

# Nike

## Nike US

Nike, Inc., located in Beaverton, Oregon, is the world's leading sports and fitness company. Since 1971, Nike has used its NIKE trademarks in connection with a broad range of athletic footwear, apparel, and equipment. Nike is a member of the eBay VeRO Program and is the owner of hundreds of trademarks and patents worldwide. We started enforcing our trademarks and patents on eBay because we received complaints from eBay users who purchased non-NIKE athletic footwear, apparel and equipment under the mistaken impression they were authentic Nike products.

As an eBay VeRO Program member, Nike reviews items for sale on eBay daily. Nike sells to authorized dealers only and does not sell seconds, damaged goods or "variants". We take great pride in the quality and workmanship of the products we produce and the warranties provided with those products. Authorized retailers of Nike products can be found by visiting [www.nikebiz.com](http://www.nikebiz.com). Nike will use eBay's VeRO program to report the listing(s) of any auctions it considers infringes its rights in any territory in which product is offered for sale or delivery. Nike cannot assist in the reinstatement of any auctions or eBay accounts which have been terminated by eBay following a legitimate request by Nike in any territory.

NIKE works to ensure that all unauthorized uses of its intellectual property are removed from eBay. When an auction listing that improperly uses NIKE trademarks and/or patents comes to its attention, NIKE reviews the matter and takes appropriate action. However, because of the high volume of merchandise for sale on eBay, it is difficult to identify and remove every unauthorized item. The fact that others are selling products that infringe Nike's intellectual property rights does not give you the right to do so. Similarly, the fact that a product is being sold on eBay is in no way a guarantee that it is a genuine, authorized NIKE product.

It is legal to re-sell a genuine Nike product that you purchased, in its original, unaltered form in the territory in which you bought it and you may use NIKE trademarks to describe such items. However, you should be aware that selling outside the territory in which you bought the item can be risky as certain countries and territories have laws prohibiting unapproved parallel trading. For example, items offered for sale to European countries which have not first been put on the market by Nike within the European Economic Area ("EEA") by Nike may infringe Nike's rights. Please refer to [nikeuk](#) below for further information.

Further, you cannot use copyrighted photographs of NIKE products to promote the sale of the item and you cannot produce an unauthorized copy of the genuine product and offer it for sale nor customize a Nike product that modifies any of its trademarks (such as the Swoosh design).

As a seller, you have a responsibility to ensure that your actions do not violate the intellectual property rights of another. Ignorance that it is a violation of any country's trademark, patent or copyright laws is no excuse.

**NOTE: If your e-mail requests information that is already contained in this About Me page, you will not receive a response.** If you have other questions, please send to: [brand.guard@nike.com](mailto:brand.guard@nike.com) and provide us with the eBay item number, which appears in the message sent to you from eBay.

Nike's contact information is as follows: Nike, Inc., Attn: Legal Department, One Bowerman Drive, Beaverton, OR 97005 - 1.503.671.6453

We welcome information on the sale of counterfeit Nike merchandise and keep the identity of our informants strictly confidential.

For information on authentic Nike products, please visit [www.nike.com](http://www.nike.com).

### **Nike UK**

Nike, Inc. is the registered proprietor of a number of trade marks, design marks, patents and copyright material, registered here in the

United Kingdom and Ireland, in relation to a considerable range of goods and services. For more information relating to Nike Inc marks, please refer to the Intellectual Property Office's website ([www.ipo.gov.uk](http://www.ipo.gov.uk)).

eBay are committed to helping protect the intellectual property rights of rights owners and to providing their users with a safe and enjoyable place to trade. For this reason eBay have created the Verified Rights Owner (VeRO) Programme. Nike Inc (UK & Ireland) is a member of the VeRO Programme and this allows us to report and remove listings that infringe our rights. Additionally, should we require, we are able to request and obtain users personal seller information.

We monitor eBay on a daily basis, identifying and removing auctions which we believe infringe our rights. We take the protection of our intellectual property rights extremely seriously and thus we take action, as and when necessary, against users that we find manufacturing, selling, or advertising for sale counterfeit products.

### **Information For The Buyer:**

Counterfeit products can often be of very high quality and thus it can be difficult for buyers to tell whether products on sale are genuine. Unfortunately, there are many infringing items on eBay and it can be difficult to track them all down and remove them as soon as they are placed on eBay.

We cannot guarantee the authenticity of any Nike item being sold on eBay. The only way to ensure that a Nike product is genuine is to buy direct from [www.nike.com](http://www.nike.com), or from any of our authorised dealers ([www.nikebiz.com](http://www.nikebiz.com)).

Nike does not produce products bearing the marks of Louis Vuitton, Gucci, Burberry, Ferrari or BMW. These goods will be classified as counterfeit. Additionally Nike does not sell seconds, damaged goods, or variants.

We welcome any information regarding the sale of counterfeit Nike products. You can contact us by email at [brandprotectionuk@nike.com](mailto:brandprotectionuk@nike.com). Please note we will not always be able to reply to all correspondence.

