

Certified Translation from German into English
Regulation Governing the Use of Trade Marks

of

the registered association
Castillo Morales® Vereinigung e.V.
60507 Frankfurt/Main
- hereinafter referred to as the "Association" -

§ 1 Subject Matter of the Statutes

1

The subject matter of the statutes shall be the collective mark "Castillo Morales®", which was registered with the German Patent and Trade Mark Office for trademark protection under File Reference No. 306 17 159.7/44 on March 15, 2006.

The trademark registration shall refer to following goods and services:

Class 10:

Orthodontic aids, instruments and apparatuses, in particular palate plates;
orthopedic aids, instruments and apparatuses, in particular storage cushions;

Class 16:

Teaching and instruction means (except for apparatuses);

Class 41:

Organization and conducting of seminars and training courses;
organization of congresses and symposiums;

Class 44:

Medical supply and health care services;
medical therapists and physicians services.

2

As the bearer of the mark the Association shall be entitled to the rights to the mark, in particular in the case of illegal use or any other impairment of the mark or use of the mark.

§ 2 Purpose of the Mark

1

The mark in accordance with Clause 1 shall serve to designate the Castillo Morales® concept as well as its protection and its implementation by qualified therapists and physicians within the scope of the purpose of the Association.

2

The purpose of the Association shall be dissemination of the Castillo Morales® concept, which integrates various subfields of physiotherapeutic, speech and occupational therapy treatment techniques – classic and those developed by Castillo Morales (neuromotor development therapy, orofacial regulation therapy and insertion of a palatal

plate) – as well as pedagogical and psychological therapeutic aspects. The Association aims to promote this therapy concept along interdisciplinary lines and for the greater benefit of patients affected by neurological manifestations and to increase the level of awareness thereof among physicians and therapists in Germany as well as among those persons affected, their families and among the general public and to influence the greatest possible quality of its holistic application by qualified therapists and physicians.

3

The task of the Association consists in particular in:

- a) conducting informational events as well as basic courses and refresher courses on the Castillo Morales[®] concept for physicians, dentists, occupational therapists, speech and physical therapists as well as the free treatment of patients within the scope of these further training courses;
- b) the maintenance of relations and the promotion of the exchange of experience in therapeutic and scientific work among the members and with the specialists, organizations and facilities working in the same area both domestically and abroad through the organization of and participation in specialized congresses, specialized information tours to institutions that work in this therapeutic area;
- c) study and systematic evaluation of international technical literature for the scientific and practical further development of the Castillo Morales[®] concept;
- d) dissemination of information about the Castillo Morales[®] concept through symposia as well as publications in the trade press and other public relations work methods; establishment of discussion forums, e.g. on the Internet;
- e) the development of quality standards and the introduction of quality management;
- f) the training of instructional therapists in accordance with the guidelines specified by the advisory board, who pursue the purpose of the association formulated under Section 2 in appropriate manner.

§ 3 Membership

1

All Castillo Morales[®] therapists who have completed a basic course about the Castillo Morales[®] concept and have received a corresponding certificate may be admitted as proper members. Applicants who participated in other advanced training conducted by Dr. Castillo Morales himself and/or who also visited refresher courses prior to establishment of the Association or thereafter or who are able to prove their professional interest in the Castillo Morales[®] concept in any other manner may be admitted as proper members if the advisory board recognizes these advanced training seminars and the professional experience obtained thereafter by the applicants as entirely sufficient in individual cases.

2

An application for admission as a proper member shall be submitted to management in writing. The application shall include the name, age, profession, address and information as well as suitable certificates, reports and references with regard to fulfillment of the prerequisites in accordance with Clause 1 above.

3

Management shall decide on admission. Management shall not be obliged to indicate any reasons in the event of refusal.

4

Management may appoint honorary members and accept supporting members.

5

Membership shall end

- a) with the death of the member,
- b) through withdrawal,
- c) through deletion from the membership list,
- d) through exclusion from the Association.

6

Withdrawal from the Association shall require a written declaration addressed to a member of the Management Board. Such withdrawal shall only be permitted at the end of a calendar year while providing a three months' period of notice.

