



## MEXICAN COURT OF APPEALS RULES IN FAVOR OF BIC'S CLAIM OVER MATCHES

**January 23, 2019** - Last month, the Mexican Court of Appeals announced its final judgment in favor of BIC MEXICO (No Sabe Fallar, S.A. de C.V., Mexican subsidiary of BIC Corporation), confirming that a BIC Maxi lighter produces up to 3,000 lights, with one light comparable to one match. Following a thorough analysis by a Federal laboratory, the Court ruled that BIC's advertising claim is accurate and in compliance with Consumer protection laws in Mexico.

The ruling came as a result of a litigation submitted in 2016 by BIC MEXICO in response to a complaint filed by the Matches Manufacturers Association (MMA) in Mexico City before the Federal Consumer Ombudsman ("PROFECO"). The MMA complaint, filed in 2015, alleged that BIC's advertising campaign for its BIC® MAXI lighter contained images and claims that misled or confused consumers, in violation of Article 32 of the Federal Consumer Protection Law. In its advertising, BIC stated that a BIC®MAXI lighter produces up to 3,000 lights or the equivalent of using 3,000 matches.

"We are pleased the Court categorically held that BIC's advertising is fair and truthful, supported by both technical and scientific evidence," said Ariel Fernández-Hevia, general counsel for BIC LATIN AMERICA. "PROFECO's laboratory and the Court's ruling confirm that comparing lighters and matches is fair and legal. Both satisfy the same need, to generate fire, but we are confident that BIC lighters do so more safely and with greater convenience for the consumer.

Following a 32-month Administrative and Judicial process, the Mexican Court of Administrative Appeals found BIC's advertising to be true, accurate and correct, and PROFECO's own laboratory verified that BIC®MAXI lighter produces up to 3,000 lights or the equivalent of using 3,000 matches. The laboratory referenced EN13869 to verify that a BIC® MAXI lighter "ignites up to 3,000 times," with each single light equivalent to the ignition of one match. Based on this independent data, the Court of Appeals' ruling found that BIC proved the veracity of its advertising and issued a final judgment in favor of the company. Further, the Court revoked a fine of €22K that was imposed on BIC MEXICO on May 2, 2018.

"BIC is satisfied that the courts acknowledged that BIC's claim was effectively substantiated and BIC is pleased that ultimately the Mexican Courts were unpersuaded by the false accusations brought by the Matches Manufacturers Association," Fernández-Hevia added. "BIC will always defend its reputation for safety, quality and value for the consumer, and against false claims brought by competitors."

BIC's website and TV advertising campaign that was the focus of this ruling used these four claims to highlight the higher convenience of lighters over matches:

**Spanish (Original text) -- English**

*"En este caso ni 3000 son mejor que un encendedor BIC" -- "In this case, even 3000 matches are not better than a BIC lighter"*

*"Un encendedor BIC MAXI prende hasta 3000 veces" -- "A BIC MAXI produces up to 3000 lights"*

*"El fuego de 3000 cerillos en un solo BIC" -- "The fire of 3000 matches in one BIC"*

*"Un encendedor BIC te dura lo que 60 cajitas de cerillos" -- "A BIC lighter lasts as long as 60 boxes of matches"*

The case was registered under the docket number R.F. 99/2018 before the Second Collegiate Court of Administrative Appeals in the State of Mexico with Baker & McKenzie Mexico representing No Sabe Fallar, S.A. de C.V. (A Mexican subsidiary of BIC).