

Interpretation Number	Interpretation of Regulation	Issue	Date of Interpretation
002-03	20.3.1(b)(i)	Sailmakers Marks	13 November 2002

Question 1

Does the sailmaker have the right to display his logo here [the area reserved for the sailmaker's mark], or may the owner remove it?

Interpretation 1

The answer is yes.

The sailmaker has the right to display his mark on the sail in the area defined by ISAF Advertising Code 20.3.1(b)(i) and the owner of the sail has the right to remove the sailmaker's mark. It is the owner's sail and once ownership of the sail has passed from sailmaker (seller) to the owner (purchaser) then the sail is the property of the owner. It is not mandatory that the owner of the sail must display the sailmaker's mark.

Question 2

On the assumption that an owner is permitted to remove it [sailmaker's mark], and does so, can this area be used for Cat C advertising?

Interpretation 2

The answer is no.

That area may not be used for Cat C advertising.

The Code at 20.2.1 specifically states that 'Advertising shall not be displayed on a boat, except as required or permitted by the ISAF Advertising Code' and for this interpretation of the Code the sails are part of the boat.

Further, 20.3.1 specifically states that 'The following types of advertising are permitted or required as stated and apply at all times:' Included under this Code provision are the section and subsections which is subject to this interpretation.

As stated in the Code the provisions of this section (20.3.2) 'apply at all times' There is no provision in the Code permitting the area granted to the sailmaker's mark to be used for anything else.

Question 3

Or must this area always be free of Cat C advertising (whether or not there is a sailmaker's mark)?

Interpretation 3

The answer is yes.

As explained in Question 2 above the area must always be free of Cat C advertising regardless of the reason for removing the mark.

Question 4

If the answer to 3 is 'yes', is there any way for this area to be used for Cat C advertising? (e.g. permission from ISAF)

Interpretation 4

The answer is yes.

Those interested parties must draft a submission, for consideration by the ISAF Council, amending the ISAF Advertising Code to allow the area designated for the 'sailmaker's mark' to be used for Category C advertising if the owner of the sail removes the mark.

Neither Council, nor the Executive, have the authority to give permission to amend the code without following the proper procedures as set forth in the Articles and Regulations.