

# Bombardier Recreational Products, Inc.

Bombardier Recreational Products, Inc. is a member of eBay's Verified Rights Owners (VeRO) Program

www.brp.com - [ipnotice@brp.com](mailto:ipnotice@brp.com)

Welcome to Bombardier Recreational Products Inc. ("**BRP**") "About US" page. Headquartered in Valcourt, Québec, Canada, BRP - [www.brp.com](http://www.brp.com) - , is a global leader in the design, development, manufacturing, distribution and marketing of powersports vehicles and propulsion systems. BRP's diversified portfolio of brands and products includes Ski-Doo® and Lynx™ snowmobiles, Sea-Doo® PWCs, Can-Am® ORVs (which include ATVs and SSVs), Can-Am® Spyder® 3-wheel on-road vehicles, Evinrude® outboard engines and Rotax® propulsion systems for motorcycles, boats and recreational and small aircraft and their related parts, accessories, clothing and many other products

BRP invests significant human and financial resources to develop and protect its intellectual property. BRP has developed this page to help educate eBay users about practices that infringe upon the intellectual property rights of BRP.

BRP extensively uses and promotes its trademarks through a variety of channels including, television, print advertising and the Internet. As a result of its extensive promotional efforts and the quality of the services that it offers, BRP's marks are well-known and some are famous worldwide and represent highly valuable goodwill.

BRP also owns various design and utility patents for its innovative products and technologies throughout the world.

Moreover, BRP owns copyrights on any and all pictures, photographs that can be seen on BRP websites, catalogues, brochures, social media pages and on many other publications including without limitation manuals, technical guides and any other document produced or published by BRP.

BRP authorizes the distribution and sales of its products **ONLY** through its worldwide network of authorized distributors and dealers or through authorized licensees and such distribution and sales are regulated under country-specific agreements. As a result, warranty coverage is honoured only on a country or union of countries specific basis, linked to the country or union of countries in which the products were intended to be sold. Purchasers of BRP products through auction sites such as eBay should be aware of the limitations of warranty which may apply to the BRP products they intend to purchase. BRP's warranty is only available to consumers who purchase directly from an authorized distributor, dealer or licensee of BRP in the country or union of countries in which the purchaser resides. Please contact your local authorized dealer for more information of the warranty applicable to the BRP products you intend to purchase.

BRP regularly monitors the Internet, including auction sites, in order to protect its intellectual property rights. Unauthorized uses of BRP's intellectual property will result in eBay's notification of such use and the possible removal of the auction. Sellers on eBay who continue to

violate intellectual property rights may be subject to a range of consequences at eBay's discretion. Activities which results in intellectual property rights being infringed can raise both civil and criminal law liabilities and BRP will take any measure it deems necessary to enforce its intellectual property rights.

Although BRP is working diligently to ensure that all unauthorized uses of its intellectual property are removed from the eBay website, some items or practices may be missed. BRP is not singling out anybody. Identifying other third parties who are infringing BRP's rights does not give you the right to infringe BRP's rights as well. We invite you to inform BRP about these illegal listings and we appreciate reliable information on the sale of counterfeit BRP merchandise or trademark infringement. To the extent possible, BRP will keep confidential the identity of the informant.

It is important for BRP to protect its reputation as a source of premium quality products and to protect its loyal customers from unknowingly buying unauthorized or counterfeit items.

Before buying any BRP products, verify if you are purchasing from a BRPs authorized distributor or dealer and that the product you purchase is genuine. The list of BRP authorized dealers is available at the BRP corporate web site [www.brp.com](http://www.brp.com) at the tab "Find a Dealer".

### **Frequently Asked Questions**

***Q\*\*:*** *Why was my auction terminated?\**

**A:** Possible reasons for termination include the sale of counterfeit BRP merchandise, use of BRP's copyrighted images without permission, or misuse of a BRP trademark. BRP regularly monitors the Internet for violations of its intellectual property rights. BRP notifies eBay of auctions which violate BRP's intellectual property rights, eBay then takes the necessary action to comply with BRP's notice, including the removal of the auction from eBay.com without prior notice.

Sellers on eBay who continue to violate intellectual property rights may be subject to a range of consequences, from selling restrictions to full suspension from the site.

Activities which results in intellectual property rights being infringed can raise both civil and criminal law liabilities and BRP will take any measure it deems necessary to enforce its intellectual property rights.

***Q:****Why was I not informed directly by BRP prior to my auction being shut down?*

**A:** For reasons of speed and efficiency, as well as the large volume of BRP items on eBay, it is not feasible for BRP to contact sellers directly. Moreover, BRP has a zero tolerance policy in terms of infringement of intellectual property rights.

***Q:****Why did eBay allow me to post my auction if it is illegal?*

A: eBay cannot conduct a comprehensive pre-screening process to account for all violations. As such, the ability to post auctions of infringing merchandise, trademarks or copyrighted material does not mean that the auction is legal.

***Q: What if I did not know I was infringing on BRP's trademarks?***

A: Ignoring the law or innocent intent is not a defense to violating the intellectual property rights of others.

***Q: Can I still list my items if I explicitly state it is "not genuine," "BRP-like," "BRP-inspired" or any other similar phrase?***

A: No. Disclaimers regarding the genuineness or authenticity of goods do not satisfy intellectual property laws.

***Q: Can I legally sell counterfeit products if I identify the products as "copy", "replica" or any similar term?***

A: No. It is not legal under federal or common law to sell counterfeit merchandise. Representation of the merchandise as "replica" does not offer exemption from the law.

***Q: May I use BRP's images, from www.brp.com or from an authorized dealer's site in my auction?***

A: No. BRP closely controls the use of its images and does not authorize the reproduction of its images, graphics or logos on your website or auction. BRP strongly enforces its intellectual property rights in order to protect the image and reputation of BRP products and to continue to produce top quality technology. Only your own digitally produced images of the BRP product you are selling may be acceptable.

***Q: If I am selling a legitimate item of BRP merchandise, can I use BRP's ad in my listing?***

A: No. The use of BRP trademarks, logos or copyrighted photographs to promote the sale of the item or make your auction more appealing will constitute infringement. This may also consist of a practice that may mislead consumers to believe that you are an authorized dealer, distributor or reseller of BRP products and this is not tolerated.

***Q: Why are there other auctions running for the same or similar items?***

A: Be assured that you have not been singled out. However, due to the high volume of auctions for BRP items, it is difficult to remove every infringing auction. To report auctions suspected of violating BRP's rights or eBay's policies, please report them by emailing the appropriate Seller ID with a link to the deemed infringing auction at [ipnotice@brp.com](mailto:ipnotice@brp.com).