

GENERAL TERMS AND REGULATIONS

1. These rules and regulations constitute an essential part of the contract for the exhibit space. During the Symposium & Congress, the American Society of Cataract and Refractive Surgery (ASCRS) and the American Society of Ophthalmic Administrators (ASOA) reserve the right to render all interpretations and to establish further regulations as may be deemed necessary for the general success of the exhibition.
2. ASCRS•ASOA reserves the right to decline, prohibit, or expel an exhibit which, in its judgment, is out of keeping with the character of the exhibition, this reservation being all inclusive as to the persons, things, printed matter, product, conduct, etc. Should the exhibit be expelled, space payments will not be refunded.
3. Exhibitors shall be bound by all pertinent laws, codes, and regulations of municipal or other authorities having jurisdiction over the exhibit facility or the conducting of said exhibit, together with the rules and regulations of the owners and/or operators of the facility in which the exhibition is held.
4. It is agreed that if the exhibitor fails to comply in any respect with the terms of the agreement, then ASCRS•ASOA shall have the right, without notice to the exhibitor, to sell or offer for sale the exhibit space covered by this contract. Said exhibitor will be liable for any deficiency, loss, or damage suffered by the exhibition by reason of the premises stated, which loss or damage the exhibitor agrees to pay the exhibition upon demand together with reasonable expenses and costs incurred by reason thereof.
5. It is further agreed that actual occupation of the exhibit space by an exhibit is of the essence thereof, and that should the exhibition be unable to affect the sale of the space as herein provided, the exhibition is then expressly authorized to occupy or cause said space to be occupied in such a manner as it may deem in the best interest of the exhibition, without any rebate or allowance whatsoever to the exhibitor and without in any way releasing said exhibitor from any liability hereunder, and said exhibitor expressly agrees to pay the exhibition the full sum herein set forth.
6. ASCRS•ASOA shall have full power in the interpretation and enforcement of all rules and regulations contained herein and the power to make such amendments thereto, and such further rules and regulations as it shall consider necessary for the proper conduct and success of the exhibition.
7. I understand that by providing my mailing address, email address, telephone number and fax number, I consent to receive communications sent by or on behalf of the American Society of Cataract and Refractive Surgery and the American Society of Ophthalmic Administrators (and their subsidiaries and affiliates) via regular mail, email, telephone or fax. I understand that the American Society of Cataract and Refractive Surgery and the American Society of Ophthalmic Administrators may share my address/email/telephone/fax with other organizations.

FDA Regulations

Exhibitors must abide by all applicable Food and Drug Administration (FDA) regulations, including but not limited to any or all approval requirements. Exhibitors are reminded that the FDA generally prohibits the advertising or other promotion of investigational or unapproved drugs and devices. The FDA also forbids the commercial promotion of approved drugs or devices for unapproved uses.

Unapproved devices may be displayed only if they are the subject of an effective investigational device exemption (IDE) or if they are the subject of a pending 510(k) pre-market notification application. Exhibitor is required to post a sign stating the device or product is not FDA Approved at this time.

Any investigational product that is displayed or graphically depicted within the exhibit must (a) contain no claims of safety or effectiveness, (b) contain no comparative claims to other marketed products, and (c) be accompanied by a sign clearly and prominently stating that the device is limited by federal law to investigational use and is not approved by the FDA for commercial distribution in the United States.

Exhibitors may not sell, commercialize, or take orders or names with respect to an investigational drug or device, or a device that is subject of a pending 510(k) application, unless limited to research or investigational use.

These restrictions are not intended to limit the full exchange of scientific information regarding an investigational drug or device. If the FDA or a court of competent jurisdiction determines that a company's exhibit at an ASCRS•ASOA meeting is in violation of any FDA regulations, including but not limited to the promotional restrictions and rules described above, the company may be subject to sanctions, including but not limited to exclusion from exhibiting at subsequent ASCRS•ASOA meetings.

Concerns or questions regarding compliance with FDA regulations should be addressed to the appropriate agency within the FDA.

