

# FUJIFILM

Value from Innovation

## About Fujifilm

Fuji Photo Film Co., Ltd., was established in January 1934, based on a government plan to establish a domestic photographic film manufacturing industry. The new company inherited the split-off photographic film operations of Dainippon Celluloid Company Limited.

Fujifilm's corporate transformation as its core industry underwent seismic change due to the shift to digital photography. Leveraging Fujifilm's foundation of proprietary photographic film technologies and our "NEVER STOP" spirit, Fujifilm turned a crisis into opportunity with a renewed core focus on the four industry segments of Healthcare, Business Innovation, Advanced Materials, and Imaging. Today, Fujifilm is a global leader, offering a wide variety of products and services, and has committed to solving society's greatest challenges

# instax

FUJIFILM

## About *instax* products

The instax instant camera was released in 1998, and since then, it has proven extremely popular, particularly with young women in their teens and twenties. Fujifilm's instax products enable users to enjoy on the spot card-sized prints of people and places, as well as serving as a tool to bring people together and deepen communications.

In the current digital age, digital technologies are diversifying ways to enjoy photography, but there is a new appreciation for the ability to hold a 'real' print of an image just taken.

Fujifilm is an active participant in the eBay VeRO program for the purposes of protecting consumers and protecting the **instax** brand.

Fujifilm have developed this page to help educate eBay users about listings which infringe Fujifilm's intellectual property rights in the **instax** brand and to explain why we may have taken action to remove a listing.

## Trademark Infringement

For eBay UK only

Only products which have been imported into the United Kingdom (UK) and/or the European Economic Area (EEA) through Fujifilm's authorised distribution channels, have been authorised by Fujifilm to be placed on the market in the UK and therefore can be lawfully sold within or into the UK. The sale of **instax** branded products within or into the UK which have not been officially



imported into the UK and/or the EEA through Fujifilm's authorised distribution channels, is trademark infringement, and is unlawful, as confirmed by the European Court of Justice in the Silhouette, Davidoff and Levi Strauss cases as incorporated into law in the UK post-Brexit.

For all other eBay sites in the EEA

Only products which have been imported into the European Economic Area (EEA) through Fujifilm's authorised distribution channels, have been authorised by Fujifilm to be placed on the market in the EEA and therefore can be lawfully sold within or into the EEA. The sale of **instax** branded products within or into the EEA which have not been officially imported into the EEA through Fujifilm's authorised distribution channels, is trademark infringement, and is unlawful, as confirmed by the European Court of Justice in the Silhouette, Davidoff and Levi Strauss cases.

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## Frequently Asked Questions

### **Q: Why was my listing cancelled?**

A: Fujifilm has determined that your listing infringes its **instax** trademark

### **Q: Why did Fujifilm single out my listing for removal when I can find other similar listings that infringe Fujifilm's *instax* trademark?**

A: Fujifilm has measures in place to identify infringing listings, and takes action to address infringements as soon as we are aware of them. However, due to the volume of products added each day to eBay, it can take time to identify listings, and for eBay to remove them once they have been reported

### **Q: Why did Fujifilm not contact me directly, prior to my listing being removed?**

A: Due to the volume of new **instax** product listings added to eBay, it is not feasible for us to contact sellers directly

### **Q: If I assure Fujifilm that I will not infringe its *instax* trademark again, will Fujifilm retract its VeRO request?**

A: No. Fujifilm does not retract VeRO notices where there has been trademark infringement