7

By way of a resolution on the part of the Management Board a member may be deleted from the membership list if such member is in arrears with payment of the membership contribution despite two reminders. Deletion may only be decided after three months have elapsed since dispatch of the second reminder and the contribution(s) owed have yet to be settled. The member shall be notified of such deletion.

8

A member may be excluded from the Association by the Management Board if the member has lost state recognition of the member's healing profession. Exclusion due to gross violation of the interests of the Association shall require the approval of the Advisory Board.

9

Honorary or supporting membership may be revoked by the Management Board after consulting with the Advisory Board.

§ 4 *Rights and Obligations of Association Members*

1

Proper members shall have the right to vote in the Members' Meeting as well as an active and passive right to vote.

2

Honorary or supporting members shall have the right to participate in the Members' Meeting. However, they shall neither be entitled to submit petitions nor shall they have the right to vote.

3

By joining the Association all members shall be obliged to promote the aims of the Association with commitment and to observe the resolutions with regard to the content and temporal design of the basic and advanced training in diagnostics and therapy in the

Castillo Morales® concept as published by the Management or Advisory Board of the Association and with regard to the principles of quality assurance and certification as well as use of the name “Castillo Morales®” in connection with the aforementioned diagnostics and therapy.

4

For quality assurance reasons basic and refresher courses in the Castillo Morales® concept may only be offered and conducted by the Association. Exceptions shall require approval from the Advisory Board.

Castillo Morales® instructional therapists shall be entitled to personally offer and conduct information and short-term events for a term of up to three days without consulting the Association; whereas at least two instructional therapists must work together as a rule.

5

Members who hold an honorary office or have an honorary task from the Management Board of the Association shall only be entitled to claim replacement of their incurred expenditures within the scope of such honorary activity for the Association.

§ 5 Trademark Exploitation Rights

1

The Association shall permit its members as well as the therapists and physicians who have received verification of successful participation in the basic course to become Castillo Morales® therapists in the form of a certificate to bear the mark in accordance with Section 1 No. 1 and to use such for the services of the therapists and/or the physicians within the scope of Section 2 Paragraph 1, e.g. on business documents, writing paper, advertising materials, on the Internet or in other announcements and also otherwise on their business premises, e.g. as a sign, poster etc. Where the mark is used it must be clearly set off spatially from graphic elements, names, business designations, corporate, trademark or other information and compared with these be particularly emphasized by size, color or other graphical representations or the symbol ®. The designation “Castillo Morales®” may not be combined with descriptive words such as “Castillo Morales® therapy” or “Castillo Morales® method.”

2

a) Furthermore, the Association shall grant the therapists and physicians who have received verification of successful participation in the basic course to become Castillo Morales® therapists in the form of a certificate the right to use the designation “Castillo Morales®” as therapist’s designation in the following variants for therapeutic treatment of patients in accordance with the principles of the Castillo Morales® concept and to bear these designations:

- Castillo Morales® therapist
- Castillo Morales® therapist (Castillo Morales® Association)
- Castillo Morales® instructional therapist
- Castillo Morales® instructional therapist (Castillo Morales® Association)

Any other use of the designation “Castillo Morales®” in the business designation or in the company name with or without additions shall not be permitted.

- b) The right of use in accordance with a) shall commence with delivery of the certificate that verifies the successful participation of the aforementioned therapists in the training to become “Castillo Morales[®] therapists” and/or “Castillo Morales[®] instructional therapists.” It shall end upon revocation by the Association or with expiration of the certificate if the certificate has time limitation.

3

The granted right of use in accordance with Paragraphs 2 and 3 shall not include the right of use of the corporate logo of the Castillo Morales[®] Association.

4

The member shall warrant and be obliged to fulfill any and all of the relevant provisions of the statute of the Association, this regulation governing the use of trade marks, provisions with regard to the obligation of further training as well as the ethical guidelines of the Association. Each member that uses the mark shall be obliged to prove use of the mark within a procedural scope for the purpose of prosecution of third parties.

