



## **Regulations** **of the Chamber of Industry and Commerce Wuppertal-Solingen-Remscheid** **for the Use of the Community Collective Mark "Solingen"**

of 30 November 2005

### **Preamble**

The German town of Solingen is the centre of the German cutlery and scissor-making industry. For centuries cutting equipment, such as swords, daggers, knives, scissors, cutlery and others, are made here. These products are of a particularly high quality. Thanks to high-grade materials, qualified workers and excellent craftsmanship, these products are renowned and appreciated the world over.

The name "Solingen" is protected as geographical indication by law in Germany. The use of the name is only permitted in conjunction with products which originate from that region and conform with a certain standard of quality. Thus the term "Solingen" is an appellation of origin and quality.

Although the indication "Solingen" is protected by the rules of fair competition, it is often used in an illegal way for cheap products which are not produced in Solingen. Thereby the consumer is deceived, the reputation of genuine articles from Solingen is harmed and the industry in Solingen suffers from vast damage.

The registration of the term "Solingen" as collective mark is dedicated to enhance the famous name.

### **§ 1 Organisation, Domicile, Representation**

(1) The Chamber of Industry and Commerce Wuppertal-Solingen-Remscheid (in the following: IHK) is a German corporation under public law. It belongs to its legal functions to take measures against unfair competition and to promote the business economy of the chamber's district. Thus IHK pleads for the protection of the name "Solingen" and takes preventive and repressive actions against infringements of the this name.

(2) The domicile of IHK is Wuppertal, Germany. Its district covers the areas of the three towns Wuppertal, Solingen and Remscheid.

(3) According to the German Chambers' of Industry and Commerce Act in connection with the chamber's constitution IHK is represented by the President and the General Manager.

### **§ 2 Membership to IHK**

According to the German legislation every tradesman or industrial, who maintains either a place of business or a sales outlet in the chamber's district, is member of the chamber of industry and commerce. Therefore the manufacturers of cutting equipment situated within Solingen's town boundary are members of IHK.

### **§ 3 Collective Mark**

IHK is owner of the collective mark

**"Solingen".**

The mark has been entered into the register of Community Marks of the Office for Harmonisation in the Internal Market under no. 002988285 in classes 7, 8, 14 and 21.

#### § 4 Conditions for the Use of the Mark

- (1) The mark "Solingen" may only be used in business for cutting equipment, which
  - (a) was processed and finished in all major stages of manufacturing in the Solingen industrial area and
  - (b) conforms to the quality requirements mentioned in clause 4.
- (2) The Solingen industrial area includes the area of the urban commune Solingen and the area of the town Haan which is in the district of Mettmann.
- (3) Major stages of manufacturing for cutting equipment according to clause 1 letter (a) are:
  - (a) manufacture:
    - warm forging
    - cold forging
    - mechanical processing
    - heat treatment
    - surface, mechanical
    - surface, galvanic/chemical
    - finishing touch
  - (b) assembly:
    - of synthetic handles
    - of wooden handles
    - of steel handles
    - of cast handles
    - of handles made from other materials
    - of component halves and other component parts
  - (c) final assembly of instruments

- (4) Requirements according to clause 1 letter (b):

All types of materials which are suitable for the appropriate manufacturing and processing method to achieve the characteristic use of the product are admissible. When using material other than steel or another kind of steel, a minimum quality according to the following requirements must be achieved. The description of the features to be exhibited by individual pieces of flatware or cutlery is aimed at the usual forms of those products. It is not the objective of the Solingen regulations to exclude special-purpose products with function-specific features fit for their intended purpose which deviate from the norm.