Violations

Specific actions may be taken by ASCRS•ASOA for violation of any provision of these guidelines. Violations of any ASCRS•ASOA policies, guidelines, rules or regulations may result in the loss of Priority Points for future space assignments and/or immediate removal from the exhibit hall and/or denial of exhibit space at future meetings. The action taken will be determined on the basis of the particular circumstances of the violations, but in cases involving major violations, may include legal action.

Priority Points

ASCRS•ASOA has the discretion to reduce an exhibitor's accrued Priority Points based on past inappropriate conduct by the applicant (including but not limited to failure to comply with ASCRS•ASOA exhibitor rules and regulations) or legal or regulatory actions or consumer/member complaints relating to the safety and efficacy of an applicant's products or services.

Evaluation of Space Application/Contract

In order to preserve and maximize the educational value of the technical exhibit program, ASCRS•ASOA will examine all Space Application/Contracts and evaluate the proposed exhibits to determine whether they satisfy certain basic criteria. Permission to exhibit does not constitute in any way an ASCRS•ASOA endorsement or approval of the exhibited products or services, or guarantee that space will be assigned.

The evaluation of Space Application will be performed in accordance with guidelines established by the ASCRS•ASOA Executive Committee. The principle criteria to be considered in reviewing applications shall include, but are not limited to, whether the products or services proposed for exhibition relate specifically to the practice or advancement of ophthalmology generally and/or cataract and refractive surgery specifically, whether the proposed exhibit is of educational value to ophthalmologists, cataract and refractive surgeons, and whether the products or services in question are safe and effective.

Every exhibitor applicant who did not exhibit at the 2016 ASCRS•ASOA Annual Symposium & Congress must complete the review process for assignment of exhibit space. An applicant who did exhibit in 2016 must complete the review process only if there has been a material change in circumstances relating to its company (e.g., a change in ownership, control, or legal status) or in the nature, name, composition, products, labeling, or regulatory status of the products and services to be exhibited, or if the safety or efficacy of the company's products or services have been called into question through litigation, regulatory proceedings, customer complaints, or other reliable sources of adverse information.

The information required for review are the following:

1. Company Profile
2. The products and/or services the company plans to exhibit (i.e. product brochures, literature, or samples)
3. Exhibitors must disclose details on any consumer or government litigation, orders, injunctions, judgments, or settlements over the last three years regarding the business practices of the company or the products and services to be exhibited. Companies with complaints filed against them with state or federal consumer affairs regulatory agencies, the Better Business Bureau, or ASCRS•ASOA members may be required to provide an explanation of the resolution of those complaints.

4. Exhibitors shall not exhibit any products or services other than those included in their Space Application/Contract or approved in writing by ASCRS•ASOA. Successfully completing the Exhibit Application does not guarantee that you will be assigned booth space. ASCRS•ASOA meetings consistently sell out of exhibit space and maintain waiting lists.

ASCRS•ASOA exhibit space is assigned in Priority Point order to all exhibitors that have a history of exhibiting at ASCRS•ASOA meetings.

Even where an exhibitor meets the basic criteria described above, ASCRS•ASOA still reserves the right to deny any request to exhibit based on space limitations, safety concerns, failure to comply with these procedures or requirements, past inappropriate conduct by the applicant (including but not limited to failure to comply with ASCRS•ASOA exhibitor rules and regulations), or a reasonable determination by ASCRS•ASOA that the company's products or services are not safe and/or effective.

Alternatively, ASCRS•ASOA may decide to reduce an applicant's accrued Priority Points based on the applicant's past failure to comply with ASCRS•ASOA exhibitor rules and regulations or legal or regulatory actions or consumer/member complaints relating to the safety and efficacy of an applicant's products or services.

Badge Access to Exhibits

Everyone is required to have a badge on in order to gain access to the exhibit hall. Exhibitors may not enter another exhibitor's booth, take literature, or photographs without approval.

Biomedical Waste

Companies with exhibits that include the use of animal tissue, disposable needles, sharps, human blood, or products contaminated with blood must complete the ASCRS•ASOA liability waiver, the Hazardous Waste Removal Order Form and pay a fee for the removal of the waste. More information can be found in the service kit available in December.

