

Series of articles
"Coronavirus & Business"

TRADE SHOWS – cancellation and cancellation of applications

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TRADE SHOWS – cancellation and cancellation of applications

As time passes, entrepreneurs who planned to participate in Polish and foreign trade shows, especially exhibitions, are increasingly considering the possibility of them being cancelled or cancelling their participation, due to the worsening situation with the epidemic.

There should be no doubt that the epidemic threat of COVID-19 (SARS-CoV-2) should in principle be considered as force majeure, but this does not mean that the mere occurrence of such a threat releases the contracting parties from liability. Each case should be analyzed individually. Contracts for the conduct and participation in trade shows are usually entered into based on the law of the state from which the fair organiser comes from, which may be completely different from the Polish law.

The practice in such contracts is to introduce provisions that protect the organisers, not the exhibitors, to the maximum extent.

Consequently, for example:

1. the exhibitor cannot invoke force majeure (epidemic circumstances) to relieve it of its obligations, which normally include participation in trade show and payment of the price for participation;
2. cancellation of participation in the trade show or failure to show up at the trade show does not release from the obligation to pay registration and space rental fees and results in the obligation to reimburse costs borne by the organiser;
3. the organiser reserves the right to change the place, date, course of the trade show, and in case of such change – the existing contract will apply to the new situation.

So how to act when we don't want or can't take part in the trade show? First of all, it is necessary to determine the contractual consequences of cancelling the application or not showing up at the trade show. Decisions should be made after the consequences have been determined. You may also need the help of an

experienced lawyer who is familiar with the law of the country under whose legal framework the agreement was entered into. It is best to turn to law firms that are known and trusted, or in their absence, to use the help of an international association of law firms that guarantees quality and safety of services.

Do you have more questions? Contact our lawyer

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