

Article 1 - PURPOSE OF THE AWARDS. The aim of the AGBM “Innovative Medical Technologies” Awards is to promote and help develop medical devices implementing the most advanced technologies and best addressing the needs of health care users and professionals. To this purpose the competition will reward competitors having produced the best recent or soon-to-market medical devices, taking into account both the scientific and technological aspects of the innovation, the quality of the industrial project, and its adequacy to the needs of the health market.

Article 2 – ORGANIZATION. This competition is organised by AGBM, a French non profit organization comprising biological and medical engineering organisations, associations or individuals which are involved in education and research or in industrial production and technology transfer (professional unions, development centres etc.) as well as professionals of healthcare institutions (clinicians associations, biomedical technicians and engineers associations, medical physicists associations, etc.)

The board of directors of the AGBM appoints the President of the Jury. In 2010, the President of the Jury will be Pr Matthias FINK, professor at the ESPCI, Ecole Supérieure de Physique et de Chimie Industrielle of Paris.

Article 3 – ELIGIBILITY.

Any individual or legal entity involved in medical technologies may participate in the AGBM Competition.

Article 4 - REPRESENTATIONS AND WARRANTIES. Applicants represent and warrant to AGBM, as organiser of the competition, that the medical devices submitted to the competition do not infringe, parasite, unfairly compete or otherwise breach in any way the rights, whatever they may be, of any third party.

In addition, applicants represent and warrant to the AGBM that they are not bound by any exclusive rights prohibiting the entering of the invention in the competition.

Applicants declare that declarations and information of any kind provided to AGBM in connection with the competition are accurate and that there is no lawsuit, claim or dispute pending or threatened in connection with these declaration and information.

Article 5 - SELECTION OF APPLICANTS AND AWARD PROCEDURE.

President of the Jury, directors of the AGBM and representatives of the sponsors shall:

- (a) Check application compliance with regard to the conditions set forth in Article 7
- (b) Appoint the jury among the three bodies of AGM (searchers, industrials and healthcare professionals), Medias and prior winners of the Award.

This jury shall:

- (a) Select with a majority vote of its members a shortlist of devices, hereinafter referred to as the “nominated products”. The nominated products will then be presented for final selection in the form of a poster and of a one electronic page long abstract, both prepared by the competitors according to AGBM editorial directions, and a short film (about 3 minutes) produced by an AGBM team at the expenses of AGBM.
- (b) Select the winner of the Award among the nominated products with a majority vote during final selection.

The selection criteria are those described on the 3-part electronic application form, i.e.: (i) scientific originality and technological features of the device, (ii) economical analysis of the market, and (iii) adequacy to the needs and constraints of end-users.

AGBM will be in charge of the logistics and secretarial work of the competition. Decisions of the board of directors and of the jury shall be taken behind closed door and shall be final.

Article 6 – TIMETABLE.

10 January 2010: Deadline for reception of the electronic application together with the 200€ registration fee by bank transfer;

Week of 15 February 2010: Selection of the shortlist of nominated products by the Jury

3 May 2010: Deadline for sending to AGBM the poster and one electronic page abstract

20 May 2010: Deliberation of the Jury for granting of the Award

21 May 2010: Award ceremony during the scientific convention held simultaneously

Presentation of the nominated products during the HOPITAL EXPO INTERMEDICA congress.

Article 7 - REGISTRATION OF APPLICATION – PROCEDURE.

- (a) Application forms must be downloaded from the AGBM web site: www.utc.fr/agbm.
- (b) Completed forms must be electronically transmitted to AGBM (Maximum 3Mb) at agbm@utc.fr before 10 January 2010
- (c) Registration fee amounts to 200€ (two hundred Euros) and is not refundable. Registration fee should be transferred prior to 10 January 2010 to the following bank account:

Bank account owner : AGBM Concours TMI
13 rue du Fonds Pernant
60200 Compiègne
Banking Domiciliation address : SG Compiègne
Bank Code : 30003
Branch Code : 00670
Account number : 00037270168
IDENTITY Key number (RIB) : 25
IBAN : FR76 30003 00670 00037270168 25
BIC : SOGEFRPP

IMPORTANT: DO NOT FORGET TO MENTION THE NAME OF THE APPLICANT

Incomplete applications will not be accepted. Applications which do not include registration fee or acceptance of the rules in page 1 of the application form will be deemed incomplete.

