

eBay Sellers: Why was my auction shut down?

If you are selling ink cartridges, consumables, etc. on eBay, it is your legal responsibility to ensure that your sales practices do not violate Epson's trademark and copyright rights.

Resellers of non-genuine inks & supplies often attract customers to an auction by using the trademark "Epson" but really offer products manufactured by third parties. That's unfair competition. It is especially misleading when "Epson" is used in a context that would encourage a consumer to purchase the product without discovering that it was not genuine until the product is delivered.

Epson therefore requests eBay to shut down all auctions which do not clearly specify in the title that the ink or supplies offered are not genuine. To prevent your auction being shut down, you need to comply with all three of the following rules:

1. Always use the word "Epson" to refer to the printer (e.g. "fits Epson Stylus D88", "for use in Epson Stylus D88", "compatible with Epson Stylus D88") rather than to the cartridge. For example:



Allowed:

Cartridge for use in Epson Stylus D88



Not Allowed:

Epson cartridge T0611 (compatible)

2. Always make sure the title is not misleading as to the origin of the product. The easiest way to ensure this is to use the term "non-original", "non-genuine", or "non-OEM" (rather than using the term "compatible") and/or indicate the brand. For example:



Allowed:

Jettec (non-genuine) cartridge for Epson Stylus D88



Not Allowed:

T0611 cartridge for Epson Stylus D88 (compatible)

3. Only use the Epson mark when necessary. For example:



Not Allowed:

Cartridge replacing Epson T0611 (non-original) for use in Epson Stylus D88

Please note that Epson will also request eBay to shut down auctions that contain representations of the quality or performance of the compatible ink or supplies unless such representations are true and can be substantiated. By requesting eBay to shut down such auctions, Epson does not waive its right to sue for damages even if shutdowns occur.

If you have further questions, please contact us at ip@epson.eu. Please cite your eBay auction number in the subject line of the e-mail.

Epson Intellectual Property Team