temporarily (or permanently) remove from the exhibition – without right of appeal – any products that are not in good condition if, in the opinion of the organisers, the presentation does not lend a professional impression.

3. The presentation of innovations shall follow separate, set rules provided by the organisers before the exhibition. These rules are intended to ensure that the innovations are presented to the trade exhibition audience for voting in a fair, equal and objective manner. The use of additional company or brand logos, advertising texts, graphics, promotional, advertising or decorative materials – in order to highlight the innovation or attract visitors, in particular – shall not be permitted. The organisers' decision regarding the application of these rules to the innovation issued by the applicant shall be final. Participants who do not comply with these rules may be excluded from the competition with immediate effect without invoking any right of appeal and without any right to compensation.

4. During the normal opening hours of FRUIT LOGISTICA 2025 (Wednesday, 5 February and Thursday, 6 February, from 9.00 am - 6.00 pm and Friday,
7 February 2025, from 9.00 am - 4.00 pm), the special exhibition areas will each be supervised by at least one Messe Berlin employee. Its task is the general supervision of the exhibition, the administration of all votes cast by the trade visitors and the answering of generally valid questions – including directions to the candidates' stand. The employee shall not be responsible (and cannot be held liable) for the safety or quality of the nominated innovations. Outside normal opening hours from 5.00 pm on Tuesday 4 February 2025 until 09.00 am on Friday 7 February 2025, the special exhibition areas will each be supervised by a member of staff from a security service. The provision of a staff member for supervision or guard duty represents a courtesy on the part of the organisers, from which no liability whatsoever can be derived for any damage, loss or other risk, with the exception of malicious fault or gross negligence on the part of the organisers, their employees or representatives. Applicants may, of course, provide their own additional security staff. They shall also be requested to provide adequate insurance to cover at all times all possible risks related to the transport, storage and exhibition of their innovation and exhibition materials.

5. Nominated applicants must deploy a minimum of one and a maximum of two members of their own staff to the special exhibition area to answer visitors' questions and ensure the safety and quality of their innovation during the exhibition's normal opening hours. However, such employees shall be prohibited from contacting visitors who are not directly in front of their own set-up, and who have not already expressed a specific interest in the applicant's innovation. Any competitor who, in the opinion of the organisers, attempts to influence visitors' voting behaviour beyond providing neutral promotional material and answering questions about the innovation may – at the sole discretion of the organisers – be disqualified and excluded from the competition without right of appeal.

G. Voting procedure

1. Visitors to the exhibition will have the opportunity to view and examine the nominated innovations in the special exhibition areas during the opening hours of the event. They can vote by ballot for what they consider to be the most significant innovation of the year during the opening hours of the exhibition on Wednesday 5 and Thursday 6 February 2025. Voting will close at 6.00 pm on Thursday 6 February 2025.

2. The counting of votes shall be carried out by the organisers immediately after the end of the voting procedure under the supervision of an independent judge. In the event of a tie between two innovations, the winner will be determined by a simple majority of at least three jury members.

3. All trade visitors and exhibitors at FRUIT LOGISTICA 2025 shall be entitled to vote and participate in the election of the nominated innovations.

   Those individuals **not** entitled to vote:

   a. Members, employees (or their family members) of the company participating in the competition or of the original producer/manufacturer of the innovation

   b. The jury members or the independent adjudicator

   c. Members or employees of the organisers.

4. Voting will take place exclusively at the FRUIT LOGISTICA venue (Berlin Exhibition Grounds) by way of ballot paper. Each visitor shall have only one vote, and must use the official ballot paper provided by the organisers to vote. Ballots shall be distributed at the special exhibition areas. These are also included in the official FRUIT LOGISTICA Exhibition Guide, which is distributed to visitors to the exhibition. Ballots will be handed in at the special exhibition areas on the exhibition grounds. Voting will be supervised by the staff of Messe Berlin.

5. The competition organisers hereby reserve the right – at their sole discretion and with immediate effect – to exclude a nominated innovation from the competition if an applicant or any of its agents, employees or partners attempts to influence or manipulate the independent voting process, or if there

is evidence of serious irregularities in the voting for an innovation. Likewise, it shall be at their sole discretion to remove or have the innovation removed from the exhibition. All votes cast for innovation will be disregarded in the count. These decisions shall be final, and applicants hereby acknowledge that they have no right to question or challenge them in any way, nor is any correspondence entered into in this regard.

Exerting unfair influence, attempts at manipulation or serious irregularity in the voting process shall include – but not be exclusively limited to – for example:

- Participation in voting by employees or representatives (or their family members) of the applicant company or the original producer of the innovation in the voting
- Voting multiple times by a single person for the same innovation
- The multiple distribution of ballots by the candidate himself, his staff, representatives or other supporters of his innovation
- A mass vote deliberately organised by the applicant, its employees, representatives or other proponents in favour of an innovation
- The offer of incentives of any kind for targeted voting
- The use of targeted advertising measures to directly influence the immediate voting behaviour of trade visitors, e.g. by suggesting "Vote for our innovation".

