

AMICABLE SETTLEMENT PROPOSAL

**We have a problem.
Let us be reasonable,
and find a solution
based on good faith.
In our common interest
Let us implement**

the instructions of the last page.

PARTY A	PARTY B
Name: _____ Address: _____ E-mail: _____	Name: _____ Address: _____ E-mail: _____
Authorized representative of the entity that owns the innovation described in the referenced CreaBOOK	Authorized representative of the entity suspected of exploiting the protected innovation in whole or in part without a prior license

Party A proposes the following confidential settlement proposal to Party B. Its effectiveness is subject to the condition that Party B accepts the principle of conciliation/mediation/arbitration to settle the dispute. This acceptance can be expressed by returning this template completed in good faith within 20 days. Failure to do so will invalidate the settlement proposal and discounts.

FACTS		
Assertion	<p><i>Innovation belongs to its genuine author</i> <i>Party A reports an alleged fact by placing an X in the left-hand column. The corresponding rights of party A are listed in the annexes on page 3.</i> <i>Party B acknowledges the materiality of the fact, without necessarily admitting a violation of Party A's rights, by ticking the appropriate box in column B. Not ticking the said box means that Party B denies the materiality of the alleged fact.</i> <i>If Party B denies the infringement of Party A's rights or the materiality of the facts, it must state its reasons in the annexes listed on page 3.</i></p>	Acceptance
-- <input type="checkbox"/> A1	1. Absence of the appellation used by Party A to name the innovation *	-- <input type="checkbox"/> B1
-- <input type="checkbox"/> A2	2. Reproduction of all or part of the Party A's design	-- <input type="checkbox"/> B2
-- <input type="checkbox"/> A3	3. Borrowing of one or more essential elements of the standard protected by party A	-- <input type="checkbox"/> B3
-- <input type="checkbox"/> A4	4. Violation of the ethical charter defined by Party A's CreaBOOK	-- <input type="checkbox"/> B4

PROPOSED SETTLEMENT		
Offer	<p><i>Any damage must be remedied by the person responsible.</i> <i>In the common interest of both parties, A proposes the benefits listed in column A, provided that Party B accepts them all facts and conditions in the first phase of conciliation. By placing an X all the boxes of the right-hand column and not discussion the amounts detailed on page 3, Party B benefits from all the reductions and advantages offered by A.</i></p>	Acceptance
--% a 1	1. Offer to reduce the calculated damage	-- <input type="checkbox"/> b 1
--% a 2	2. Offer to reduce attached penalties	-- <input type="checkbox"/> b 2
--% a 3	3. Offer to reduce late payment interest	-- <input type="checkbox"/> b 3
Yes/No a 4	4. Proposition of the CreaBOOK license to Party B	-- <input type="checkbox"/> b 4

Date and hour: YYYYMMDDHH <i>I certify the sincere and true nature of the facts reported and of this proposal.</i> Signature: -----	Date and hour: YYYYMMDDHH <i>I certify the sincere and true nature of my response.</i> Signature: -----
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ANNEXES

	<p><i>Party A ticks the boxes in the left-hand columns A and a for which it provides analysis and evidence in support of its initial proposal. These annexes may be amended by a possible update following Party B's response.</i></p> <p><i>Party B ticks the boxes in the right-hand columns B and b for which it provides its analysis and evidence in support of its initial response. These annexes may be subject to change following Party A's update.</i></p>	
<input type="checkbox"/> A1	Annex detailing the absence of one or more claimed appellations	<input type="checkbox"/> B1
<input type="checkbox"/> A2	Annex detailing the reproduction of one or more claimed creative designs or images	<input type="checkbox"/> B2
<input type="checkbox"/> A3	Annex detailing the borrowing of one or more characteristic elements of the claimed standard	<input type="checkbox"/> B3
<input type="checkbox"/> A4	Annex detailing the violation of the ethical charter defined by the referred CreaBOOK	<input type="checkbox"/> B4

<input type="checkbox"/> a1	Annex detailing the damage caused	<input type="checkbox"/> b1
<input type="checkbox"/> a2	Annex detailing the penalties attached	<input type="checkbox"/> b2
<input type="checkbox"/> a3	Annex detailing late payment interest	<input type="checkbox"/> b3
<input type="checkbox"/> a4	License proposed by Party A	<input type="checkbox"/> b4

<p>Comment from Party A:</p>	<p>Party B comment:</p>
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INSTRUCTIONS

Initial proposal by Party A

Party A suspects Party B of exploiting the innovation protected by the CreaBOOK with the reference CF _____ without a license, as mentioned in column A and a on page 2 and in the annexes on page 3,

Party A here proposes to Party B the described amicable proposal to settle the dispute and establish a comprehensive, fair, and fruitful cooperation for both parties.

Party B's response

After examining the facts and obtaining all necessary advice, Party B may accept the proposed conciliation, mediation and arbitration procedure and answer the questions raised by ticking columns B and b on page 2, which may be argued in further annexes attached hereto. To be effective, the proposal and reductions by Party A must be accepted by Party B. The latter's response must be signed and received by Party A within the next 20 days of its envoy.

Update of Party A's initial proposal

After receiving this response, Party A notifies to Party B it whether it confirms, amends, or abandons its initial proposal in the next 20 days.

Second response from Party B

If Party B does not accept this update, either party may request WcS to appoint a mediator within 30 days. The latter has 60 days to conduct his mediation and submit his proposal. In the event of failure, either party may initiate arbitration proceedings, which may not last longer than 90 days from the date of appointment of the arbitrators.

Non-response by Party B

Party B may not to respond to the initial settlement proposal. In this case, it will be offered a second opportunity to join the amicable procedure by responding positively to Party A's request made to WcS of appointing a mediator.

If there is no response from Party B within 20 days, Party A may ask WcS to convert the potential mediator's appointment. In this case, the appointed expert shall submit a report to Party A within 60 days on the possible violation of the CreaBOOK and on the appropriate corresponding amounts.

The alleged bad faith of Party B and the expert opinion can then be used by Party A to prosecute the alleged infringer before a competent criminal/civil court.