5

The Association shall be authorized and obliged to monitor users of the mark in accordance with Paragraphs 1 and 2 for their adherence to all of the provisions contained or mentioned in this statute as well as correct application of the mark, to take action against improper or unauthorized use of the mark as well as against disturbance or impairment of justified use of the mark and to punish violations. In particular it shall be entitled to pursue violations and associated claims in court. Users of the mark shall be obliged to warrant that the mark is employed in accordance with the intended purpose and as a trade mark, to provide notification of improprieties or abuse of trade mark use about which they become aware of to the Association and to do everything in order to promote the purpose of the mark as a reference of origin.

6

The users of the mark in accordance with Paragraphs 1 and 2 shall be obliged to refrain from doing anything that impairs, hinders, jeopardizes or otherwise questions the existence, safeguarding and assertion of the rights to the mark. They shall also not promote attacks by third parties. They shall not allow identical marks to be registered as a mark. They shall also be obliged not to use or allow any designations to be registered that are identical or similar to the mark in accordance with Section 1 or the therapists' designations in accordance with Section 5 Paragraph 2 or which contain parts of the mark or the therapists' designations.

These obligations shall apply to members of the Association even after they leave the Association. In particular they shall not use any other marks for their therapeutic services or products that make reference to Dr. Castillo Morales or the Castillo Morales[®] concept.

§ 6 Corporate Bodies of the Association

The corporate bodies of the Association shall be:

- a. the Management Board,
- b. the Members' Meeting,
- c. the Advisory Board.

§ 7 The Management Board

1

The Management Board shall consist of at least three persons.

2

The Association shall be jointly represented in and out of court by two respective members of the Management Board.

3

The Management Board shall be entitled to adopt its own rules of internal procedure and appoint a managing director.

4

The term of office of the Management Board shall amount to four years. However, the Management Board shall remain in office even beyond this period until new elections are held and business is handed over to the new Management Board.

5

The Management Board shall provide the Advisory Board with the necessary resources for fulfillment of its tasks and execute its statutory resolutions.

§ 8 The Advisory Board

1

The Advisory Board shall consist of Association members who have successfully completed training as a Castillo Morales[®] instructional therapist and are able to provide a corresponding certificate from the Association.

Members of the Management Board may be members of the Advisory Board at the same time insofar as they fulfill the aforementioned professional requirements.

2

The tasks of the Advisory Board shall consist in

- organization, planning and carrying out further training courses,
- preparation of curricula for these basic and advanced training courses,
- development of quality criteria and testing procedures for basic and advanced training,
- preparation of expert opinions for the Association's internal use or, at the request of external bodies, with regard to matters that concern the purpose of the Association and its basis as well as the Castillo Morales[®] concept,
- joint decisions with regard to the exclusion of members who have grossly violated the interests of the Association.

The Advisory Board shall elect a management body consisting of at least three members. The term of office of the Advisory Board management body shall amount to four years. The tasks of the Advisory Board management body must correspond to the statute and are specified in greater detail by the rules of internal procedure of the Advisory Board. Members of the Advisory Board may not be elected to the Advisory Board management body and the Management Board at the same time. However, at least once per calendar year the Advisory Board managing body and the Management Board of the Association shall be obliged to mutually invite each other to their meetings

while indicating the subject matter of the agenda when it comes to topics that concern and require decisions from both committees. Details shall be regulated by the rules of internal procedure of the Advisory Board and/or the Management Board. The Management Board shall have the right to speak in the Advisory Board meetings. The Management Board shall have the right to vote and propose motions in meetings in which the Advisory Board intends to make material decisions within the scope of its tasks or resolutions are supposed to be adopted that the Management Board is to implement.

§ 9 Further training of the therapists

The Advisory Board of the Association shall be entitled to specify the mandatory scope of basic training as well as the obligation on the part of therapists and/or instructional therapists to participate in advanced training.

§10

The rights arising out of this statute shall not be transferable and shall not pass to the legal successor.

..... on on

Management Board of Castillo Morales® Vereinigung e. V.

Management Board of Castillo Morales® Vereinigung e. V.

End of Translation

I, Birgit Schöbitz, sworn translator, duly commissioned by the President of the Nuremberg-Fürth Regional Court, DO HEREBY CERTIFY THAT this is a true translation which conforms to the German original submitted to me.
IN TESTIMONY WHEREOF, I hereonto set my hand and official seal.
Fürth, 04 September 2012