Complete applications received prior to 10 January 2010 are irrevocably registered and applicants will be sent an acknowledgement of receipt. Applications incomplete on 10 January 2010 at midnight as well as applications completed or received after that date will be refused. Such applications shall not be returned, and any registration fee which may have been paid shall not be refundable.

Article 8 - APPLICANTS COVENANT TO ATTEND.

Pursuant to Article 5, applicants selected on the week of 21 February 2010 covenant to attend the prize award ceremony on 21 May 2010. They also undertake to electronically forward to AGBM a poster and a one electronic page long abstract. Editorial directions regarding presentation and content of these documents will be sent to the candidates as of 1 March 2010.

Article 9 - AWARDS AND SUBSTANCE OF THE AWARDS. The AGBM Innovative Medical Technologies Awards will be announced and officially given during a ceremony held on 21 May 2010. Jury Awards will mainly consist in AGBM diplomas and in an electronic logo to be used by the Award winners. AGBM and its partners will contribute to the promotion of the awarded products.

Article 10 - CONFIDENTIALITY OF APPLICATIONS. AGBM, as the organisers of the competition, guarantees the confidentiality of the information contained in the applications which do not appear on the poster, short film and one page abstract submitted to the competition. Competitors are sole responsible for taking all necessary steps to protect the intellectual property rights and business secrets relating to their products.

Article 11 – PUBLICITY. AGBM and sponsors will be fully entitled to disclose details of the awarded devices and companies. They may also request ask award winners to participate in public relations operations or press campaigns during the year following the award.

Article 12 – CANCELLATION. AGBM, as the organiser of the competition, shall not be held responsible for cancellation of the competition for whatever reason. Competitors agree not to make any claim in this respect. Documents, application forms, support and products shall be returned to the competitors. Registration fee shall not be refundable.

Article 13 – DISCLAIMER. AGBM, as the organiser of the competition, does not covenant to take any steps with respect to the regulatory authorizations relating to the import in France or sale in the European Union of the products submitted to competition. Competitors agree not to make any claim in this respect.

AGBM shall not be held liable by applicants or third parties in case of misrepresentation, fraud or breach of any third party's rights by the applicant.

AGBM will have a remedy against applicants in case AGBM is sued or its responsibility is investigated by a third party for damages resulting from the misrepresentation, fraud or breach of any third party's rights by an applicant, whether deliberately or by negligence.

Article 14 - FRAUD OF THE APPLICANT. Companies having submitted to the AGBM Awards medical devices or medical device components infringing or plagiarizing, totally or partially, the rights of any third party, will be held sole responsible. They will be deprived of all advantages granted by the 6th AGBM Awards and shall compensate any potential damages sustained by the claimants and AGBM.

Article 15 - CONCILIATION AND LITIGATION. By taking part in the competition and any pre-selection,, applicants expressly accept the terms of these rules, including this clause of consent to jurisdiction and choice of law.

Any dispute relating to the interpretation and application of these Rules or any matter not addressed by these Rules arising in connection with the AGBM Awards will be submitted to a conciliation procedure with AGBM. Each party shall appoint a conciliator within 30 days after the claimant has delivered notice to the AGBM headquarters. Failing appointment of a conciliator by a party, the President of the Tribunal de Grande Instance de Compiègne (France) may appoint a conciliator by injunction. Within two months of their appointments, conciliators must reach a settlement in the form of a signed minute.

In case of failure of the conciliation proceedings, the parties shall submit their dispute to the jurisdiction of the Tribunal de Grande Instance de Compiègne (France).

These Rules and the AGBM Awards shall be governed by French law.

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