

**A.R.M.S., Inc.**



## **A.R.M.S., Inc.**

A.R.M.S.<sup>®</sup>, Inc. is the original designer and manufacturer of the dovetail dimensions for Military and civilian use since 1983. Those original A.R.M.S.<sup>®</sup> dovetail dimensions were eventually adopted in 1995 as the Mil-Std. 1913 Rail.

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### ***Frequently Asked Questions (FAQ)***

#### **Why was my auction ended?**

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### **Why can I sell a single unauthorized item?**

A.R.M.S., Inc. has spent considerable time, money, and effort developing its reputation and goodwill through marketing its products. The A.R.M.S. brand is now famous. Sellers of unauthorized items who attempt to make money using the A.R.M.S. name or the appearance of A.R.M.S. product designs, are attempting to transact business based on the company acquired distinctiveness, goodwill and reputation. The apparent association with products not made by A.R.M.S. or licensed by A.R.M.S. for manufacture damage the company reputation and can cause confusion about the origin of these other goods.

### **Can I list the item if I don't use the name A.R.M.S.?**

**No.** Even if the item does not say A.R.M.S., the distinctive look (trade dress) of a A.R.M.S. product may not be copied it is infringement.

### **Can I list the item if I say it a replica or copy?**

**No.** A disclaimer about the goods offered for sale, such as copy or replica or does not protect an infringing sale from state and federal law regarding the sale of infringing or counterfeit items.

### **Why are others allowed to sell these items?**

No one is allowed to sell patented, copyrighted, trademarked or trade dress infringing items without a license from the manufacturer. While we make aggressive efforts to police the marketplace, some infringing items may be missed. You are not being singled out. All manufacturers and sellers of infringing items that A.R.M.S. is aware of or becomes aware of are put on notice of A.R.M.S. intellectual property rights and pursued if they do not stop infringing.

### **What will happen if I re-list the item?**

If you do not obey the law and you re-list items, you may be seen as willfully breaking the law and you will subject yourself to civil and possibly criminal liability for your continued infringement and the consequences of your continued infringement. A.R.M.S. proactively protects its intellectual property rights.

**I purchased the item legitimately, why can I re-sell it?**

As mentioned above, infringing products may at times be offered for sale, and innocent purchasers may unknowingly buy infringing products. Nevertheless, the existence and sale of such products is still considered infringement. If you sell an infringing product, you have infringed A.R.M.S. intellectual property rights whether you meant to infringe or not.

**What if I didn't know I couldn't list the item?**

Ignorance of the law is not a defense or excuse to patent, copyright trademark, or trade dress infringement. Now that your auction has been ended, you are on notice that the item you attempted to sell is unauthorized. Subsequent listings of such items increase the risk that A.R.M.S. will pursue the protection of its intellectual property rights against you without prior notification.

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