### **Information For The Seller:**

If you are considering re-selling any of our products on eBay, then this is perfectly fine, so long as it is sold on in its original form, without any alterations. However, it is not possible to re-sell any items, without prior consent from Nike Inc, that were originally sold outside the European Economic Area (EEA).

If you have had an auction removed, this will be because we have requested this. An infringement will occur even when the use of our logo is coupled with a statement by a seller that the items are not

genuine. This will be treated in exactly the same way as any other infringement and we will use our best endeavours to ensure the item is removed. It is an offence to offer, sell or have in possession for distribution, item's that infringe trade mark registrations (Trade Marks Act 1994).

If you have a query regarding an auction we have removed, please provide details of the auction number, auction description and your eBay user ID and contact us at [brand.protectionuk@nike.com](mailto:brand.protectionuk@nike.com)

### **Frequently Asked Questions (FAQ):**

#### ***Q: Why was my auction terminated?***

A: If one of your auctions has been removed from eBay this is because we believe that it infringes our intellectual property rights. For example, it may be an unauthorised copy of an official Nike product, or an item incorporating our intellectual property rights, that we do not sell, or licence anyone else to do so.

We have made the decision regarding the authenticity of the item based on the photograph and the description of the product, as well as other less tangible aspects of the auction. We cannot physically see the product listed on eBay, which means we have limited information at our disposal. We work diligently to try to ensure that only items infringing our intellectual property rights are removed.

If we ended your auction, we felt comfortable with our assessment that the item you were selling infringes our intellectual property rights.

#### ***Q: Why did eBay allow me to list my auction if it violates their VeRO policy?***

A: eBay's policy is that it is not practical to conduct a comprehensive pre-screen of their auctions. Therefore, certain impermissible items are allowed to be listed and are only detected and removed after the listing.

#### ***Q: Why didn't Nike contact me directly before reporting my auction to eBay?***

A: eBay is responsible for the items posted on its auction site. Given the number of Nike items listed on eBay, it would take an even larger commitment of time and resources for Nike to contact each seller individually. Unfortunately, it is not possible for us to do this.

#### ***Q: Why was my auction singled out when there are other auctions on eBay that infringe Nike's intellectual property rights?***

A: Nike would like to remove all infringing auctions from eBay, however given the volume of auctions being sold on eBay, it is extremely time consuming and difficult to remove every infringing auction. The fact that others are selling products that infringe our intellectual property rights **does not** give you or anyone else the right to do so. If you believe that an eBay member is selling counterfeit Nike products, please send an email to [brand.protectionuk@nike.com](mailto:brand.protectionuk@nike.com) identifying the seller and the auction in question.

#### ***Q: If I purchased a legitimate Nike item, can I re-sell the item on eBay?***

A: Yes, you can re-sell genuine items that you purchased in their original, unaltered form, without any alterations. However, it is not possible to re-sell any items, without prior consent from Nike Inc, that were originally sold outside the European Economic Area (EEA). It does not matter whether the product being imported is genuine, new, or second hand.

#### ***Q: Can I list an item if I clearly indicate that it is 'Replica', 'Unofficial', 'Knock Off' or 'Fake'?***

A: No. Manufacturing, distributing and/or selling unlicensed goods infringes our intellectual property rights and carries civil and/or criminal penalties. Saying the goods are not genuine does not save you from liability (a disclaimer in legal).

***Q: Can I use Nike Inc trade marks, design rights, or copyright material to make my auction look appealing?***

A: No. Use of our trade marks, design rights, or copyright material wrongfully implies that your auction is authorised, sponsored, approved, or endorsed by us.

***Q: What if I didn't realise that I was infringing Nike's intellectual property rights?***

A: It is your responsibility to ensure that your actions do not infringe our intellectual property rights. Ignorance or lack of knowledge is not a defence under most intellectual property laws.

***Q: How can I determine whether an item for sale on eBay is a genuine Nike product?***

A: We cannot guarantee the authenticity of any Nike item being sold on eBay. The only way to ensure that a Nike product is genuine is to buy direct from [www.nike.com](http://www.nike.com), or any of our authorised dealers ([www.nikebiz.com](http://www.nikebiz.com)).

***Q: Can Nike verify the authenticity claims of products for sale on eBay?***

A: Nike Inc is unable to guarantee the authenticity of any items for sale on eBay. Nike will not compensate any person that purchases counterfeit products from an eBay seller, nor replace such products with genuine products. If you believe that an eBay member is selling counterfeit Nike products, please send an email to [brand.protectionuk@nike.com](mailto:brand.protectionuk@nike.com), identifying the seller and the auction in question.

***Q: Why does Nike care if I sell a single piece of unauthorised Nike product?***

A: Nike has spent considerable resources in developing and maintaining its reputation and our intellectual property rights. Counterfeit products unlawfully trade off our reputation and cause us reputation and monetary damage. Having built up our reputation over the years, we must take action to ensure that online auctions of counterfeit goods are removed, even by single item sellers.