##### (a) **Products of Stainless Steel**

- **Knives**  
Fulfilment of requirements according to DIN EN ISO 8442-1
- **Scissors**  
Material: Steel according to DIN EN 10088-1 - X46Cr13  
Scissors having an overall length of less than 130 mm (5") must have a minimum hardness of 52 HRC while larger scissors must have a minimum hardness of 55 HRC.
- **Cutlery**
  - Silver-plated and non-rusting cutlery:  
Fulfilment of requirements according to DIN EN ISO 8442-2
  - Gold-plated cutlery:  
Fulfilment of requirements according to DIN EN ISO 8442-4
- **Open Razors and Razor-blades**  
Material: No specific details  
Minimum hardness for open razors 58 HRC  
Minimum hardness for razor-blades 55 HRC

- **Manicure and Pedicure Equipment with Cutting and Filing Function including Nail Clippers**

Material according to DIN EN 10088 - X20Cr13

Minimum hardness 48 HRC

Minimum hardness for cuticle forceps 46 HRC

- **Nail-files**

- Coated Nail-files

Material according to DIN EN 10088 - X39Cr13

The coating of the file area itself must withstand bending beyond the yield point of the substrate without flaking. The file must have spring-hardness along its entire length, i.e. if the steel is hardened strip steel, its minimum hardness must be 48 HRC, if the steel is not hardened, its minimum flexural strength must be 1200 N/mm<sup>2</sup>.

- Cold-forged Nail-files

Material according to DIN EN 10088 - X39Cr13

Minimum hardness 49 HRC

- **Tweezers**

Material: corrosion-resistant steel or non-ferrous metal,  
no specific details

The characteristics of the material must be such that the required spring and tip position depending on the use will remain unchanged.

(b) **Products Made of Unalloyed Quality Steels**

- **Knives**

Material according to DIN EN 10083 - 1 C 45 –TN

Minimum hardness 50 HRC

- **Scissors**

Material according to DIN EN 10083 - 1 C 45 – TN

Scissors having an overall length of less than 130 mm (5") must have a minimum hardness of 52 HRC while larger scissors must have a minimum hardness of 55 HRC.

- **Cutlery**

Cutlery made of unalloyed, unprotected steels are not admissible.

- **Open Razors and Razor-blades**

Material: At least 1.1% C

Minimum hardness 60 HRC

- **Manicure and Pedicure Equipment with Cutting and Filing Function including Nail Clippers**

- Material according to DIN EN 10083 - 1 C 35 – TN

Minimum hardness 45 HRC

- Material according to DIN EN 10083 - 1 C 45 – TN

for nail clippers as well as cuticle and nail forceps

Minimum hardness for nail clippers 50 HRC

Minimum hardness for cuticle and nail forceps 46 HRC

- **Nail-files**

- Coated Nail-files

Material according to EN 10083 -1 C 60

The coating of the file area itself must withstand bending beyond the yield point of the substrate without flaking. The file must have spring-hardness along its entire length, i.e. if the steel is hardened strip steel, its minimum hardness must be 48 HRC, if the steel is not hardened, its minimum flexural strength must be 1200 N/mm<sup>2</sup>. Other base materials are admissible.

- Cold-forged Nail-files

Material according to DIN EN 10088 - 1 C 45

Minimum hardness 55 HRC

- **Tweezers**

Material: no specific details

The characteristics of the material must be such that the required spring and tip position depending on the use will remain unchanged.

(c) **Other Requirements and Regulations**

- Features of the Hardness

All details regarding hardness refer to the cutting or filing parts of the products. For knives the complete blade is meant hereby and not just the cutting edge. The materials must be hardened in consideration of the temperature control required for the respective steel. Examinations of the hardness and microstructures must be applied to the whole blade.

- Roughness

The roughness of the blades of table knives may not go beyond 3.0 µm according to Rz max and for other knives and scissors not beyond 6 µm according to Rz max .

- Features of the Coating

The coating of scissors as well as manicure and chiropody instruments, such as nail files, nippers, clippers and tweezers, must have a thickness of at least 7 µm.

- Further Standards

Inasmuch as further DIN EN or ISO standards are applicable for individual product groups, these standards are to be applied.

(d) **Additional criteria regarding the functions of specific cutting implements and flatware**

- Scissors

The blades of a pair of scissors are of equal length. The handles or eyes are parallel to each other in one plane. The cutting edge is ground uniformly as a single surface from one end of the blade to the other without a step. The points are aligned with each other. The scissors have a smooth, uniform cutting action along the entire length of the blades. The scissors must cut in accordance with the intended purpose at latest after closing one-third of the blade length (measured from the screw). The scissors must close uniformly without differences in pressure. The joint must not come undone by itself during the cutting action. To prevent the two halves of a pair of scissors seizing, i.e. where the harder blade wears into the softer blade, the hardness ratings of the two blades of scissors up to an overall length of 130 mm (5") must not differ by more than 2 HRC, with larger scissors the difference must not exceed 1 HRC.

