



Duracell U.S. Operations, Inc.

For more than half a century, consumers have trusted Duracell for their battery needs. The DURACELL brand has been ranked as one of the most powerful brands in the world. As a result of hard work and expense, Duracell is now amongst the world's leading battery makers and battery brands. Through the eBay VeRO program, Duracell seeks to protect that hard-earned trust.

This page is intended to educate eBay users about Duracell's intellectual property rights, including its trademarks, service marks, trade dress, and copyrights. This includes, for example, Duracell's rights in the copper-and-black trade dress that appears on the company's batteries. Duracell's intellectual property may not be used by others without Duracell's written permission. Duracell does not permit any of its intellectual property to be used on eBay.

Trademarks and service marks are protected under United States and international trademark laws. Anyone who uses Duracell's trademarks or service marks without Duracell's written permission may be breaking the law. The manufacture, distribution, and/or sale of counterfeit Duracell products is illegal and subject to criminal prosecution. And, the unauthorized use of Duracell trademarks in connection with even "genuine" DURACELL battery products may infringe Duracell's trademark rights.

Textual, photographic, and audiovisual works produced and published by Duracell or its licensees or authorized retailers are protected under United States and international copyright laws. Duracell's copyrighted materials include photographic images, item descriptions, packaging designs, and claim statements. Anyone who reproduces, copies, or displays those materials without Duracell's written permission may be breaking the law and may be liable for copyright infringement.

Duracell regularly monitors the Internet, including auction sites, to protect its intellectual property rights. When Duracell finds unauthorized use of its intellectual property in an auction or listing on eBay, it will ask eBay to remove it.

Some manufacturers of consumer electronic products include DURACELL batteries with their products. These batteries are marked with the words "not for retail sale" or "original equipment accessory." Batteries have a limited shelf life, and Duracell cannot control how batteries outside of its control are stored and used by those manufacturers or subsequent purchasers. Consequently, Duracell does not authorize the repackaging and resale of those batteries, and those batteries are not covered by Duracell's retail warranty. US Customs restricts the importation of those batteries unless they are suitably labeled, and when Duracell finds those batteries being misrepresented in an eBay auction or listing, it will ask eBay to remove it.

From sellers:

Q: Can I use Duracell's logo or other images owned by Duracell to make my auction listing more appealing?

A: No. Regardless of whether the batteries are “genuine,” use of Duracell’s logos or images implies that your listing is approved or authorized by Duracell. Duracell cannot condone the use of its logos or images in that way.

Q: Why was my listing ended?

A: Your eBay listing or auction was removed for one of two reasons: either because we believe that the item being sold is counterfeit or because the listing infringes Duracell’s intellectual property rights.

Q: Why does Duracell care if I sell a single unauthorized Duracell product?

A: Duracell has devoted time and effort to develop and maintain a reputation of providing trusted products. When purchasers or users of counterfeit or unauthorized products are disappointed by the quality of a counterfeit or unauthorized product, that reputation suffers. When you have worked as long and hard as Duracell has, you cannot take chances like that.

Q: Why didn’t Duracell contact me directly before reporting my listing to eBay?

A: Due to the volume of auctions or other third-party uses that Duracell targets for removal, it would be impractical for Duracell to contact each eBay seller individually. From buyers:

Q: Can Duracell verify the authenticity of merchandise for sale on eBay?

A: Due to the large volume of Duracell products sold on auction websites, we cannot verify whether individual products on these sites are genuine. We recommend buying Duracell products only from authorized retailers. You can find authentic Duracell products at duracell.com and in reputable drug stores, markets, department stores, warehouse stores, and office supply stores.

Q: How can I determine if an item is not authentic or may not conform to Duracell’s quality standards?

A: Certain indications that a product sold on eBay may not be authentic or may not conform to Duracell’s quality standards include: (1) the packaging looks fake or unprofessional; (2) the batteries are not wrapped in original Duracell packaging; (3) the products are wrapped in clear plastic wrapping or unlabeled packaging; and (4) the product photographs appear to come from another website and do not appear to be a photograph of the actual product being sold.

Q: Are Duracell products sold on eBay covered under Duracell’s warranty?

A: Duracell’s warranty cannot be honored if you are not the original retail purchaser or if you have not purchased products from an authorized Duracell retailer. Original equipment manufacturer (OEM) Duracell products (which may be marked “Original equipment accessory” or “Not for retail sale”) are not covered by Duracell’s retail warranty.