

Chubby Chico

CHARMS

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Chubby Chico Charms LLC ("CH3"), a member of eBay's VeRO program, began in 2005 when Alana and Bianca Alicea discussed the idea for an all-handmade jewelry company that could have unique stylish designs while still being American made.

With a background in jewelry design and hailing from Rhode Island, which was once known as "The Jewelry Capital of the World", both women decided to put their innovative skills to good use and help bring manufacturing back to the states. The mother/daughter duo started out with a small, few hundred dollar investment and big ideas. They turned their dining room into a small home office and studio for their new company. After MANY sleepless nights and endless hours of dedication their business was starting to thrive. Within a few short years they grew from a home office to full scale 5,500 square ft production facility with 25 employees, inclusion in retail locations, a fundraising division and countless happy customers. Eleven years later and CH3 is now an accredited company with the Better Business Bureau, a member of the Northeast Chamber of Commerce, winner of the Small Business Administration Entrepreneur of the Year 2014 Award and has received Rhode Island Monthly's Enterprising Woman of The Year Award.

CH3 strictly enforces its intellectual property rights, including, without limitation, trademarks and copyrights. CH3 owns several trademarks registered with the United States Patent and Trademark Office, including the above-pictured logo and the word mark Chubby Chico Charms, and additional trademarks (together, the "CH3 Marks"). CH3 has strict guidelines regarding the use of the CH3 Marks and will not hesitate to notify eBay of any auction that uses the CH3 Marks without CH3's permission, in a manner that unfairly competes with CH3 or causes or is likely to cause confusion in the marketplace, and/or in any other unauthorized manner. Auctions that use CH3's Marks in an unauthorized or unlawful manner are subject to termination, as are auctions that use CH3's photographs, videos, images, or other copyrighted material.

The manufacture, distribution, and/or sale of counterfeit and/or infringing CH3 items is illegal, and doing so may subject you to civil and/or criminal liability. If CH3 requests a removal or "take-down" of your auction, it is because your store or listing contained an item that infringed upon the trademarks and/or copyrights of CH3, or is otherwise unlawful.

You should be aware that the fact that a product is described as an CH3 product does not guarantee that such product is a genuine CH3 product. CH3 cannot guarantee the quality of

goods sold by anyone other than CH3 and does not accept such items for return or exchange.

If CH3 becomes aware of an auction that infringes on its intellectual property, CH3 will not only refer the auction to eBay for termination but may consider other legal remedies in order to protect its brand and its intellectual property.

FAQ :

Q: What types of CH3 products can be sold in an online auction, and what is the legal way to advertise the products?

A: Secondary market sellers may list genuine CH3 products obtained after a legitimate sale by and purchase from CH3. Such listings must be absolutely truthful and accurate in describing the product. Secondary market sellers may post their own original photographs of the CH3 product that particular seller is auctioning, but may not use, post, or display images from CH3, CH3's website, or CH3's marketing materials.

Q: Why can't I use "Chubby Chico Charms" "CH3" or a similar name, tag, or description even though I am not selling CH3 merchandise?

A: CH3 has strict guidelines regarding the use of the CH3 Marks, and using such marks in connection with products that are not genuine CH3 products could cause confusion in the marketplace and constitute unfair competition, for which you may be held liable.

Q: Can I describe my item as "Chubby Chico Charms-Style" or similar?

A: No. CH3 has strict guidelines regarding the use of the CH3 Marks. Auctions that use CH3 Marks in an unauthorized or unlawful manner, including a manner that suggests affiliation, sponsorship, or approval by CH3, are subject to termination.

Q: Why did eBay allow me to post my auction?

A: eBay does not pre-screen or authenticate merchandise before sale or auction. Thus, it is up to intellectual-property owners, like CH3, to report unauthorized listings to eBay.