***Q: How do I contact Nike Brand Protection?***

A: Our email address is [brand.protectionuk@nike.com](mailto:brand.protectionuk@nike.com). For enquiries relating to eBay, please put 'eBay Enquiry' in the subject field.

## **Nike Italy**

Nike è un'azienda che distribuisce una vastissima gamma di prodotti di abbigliamento, calzature ed accessori per lo sport, fiera degli elevati standard qualitativi dei propri prodotti.

Nike difende attivamente i propri diritti di proprietà intellettuale, collaborando costantemente con le forze dell'ordine al fine di proteggere il consumatore dalle frodi.

Come membro del programma "Vero", Nike effettua un monitoraggio costante delle inserzioni presenti su e-bay, poichè, sfortunatamente, molti prodotti, indicati come "nike", venduti su e-bay, sono contraffatti.

Nike vuole assicurarsi che ogni uso non autorizzato dei propri diritti di proprietà intellettuale sia rimosso da e-bay; per questo, quando un'inserzionista usa impropriamente i nostri marchi registrati, brevetti o copyright, procediamo a segnalarla ad e-bay.

Il fatto che, a seguito di detta segnalazione, E-bay rimuova l'inserzione, non significa che Nike rinunci ad esercitare i propri diritti legali nei confronti del venditore: **vendere prodotti contraffatti o che ledano diritti di proprietà intellettuale è contro la legge e porta ad incorrere in sanzioni civili e penali.**

Nike non vende prodotti danneggiati, nè produce merce recante marchi Louis Vuitton, Ferrari, Gucci o Burberry. Nike non vende calzature riportanti la dicitura "Espionage" o BMW Williams. Inoltre Nike non ha mai realizzato una linea dedicata a Michael Jackson nè calzature riproducenti fiamme o dollari. Tutti questi prodotti, pertanto, sono **contraffatti**.

La rivendita di prodotti originali, se acquistati all'interno dello Spazio Economico Europeo (SEE) è legittima, purché tali prodotti siano inalterati; in questo caso, possono essere anche usati marchi registrati Nike per descrivere detti prodotti. Invece, le cosiddette importazioni parallele illegali (cioè l'importazione e/o la vendita nello SEE di prodotti acquistati fuori dallo SEE senza il consenso di Nike) sono vietate. È pertanto illegale importare e/o vendere in Europa prodotti Nike non autorizzati provenienti da paesi extra SEE come Cina, Giappone, Stati Uniti, Vietnam etc. Non importa se i prodotti importati siano nuovi o usati. Il mero fatto che Nike venda prodotti identici nello SEE non significa che Nike autorizzi la vendita, da parte di terzi, di prodotti acquistati al di fuori dello SEE.

Inoltre, è vietata la vendita di prodotti che riportino marchi registrati Nike modificati.

Il venditore ha la responsabilità di assicurarsi che le proprie inserzioni non violino i diritti di proprietà intellettuale di Nike. Il fatto di ignorare che si stia compiendo una violazione non è una scusante per la legge.

Infine ricordiamo che Nike ha adottato una politica di distribuzione per i suoi rivenditori autorizzati nello SEE. In base a tale politica, anche all'interno dello SEE sono vietati l'acquisto di prodotti Nike presso terzi non autorizzati, e la rivendita degli stessi presso terzi non autorizzati.

L'indirizzo email al quale contattare Nike Italy è [anticontraffazione@nike.com](mailto:anticontraffazione@nike.com). Nella corrispondenza indicare sempre username e numero dell'inserzione. Nike non risponderà a nessuna email nella quale non siano contenute le informazioni di cui sopra.

**Se la vostra email ha oggetto informazioni che sono già contenute in questa pagina, non riceverete alcuna risposta.**

Per ulteriori informazioni vi invitiamo a visitare il sito [www.nikeitalybrandprotection.it](http://www.nikeitalybrandprotection.it)

L'unico modo per essere certi di acquistare un prodotto originale Nike è farlo presso i rivenditori autorizzati.

Per maggiori informazioni sui prodotti originali Nike, puoi visitare i seguenti siti internet:

[www.nike.com](http://www.nike.com)

[www.store.nike.com](http://www.store.nike.com)

[www.nikebiz.com](http://www.nikebiz.com)

[www.nikebasketball.com](http://www.nikebasketball.com)

[www.nikerunning.com](http://www.nikerunning.com)

[www.nikefootball.com](http://www.nikefootball.com)

[www.nikegolf.com](http://www.nikegolf.com)

[www.nikeid.com](http://www.nikeid.com)

[www.nikeresponsability.com](http://www.nikeresponsability.com)

[www.nikeplus.com](http://www.nikeplus.com)

[www.nikeskateboarding.com](http://www.nikeskateboarding.com)

[www.nikevision.com](http://www.nikevision.com)

[www.nikewomen.com](http://www.nikewomen.com)