Care of Facility

Protection of convention facility property: Nothing shall be posted on, or tacked, nailed, screwed or otherwise attached to the columns, walls, floors, or other parts of the facility or convention hall exhibit area without permission from the proper building authority. Packing, unpacking and assembly of exhibits shall be done only in designated areas and in conformity with the directions of the convention hall managers and their assistants. All booths must be set up no later than six hours prior to the beginning of the show.

Catastrophe

ASCRS•ASOA will not be liable for the fulfillment of this contract as to the delivery of exhibit space if non-delivery is due to any of the following causes: by reason of the facility being damaged or destroyed by fire, act of God, public enemy, war or insurrections, strikes, acts of terrorism, the authority of the law, public health crisis, postponement or cancellation of the exposition, or for any cause beyond their control. It will, however, in the event of its not being able to hold an exhibit for any of the above named reasons, reimburse exhibitors on a pro-rate basis on any amount paid in, less any and all legitimate expenses incurred, such as but not limited to rent, advertising, salaries, operating costs, etc.

Children in the Exhibit Hall During Move In/Move Out

Under no circumstances are children allowed inside the exhibit hall during installation or dismantle due to safety considerations.

Convention Center Rules/Insurance

Exhibitor expressly agrees to adhere to all convention rules and regulations published by the convention center. Exhibit also agrees to meet all convention center insurance requirements and accepts sole and complete responsibility for securing required license/permits needed, for example, from ASCAP/BMI for the use of music in booth area.

Floor Covering

Individual exhibit spaces are not carpeted. Exhibitors are required to have proper floor covering in their designated booth area. The full square footage of your exhibit booth space is required to be covered.

Booths not containing floor covering by 5:00 p.m. on Friday, May 5, 2017 will be supplied standard carpet and the exhibitor will be charged accordingly by the official service contractor.

Unfinished Booths/Unsightly Backwalls

Exhibitors must mask all displays with unsightly back/side walls. If necessary, a drape will be installed to cover any unfinished parts of a display and the exhibitor will be charged accordingly by the official service contractor.

Contests, Drawings, and Raffles

Contests, drawings, raffles, and entertainment are prohibited. Exhibitors are not permitted to collect names for contests, drawings, or raffles to be held outside the meeting. Gaming devices of any description are not permitted in the exhibit hall.

Attendees may not be registered for drawings, raffles, or lotteries that might be conducted during or after the ASCRS•ASOA Annual Symposium & Congress.

Giveaways

Exhibiting companies may distribute descriptive product literature and samples of their listed products to each booth visitor.

Exhibitors who wish to distribute items of educational value other than product samples must submit a request in writing to ASCRS•ASOA. Requests may be submitted via the Giveaway Request Form in the Exhibitor Prospectus or in the service kit. Please send this form to the ASCRS•ASOA Exhibits Manager, Jamie Barbera, jbarbera@ascrs.org.

Requests must be received no later than April 8, 2016. Samples of giveaways sent to ASCRS•ASOA for review will not be returned.

Outstanding Balance/Payment Information

Companies that have a balance due from a previous show will not be permitted to exhibit in future shows until the balance due is paid in full.

Final booth space payments are due December 5, 2017

If payment is not received on or before December 5, 2017, exhibitors will lose 10 Priority Points, per day, each day the balance is overdue.

ASCRS•ASOA reserves the right to reassign or cancel the booth space without notice that is not paid in full by December 5, 2017.

Applications received by ASCRS•ASOA on or after December 6, 2017 must include 100% payment to be processed.

Promotional Material

Exhibitors may not use the name or logos of the American Society of Cataract and Refractive Surgery or ASCRS or the American Society of Ophthalmic Administrators or ASOA in promotional material without written consent from ASCRS•ASOA.

While at the exhibition, distribution of advertising material and exhibitor solicitation of any sort shall be restricted to the exhibitor's booth. Neither company nor products may extend into the aisle or beyond the limits of the assigned booth.