

Brisant- Secure

Brisant-Secure Ltd is the registered proprietor of many trademarks including but not limited to “Ultion” and the “Diamond and stars” emblem.

We regret that your auction item has been cancelled but it has been identified that (without our consent) your goods use at least one of the above trademarks to advertise, describe or brand your auction item. It is illegal to infringe a trademark and/or sell counterfeit merchandise and the manufacture, distribution and/or sale of such goods carries stiff penalties.

As a leading security lock provider, we are focussed on protecting our customers security with the highest quality products and services. Protecting our customers from being misled that goods are connected to, endorsed by or originate from us is part of this work. As a member of eBay’s VeRO Programme for Intellectual Property Rights owners, we aim to both preserve the validity and integrity of our trademarks and protect the general public’s security from purchasing illegal products.

IMPORTANT SECURITY NOTICE TO BUYERS

When buying a lock from an on-line reseller or auction site consideration should be given to the purchase of a lock from an unknown person and asking them to post it to an address that it is likely to be securing. Before the lock is sent the seller holds your keys and knows your address.

FREQUENTLY ASKED QUESTIONS

Q: Why has my auction been removed?

A: Brisant-Secure is committed to the strict enforcement of its trade marks and intellectual property rights. Your auction has been removed because Brisant-Secure believes that the items you were selling infringes Brisant-Secure trade marks, is counterfeit and/or infringes other intellectual property rights. The offer of genuine goods for sale in certain countries not authorised by the trade mark owner is trade mark infringement.

Q: How did Brisant-Secure determine that my auction offered goods that were counterfeit or otherwise infringing?

A: Due to the nature of eBay, this determination can only be based upon the photographs, title of the auction and the description of the goods that you provided.

Q: Why was I allowed to post an illegal auction?

A: eBay understandably states that it cannot conduct a comprehensive pre-check to account for such violations. Therefore, the ability to post such infringing auctions DOES NOT mean that the sale is legal.

Q: Why was my auction removed while other auctions offering “ULTION” items for sale remain?

A: Brisant-Secure cancels many eBay auctions and your auction was cancelled during a routine search. However, due to the number of items offered and the way eBay works, it is impossible to cancel every infringing “ULTION” auction.

Q: I believe that the item Brisant-Secure reported is authentic.

A: If you believe that your auction was incorrectly reported to eBay, please send an email to:

Europe – ebay@brisant-secure.com

with the following:

- Your seller ID & auction number;
- The exact title & description used in your auction;
- Dated proof and source of purchase
- Clear pictures of the item that were posted in the auction including close up pictures of both sides of keys, key cards and packaging.

Q: Can I use the word “ULTION” in an auction heading even if I am not selling a ULTION item?

A: No, this is a direct violation of eBay’s listing policies (<http://pages.ebay.co.uk/help/policies/misleading-titles.html>). Brisant-Secure maintains a registered Trade Mark in “ULTION”, which prohibits the use of “ULTION” (or other registered trademarks) in relation to goods that do not originate from

Brisant-Secure. It is both misleading and infringing to use the “ULTION” Trade Mark in an auction title or description because such use may attract buyers searching for authentic goods.

Q: Why is Brisant-Secure concerned with my sale of a single item?

A: Brisant-Secure takes all infringements seriously. We cannot give exceptions simply because the infringement relates to only one or two items.

Q: Why was I not informed directly by Brisant-Secure before being reported to eBay?

A: The volume of auctions on eBay make it impractical for Brisant-Secure to contact each seller during their auction. Brisant-Secure use the VeRO program as the most efficient method of maintaining our customers security.

Q: Can I post an auction that stating the Item is “NOT GENUINE ULTION” or refer to it as “ULTION-STYLE” or any similar phrase?

A: No, this is a direct violation of eBay’s listing policies (<http://pages.ebay.co.uk/help/policies/replica-counterfeit.html>). A disclaimer regarding the lack of authenticity, such as “fake”, “faux”, “ULTION-STYLE” etc., is illegal under laws prohibiting the sale of infringing products. These products are a violation of Brisant-Secure’s trade mark. It is also a violation of eBay’s listing policies.

Q: I believe that the item I am offering for sale is a genuine Brisant-Secure product, how can I tell?

A: To prevent the information from getting to counterfeit manufacturers Brisant-Secure do not disclose exact manufacturing details. To provide the customer with the security they demand genuine Brisant-Secure products are made using quality materials. The ONLY way to ensure that you have purchased an authentic product is to purchase it directly from a recognised Brisant-Secure reseller or directly from Brisant-Secure.

Q: How can I check if a reseller is ‘recognised’?

A: Email the reseller details to ebay@brisant-secure.com.

Q: I was unaware that the merchandise I was selling was not genuine?

A: The law states that it is YOUR responsibility to ensure that your activities do not in any way violate the rights of others. Ignorance of the law is not a defence to trade mark violations.

Q: If I give assurances to not sell counterfeit/infringing products again, will Ebay reinstate my account?

A: We have no influence over Ebay's policies and cannot help users who have had their user accounts suspended or cancelled. The reinstatement of accounts is eBay's discretion.