

IFC / Lighting Global Product Testing Policy and Intellectual Property Policy

The International Finance Corporation (IFC) operates a portfolio of programs to support the development of off grid lighting markets, including Lighting Africa (jointly implemented with the World Bank) and Lighting Asia/India and Lighting Pacific. In undertaking these market development programs, IFC conducts quality assurance activities that include designating products as Lighting Global quality assured, thus qualifying these products for support under the various IFC-administered off-grid lighting programs.

IFC recognizes the importance of intellectual property protection for a thriving and dynamic international market for off-grid lighting products. In operating the Lighting Global portfolio of programs, IFC expects all companies with which it engages to maintain the highest standards in recognizing the intellectual property rights of others. Accordingly, companies that submit products for testing through IFC's Lighting Global quality assurance program must therefore pledge that they have not and will not violate the intellectual property rights of any person or firm.

With these standards in mind:

(1) IFC reserves the right to decline to conduct testing activities, including sampling, testing, reviewing test results, and/or providing program support for products of a company against which a court or tribunal of competent jurisdiction has entered a final verdict or order that the company has infringed the intellectual property rights of another, and, if such a verdict or order is made against a company whose products have previously met the Lighting Global Quality Standards, IFC may revoke the status of such products.

(2) If IFC is notified that a formal allegation of infringement of intellectual property rights (that is, through a cease and desist letter or commencement of legal proceedings) has been made against a company that requests that its products be tested, IFC reserves the right to defer testing activities, including sampling, testing, reviewing test results, and/or providing program support for such products for such time as IFC deems appropriate while IFC conducts such due diligence on the company and the allegations as IFC deems necessary, and IFC reserves the right, in its absolute discretion, to either conduct testing activities or refuse to conduct testing activities for the products after such due diligence has been completed.

(3) If IFC is notified that a formal allegation of infringement of intellectual property rights has been made against a company whose products have previously met the Lighting Global Quality Standards, IFC reserves the right, in its absolute discretion, to suspend the status of any or all such products for such time as IFC deems appropriate while IFC conducts such due diligence on the company and the allegations as IFC deems necessary, and IFC reserves the right, in its absolute discretion, to either reinstate the status of such products or revoke the status of such products after such due diligence has been completed.

IFC Policies for Selecting Associate Companies

Successfully passing the Lighting Global Minimum Quality Standards does not automatically grant a company Associate status. IFC considers a number of firm level criteria in addition to product quality when selecting which companies it will invite to become program Associates. IFC reserves the right to appoint or to suspend companies as Associates at its discretion. IFC Lighting Global Associate companies are eligible to receive access to program-specific support, through Lighting Africa, Lighting Asia/India, Lighting Pacific, or other IFC-administered programs, subject to availability of resources. For more information, visit www.lightingafrica.org and www.lightingasia.org.