

# Epson

## About Epson

Epson is a global technology leader dedicated to connecting people, things and information with its original efficient, compact and precision technologies. With a lineup that ranges from inkjet printers and digital printing systems to 3LCD projectors, smart glasses, sensing systems and industrial robots, the company is focused on driving innovations and exceeding customer expectations in inkjet, visual communications, wearables and robotics.

Led by the Japan-based Seiko Epson Corporation, the Epson Group comprises more than 72,000 employees in 88 companies around the world, and is proud of its contributions to the communities in which it operates and its ongoing efforts to reduce environmental impacts.

To learn more about Epson, please visit [epson.com](http://epson.com).

## About Epson Enforcement through eBay's VeRO Program

Epson works cooperatively with eBay to protect its intellectual property rights and limit deceptive advertising.

- **Trademarks:** Epson identifies and promotes its products with the "EPSON" trademark and other proprietary trademarks.
- **Patents:** Many of the designs and features of Epson products are protected by international patents.
- **Copyrights:** Epson uses copyright protected sales materials, product photographs and service manuals to promote its products and communicate with users.
- **Advertising:** Epson strives to advertise fairly and is vigilant to protect itself against unfair advertising.

Epson actively protects its intellectual property rights and the reputation of its products with VeRO takedown notices, enforcement on other internet marketplaces, lawsuits and other legal remedies.

## Useful Information for eBay Sellers regarding Epson VeRO Enforcement

Epson encourages sellers to compete fairly by accurately describing products and avoiding trademark, patent and copyright infringement. Sales of the following products merit special attention:

- **Printer supplies, including ink cartridges, bottled ink, ribbons and toners**

### **-Epson Strongly Recommends the BSA Industry Standard for Accurate, Non-Deceptive**

**Listings:** The Business Solution Association (BSA) standard was developed cooperatively by printer manufacturers and aftermarket supplies manufacturers and is now used by most legitimate resellers. See: [http://c.yimcdn.com/sites/businesssolutionsassociation.com/resource/resmgr/Print\\_Cartridge\\_Definition\(.pdf\)](http://c.yimcdn.com/sites/businesssolutionsassociation.com/resource/resmgr/Print_Cartridge_Definition(.pdf)) The BSA formula for listing titles is the following:

*[Brand] + [cartridge class] + [cartridge size/color] + [cartridge type] + "alternative for" + [OEM brand] + [Variable Content]*

Examples of compliant listing titles:

For newly built cartridges: *"Generic brand Non-OEM New Build Toner Cartridge alternative for HP 05a"*

For remanufactured cartridges: *"Elite Image Remanufactured Toner Cartridge alternative for Lexmark T640/42/44 High-yield"*

**-Printer supplies listings that infringe Epson’s trademarks and copyrights are subject to VeRO takedowns:** Epson actively monitors eBay listings and requests VeRO takedowns of listings that deceptively misuse the “EPSON” trademark. The “EPSON” trademark can only be used for aftermarket brand cartridges for the limited purpose of designating the intended use of the cartridges. The following is an example of a compliant listing title: *“Acme remanufactured non-OEM ink cartridge alternative for Epson T25280”* Sellers of aftermarket brand cartridges are also subject to takedowns for infringing Epson copyrights by using photos or other Epson copyrighted materials to promote non-Epson products.

**- Printer supplies listings that infringe Epson’s patents are subject to VeRO takedowns:** Epson’s patents cover almost all cartridge models for Epson inkjet printers, and resellers are independently responsible for determining that the cartridges they sell are not infringing. For many years, Epson has enforced its ink cartridge patents on a worldwide basis, in order to protect its brand, intellectual properties and customers. This has included many US District Court lawsuits and two US International Trade Commission (“ITC”) actions. The ITC issued two General Exclusion Orders that prohibit all imports of cartridges that infringe the applicable patents. (For more information about the ITC orders see <http://itc.epson.com> and <https://epson.com/Support/wa00646> ).

Epson actively monitors eBay listings and requests VeRO takedowns of listings for infringing newly built and remanufactured cartridges covered by the patents that were upheld as valid and enforceable in the ITC actions. The patent laws that apply to remanufactured cartridges are particularly complex. Cartridges first sold by Epson can be refilled and sold under a third party brand but not reconstructed by replacing the essential components. Furthermore, there are numerous lawsuits currently pending against internet resellers elsewhere in the world. Epson strongly recommends that resellers seek independent counsel to avoid potential liability for patent infringement.

**-Printer supplies that are deceptively advertised are subject to VeRO takedowns:** The BSA standards referenced above are an excellent way to avoid misrepresentations. The following illegal misrepresentations are subject to enforcement:

- Creating a false impression that non-Epson supplies are branded or approved by Epson.
- Describing newly built cartridges as remanufactured cartridges.
- Describing remanufactured cartridges as newly built cartridges.
- Selling Epson brand cartridges without retail packaging as “New” cartridges, without disclosing the lack of expiration dates and retail packaging.
- Making false claims of yields, quantity or equivalency to Epson branded products.
- Falsely describing cartridges as “Made in USA” or failing to disclose the origin of imported cartridges.

- **Deceptive Listings for Grey Market or Used Epson Products Are Subject to VeRO Takedowns**

To avoid trademark infringement and false advertising, Sellers must prominently disclose any material differences between listed products and new Epson products authorized for resale. Material differences that must be disclosed include lack of US Epson warranties, foreign language packaging and/or user instructions, removed components (like initial ink bottles), and prior consumer use. The following is a compliant listing title for a US grey market ink tank printer: “Epson L310 Multifunctional Printer, International Version, No Epson Warranty”.

- **Deceptive listings for video projector lamps are subject to VeRO takedowns**

Sellers of non-Epson lamps or bulbs for EPSON projectors cannot infringe the “EPSON” trademark or otherwise falsely imply that their aftermarket lamps are branded or approved by Epson. The “EPSON” trademark can only be used for non-Epson lamps for the limited purpose of designating the intended use of the lamps. The following is an example of a compliant listing title: “*Acme non-OEM lamp alternative for Epson ELPLP41*”. Sellers that sell lamps made with non-Epson bulbs in used Epson lamp housings must identify their lamps as “Remanufactured”. Sellers of non-Epson aftermarket lamps cannot deceptively describe the lamps with false performance or equivalency claims.

## **Epson Contacts**

- **More Information about Epson or Epson Products**

To learn more about Epson or Epson products, please visit <http://www.epson.com>

- **More Information about Epson VeRO enforcement**

For concerns about Epson VeRO enforcement in the US and Canada, please contact [enforcement@epson.com](mailto:enforcement@epson.com). For concerns about Epson VeRO enforcement in Europe, Middle East and Africa, please contact [ip@epson.eu](mailto:ip@epson.eu). (For concerns about Epson VeRO enforcement in markets other than the US, Canada, Europe, Middle East and Africa, please contact [Shimizu.Hiroko@exc.epson.co.jp](mailto:Shimizu.Hiroko@exc.epson.co.jp))

- **For Reporting Concerns About Purchases or Sellers of Epson Products**

To report concerns that sellers are misusing Epson’s trademarks or deceptively selling products intended for use with Epson products, please contact [enforcement@epson.com](mailto:enforcement@epson.com)