

APPLICATION for REGISTRATION

I, the undersigned
Born at/in on
Tax/VAT Registration No.
Address
Postal Code City Country
Telephone Fax
e-mail
web site

hereby apply for the following work to be included in the archive of the Fondazione Mimmo Rotella

Title Year
Medium/Technique Measurements

First name, last name, Tax Registration No., address, telephone number and e-mail address of the owner
(if not the Applicant):
.....
.....
.....

I, the undersigned, being aware of the penalties under the criminal law for making false declarations, forging documents, using or uttering forgeries or documents containing false or out of date information, hereby declare that I have studied the following conditions and accept them in their entirety.

1. The present application for registration of the above work ("**the Work**") in the archive of the Fondazione Mimmo Rotella ("**the Archive**") will be entertained only and without exception on the strict condition that the work itself is examined and its authenticity investigated.
2. The Work itself will be viewed according to the arrangements indicated below, and the resulting opinion thereon will be issued according to the current state of knowledge and all available technical expertise.
3. The Applicant undertakes to send the completed Artwork Details Form, the photographic documentation and the documents requested by the Fondazione Mimmo Rotella ("**the Foundation**").

4. The Applicant undertakes to provide all the information in his/her possession, with evidence of its truthfulness; should the Archive request it, the Applicant undertakes to arrange for the Work itself to be delivered to the Foundation's premises.
5. The Archive reserves the right to communicate as it sees fit with other parties (including the relevant authorities) if any undisclosed fact concerning the Work's provenance should come to light; no alleged obligation to refrain from doing so shall be adduced or relied on by the Applicant.
6. The Applicant undertakes to arrange for the Work itself to be delivered to the Foundation's premises if the Archive so requires, by the appointed date; the Applicant undertakes to leave the Work available to the Archive for as long as the examination needed for its authentication may take.
7. The Applicant must continue to leave the Work available to the Archive if there is a need for further technical, academic and/or legal investigations by outside advisers whom the Archive may consult on condition that the Applicant agrees to bear the cost thereof.
8. The Applicant declares that he/she has taken out a suitable insurance policy covering the Work against all risks of loss and/or damage, and furthermore undertakes to indemnify the Foundation and hold it harmless in respect of any risk of loss of and/or damage to the Work. The insurance must be valid and must cover the period of time needed for transporting the Work and keeping it in the Foundation's Archive, including the period needed for any investigations under (7) above.
9. The Applicant hereby agrees that examining the Work for possible inclusion in the database of the Archive and issuing of the corresponding certificate may require a minimum of 90 days after receipt of the documentation referred to in (4) above, or after delivery of the Work itself.
10. If the opinion is positive (*ie* the Work is to be attributed to the artist Mimmo Rotella) then an Archive registration number will be issued to the Applicant (who will be informed in writing), and the Work will be included in the Archive database.
11. The Archive reserves the right to reconsider the Work in the light of new information, techniques or academic knowledge.
12. If the opinion is negative (*ie* the Work cannot be attributed to the artist Mimmo Rotella) the documentation received from the Applicant will not be returned. The Applicant undertakes to accept a written opinion, without any statement of reasons, that the Work cannot be attributed to Mimmo Rotella.
13. The Applicant hereby undertakes, on his/her own behalf and that of his/her heirs and assigns and/or transferees of the Work which has not been registered in the Archive, to indemnify the

Foundation in respect of claims by third parties, and undertakes to inform such third parties of the negative opinion that that the Work cannot be attributed to Mimmo Rotella.

14. The Applicant further acknowledges and agrees that the Archive will, if it declines to issue a registration number, be free to take any steps it considers opportune and/or necessary. The Archive reserves the right to inform any competent court that the Work cannot be attributed to Mimmo Rotella.
15. The Foundation's Archive is not obliged to issue an opinion. It reserves the right to suspend the process of forming an opinion as to whether the Work can be attributed to Mimmo Rotella if it decides at its own discretion that it has insufficient evidence to settle the question, in which case the Work will remain "under investigation" and the documentation will be kept on file.
16. The Applicant hereby waives all claims and/or legal actions against the Foundation, its duly-authorized representatives, advisers, retained or employed staff, successors in title or agents concerning any lawsuit, claim for damages, liability, valuation, loss, expense, fine or other outlay (including fees and legal costs) arising from any legal action, claim, demand, order or other proceedings on the part of others (including the supervisory authorities) on the grounds of a refusal to issue an Archive registration number or on any other grounds.
17. Without prejudice to the foregoing, any dispute whatsoever concerning the validity, interpretation and/or execution of the present agreement, or concerning rights and obligations arising therefrom, shall be brought before the Court of Milan, which shall have sole jurisdiction.

Date and Place

Applicant's signature (must be legible)

For the purposes and effects of Civil Code Art. 1341, I the Applicant (first name)..... (last name)..... declare that I have studied and expressly accept the contents of the following Articles: 15, 16 and 17.

Date and Place

Applicant's signature (must be legible)