General advertising regarding the quality and benefits of the innovation and about the nomination of the innovation with the words "Nominated for the FRUIT LOGISTICA Innovation Award 2025" or "Nominated for the FRUIT LOGISTICA Innovation Award Technology 2025" is hereby excluded from this rule. It is not considered unfair if the applicant promotes his innovation and his nomination on his own stand by distributing information about the innovation to visitors to his stand and drawing their attention to his participation in the competition. However, ballot papers may not be distributed by the candidate, his staff, representatives or other supporters.

H. Award ceremony

1. The Award Ceremony will take place on Friday, 7 February 2025, at 2.00 pm, with the specific location to be communicated later to all nominated applicants who undertake to attend the Award Ceremony through an official representative.

2. The winners may name their innovation as "Winner of the FRUIT LOGISTICA Innovation Award" or "Winner of the FRUIT LOGISTICA Innovation Award Technology". The year of the award must always be used in conjunction with this description. Other formulations are hereby deemed inadmissible. These designations shall be limited to the innovation itself in its unmodified and original form submitted for competition, and may not be used to designate the exhibiting company or the owner, as well as any other distributor of the innovation or any other version of the innovation not identical to the original product applied for. The year in which the award was presented must always be mentioned in the designation "Winner of the FRUIT LOGISTICA Innovation Award" or "Winner of the FRUIT LOGISTICA Innovation Award Technology". If necessary, the organisers hereby reserve the right to take appropriate action – including legal action – to ensure the correct use of the designation.

I. After the competition

1. Special exhibition areas: competitors must dismantle and remove their exhibition elements and all other documentation and additional materials and equipment from the special exhibition areas at their own expense and risk from 4 pm on Friday, 7 February until 10 pm on Monday, 10 February 2025 at the latest. After 4.00 pm on Friday, 7 February 2025, the organisers, Messe Berlin GmbH and its employees and representatives will no longer provide a general security service for the exhibition elements. Condition D (General Liability) above shall apply at all times.

2. Innovations, documents and materials that have otherwise been made available to the organisers during the application phase – for example, for the jury meeting in December – will only be returned to the participants if this has been expressly agreed in writing with the organisers in advance. Applicants may, in this case, arrange for these elements to be collected from the organisers at their own risk and expense with the help of the organisers' prior consent form. All items not otherwise collected will be removed or disposed of by the organisers from Friday 7 February 2025.

J. Exclusion, termination

1. The organisers may exclude an applicant from further participation in the competition at any time (and for any reason whatsoever) if they conclude that such exclusion is justified because of a failure on the part of the competitor to comply with the conditions of participation.

2. Should a nominated innovation be the subject of extrajudicial or judicial disputes between companies, and the companies involved are unable to provide the organisers with an amicable statement on the settlement of the dispute within a period specified by the organisers, the nominated innovation will be excluded from the competition

3. The organisers shall be entitled to claim any damages they have incurred from the excluded participant. This shall include, for example, the costs for the production of the competition documents, any own legal costs of the organisers, personnel costs of the organisers. The participant shall submit to a contractual penalty of EUR 15,000, which the organisers may claim if the participant is excluded from the Innovation Award. The right to claim further damages (e.g. damage to FRUIT LOGISTICA's image) is reserved. The contractual penalty shall not be offset against the claim for damages.

4. The organisers may cancel, suspend or postpone the award and the competition at any time by giving written notice to all applicants and by posting a notice to that effect on the website www.fruitlogistica.de.

5. In the event of a disqualification or termination under Section 2 J 1 or Section 2 J 2, any claims against the organisers and their service providers in connection with the exclusion, cancellation, interruption or postponement of the award or competition shall be excluded. This shall not apply in cases of intentional or grossly negligent behaviour on the part of the organisers or their service providers.

K. Amendment of the conditions of participation

1. The organisers hereby reserve the right to decide on a case-by-case basis in situations not covered by these conditions of participation and, if necessary, to make the necessary changes or additions. All decisions made by the organisers in such situations shall be final. Any further discussion of this point is hereby excluded.

2. The organisers reserve the right to change the conditions of participation at any time before the closing date without prior notice. The amended conditions of participation shall enter into force immediately after announcement under the section designated for the "Prize" on the website www.fruitlogistica.de. Applicants shall be informed of any further changes to the conditions of participation immediately after receipt of their application, or as soon as possible after they come into force. Applicants will be given five working days to indicate their acceptance of the amended conditions of participation, or to cancel their participation in the competition. The organisers shall not be held liable for any loss or damage suffered by applicants as a result of their withdrawal from the competition.

Section 3. Applicable law; place of jurisdiction

1. The mutual rights and obligations arising from these terms and conditions of participation shall be governed by the laws of the Federal Republic of Germany.

2. The place of performance is Berlin. Should the applicant, candidate, exhibitor or exhibiting company be a businessman or a legal entity under public law, or if the defendant has no general place of jurisdiction within Germany, the place of jurisdiction shall be Berlin.

Section 4. ORGANISERS

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