When inspecting scissors to assess their suitability for the "Solingen" label, the joint, stalks and eyes of the scissors must also be inspected. The surface must be free of cracks, burrs and corrosion scarring.

- Nail Nippers

Both legs of the nippers must be of identical length. The cut must be perfectly aligned with each other and be of identical length. When gently pressed together, only the tips of the blades may meet, and when more pressure is exerted, the gap between the blades closes. The cutting edges of cuticle nippers must be uniformly ground. The cutting ability must be guaranteed along the full length of the cutting edges.

- Nail Clippers

The cutting edges must meet along their entire length. The cutting ability must be guaranteed along the full length of the cutting edges.

- Corn Cutters

It must be possible to fit and remove the slider easily. The blade must be firmly mounted in the slider in such a way that the cutting gap is not increased during

the cutting action and the depth of cut tolerance is not exceeded. For hygiene reasons, the plastic handles must be absolutely flush with the metal parts. When used for its intended purposes, the corn cutter must not become deformed beyond the yield point or break.

- Nail Files

With nail files, all the surfaces outside the actual filing zone and including all edges must be deburred and smooth. The filing surfaces may be of the following types:

- cold forged with at least two strokes (cold-forged nail files),
- grains affixed by electrocoating, e.g. sapphire (coated nail files), textures created by electroplating or etching and other surfaces with a comparable file effect.

- Tweezers

Tweezers must grip perfectly at their tips. The tweezers must be able to grip objects the thickness of a hair. When the tweezers are closed, the tips must remain closed even if additional pressure is applied. For tweezers the component halves must be firmly welded together and be perfectly deburred all around. The spring position must have an even aperture angle. The function of the tweezer points must be ensured.

## § 5 Kind of Using

(1) Authorized users of the mark are entitled to use the term "Solingen" in connection with cutting equipment, in particular

- (a) to mark articles with the indication
- (b) to label packaging, price list, prospects, catalogues and other business documents with the indication,
- (c) to add the indication to their business name,
- (d) to use the indication as part of their trademark in connection with other characterising terms,
- (e) to advertise for cutting equipments.

(2) Users of the mark, who do not reside in Solingen or who are no manufacturers of cutting equipment, are not allowed to use the mark in a way, which could cause deception about the branch or the domicile of the company or the origin of the products.

## § 6 Rights and Duties

(1) IHK is the owner of the collective mark and sole holder of every right arising from the registration of the collective mark.

(2) In case of infringements of the collective mark IHK is entitled to take appropriate measure to stop the infringing acts and to prevent future infringements, in particular IHK may

- (a) claim discontinuance, destruction, information and damages towards the responsible persons;
- (b) authorize third persons to take civil or criminal actions;
- (c) report the offence to public prosecutors and customs authorities.

(3) The members of IHK, who use the collective mark, are obliged to keep these regulations. They are also obliged to inform IHK, in case they take note of misusing or infringing activities of the collective mark.

(4) The users of the mark may not

- (a) harm the reputation of the mark, the owner, the cutting products or the cutting industry of Solingen,

- (b) use the mark for products, which do not conform with the conditions defined by this regulations,
- (c) assign the right of using the collective mark to third persons.

(5) Anyone using the "Solingen" brand name in a commercial context is obliged to disclose to the Chamber of Commerce on request all the facts and to prove these by means of documents to enable the Chamber to assess whether the conditions of use are being applied as defined in accordance with § 4 above. The information required includes details of the origin of the products, blanks and product parts, the identities of suppliers and other external persons or companies involved in the manufacturing and distribution processes, the location of manufacture, the production methods and quality characteristics of the products. Where the brand user is not the manufacturer, the requirement to disclose information relates to all the circumstances known to him relating to the names and addresses of his suppliers, the date the deliveries were received and the quantities and types of products.

Wuppertal, 30 November 2005  
Friedhelm Sträter  
President

Michael Wenge  
General Manager