

# Kettle Foods Ltd

Kettle Foods was founded in 1978 by Cameron Healy in Salem, Oregon, USA. His purpose was to provide consumers with high quality, unique and naturally sourced snacks. Following his success in the USA, in 1988 Kettle Foods Ltd was founded in Norwich, Norfolk, UK, to supply European markets with Kettle Foods Ltd's range of all natural, gourmet snack products. In addition to our well known KETTLE Chips, we also make various other snacks. Please have a look at our websites for more details. They can be found by following the links at the bottom of this page.

## **The KETTLE trade mark**

Kettle Foods' success is largely down to the premium quality of our all natural products. This high quality together with the goodwill and reputation we have developed over the years are represented by our trade marks. They are very important to us and so we protect them carefully, by pursuing infringing and diluting uses of our trade marks. We stop the advertising and sale of unlicensed, infringing and counterfeit merchandise on eBay, and we request that our trade marks are properly used and identified. In this way we strive to protect consumers from being deceived or confused into believing they are purchasing products which are associated with Kettle Foods.

Kettle Foods has registered the trade mark KETTLE in numerous countries worldwide. This gives us the exclusive right to use this trade mark in these countries.

Our policy is to monitor the use of our trade mark on eBay and to use eBay's VeRO programme to suspend auctions which feature infringing products.

## **Frequently asked questions:**

### **1. Why was my auction suspended?**

Your auction was most likely suspended because the products you were offering for sale made unlawful use of the trade marks of Kettle Foods, Inc. They were probably snack foods which were not produced by Kettle Foods but which were referring to the trade mark KETTLE, and you were probably offering to sell these products in a jurisdiction where the KETTLE trade mark belongs to Kettle Foods.

### **2. Why can I not sell snack products which refer to KETTLE in some countries?**

In the UK, the rest of Europe and many other countries the trade mark KETTLE is owned by Kettle Foods Inc. Although snack products referring to this word can be sold in some jurisdictions (eg Australia, USA), selling those same products into other countries is not acceptable because of our trade mark registrations. Trade mark rights are territorial, so it is important to check the situation in each country that you wish to sell such products. If we have a registered trade mark in that country, you cannot sell other products using our trade mark without running the risk of infringing our trade mark.

### **3. In which countries has Kettle Foods registered the trade mark KETTLE?**

We have trade mark registrations in numerous countries including: Argentina, Austria, Bahrain, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cyprus,

Czech Republic, Denmark, Ecuador, Estonia, Fiji, Finland, France, Germany, Greece, Hong Kong, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Malaysia, Malta, Mexico, Moldova, Monaco, Norway, Oman, Peru, Poland, Portugal, Russia, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, South Korea, Spain, Sri Lanka, Sweden, Switzerland, Taiwan, Thailand, Turkey, United Arab Emirates, United Kingdom.

These are just a sample of our registrations. If you want to know about a country which isn't listed above, please ask by using the Contact Us section of our UK website.

#### **4. Why haven't you suspended all auctions that offer infringing products for sale?**

We are as vigilant as possible and we take action as soon as we discover a listing which we believe infringes our trade mark. You can help us by letting us know if you see a listing which you think we should know about. However, it may be that the listing in question is only offering to ship the products concerned to a country where we do not have registered trade mark rights, in which case the seller is not doing anything wrong and we have no wish to stop them.

#### **5. Can I use Kettle Foods' trade marks in my listings?**

Yes, provided that the products you are selling are genuinely those made by Kettle Foods. You may not use our trade marks to describe anyone else's products, or to describe a generic category of products.

#### **6. What is the name of the category of potato chips that KETTLE Chips belong to?**

KETTLE Chips are batch cooked or hand cooked chips.

#### **7. How can I get more information?**

If you have further questions about our trade marks please let us know via the Contact Us section on one of our websites.

- <http://www.kettlechips.com/>
- <http://www.kettlechips.co.uk/>
- <http://www.kettlechips.eu/>