

# Oakley, Inc.

Oakley, Inc. ("Oakley") is a member of the eBay VeRO Program and the owner of hundreds of trademarks, service marks, patents and copyrights.

Our ceaseless efforts to build the Oakley brand would be meaningless if we did not aggressively protect our patents and trademarks by attacking counterfeiters and patent infringers. We have zero tolerance for those who attempt to steal our ideas.

As a content owner, Oakley reviews items for sale on eBay daily. Oakley sells to authorized dealers only and does not sell seconds or damaged goods. We take great pride in the quality and workmanship of the products we produce and the warranties provided with those products. Verification of authorized dealers of Oakley products can be obtained by calling 1.800.800.6254 or visiting [www.oakley.com](http://www.oakley.com).

If you purchase an alleged Oakley product at an extremely discounted price online, it is possible that the product is counterfeit. If a seller cannot guarantee the authenticity of his Oakley-branded merchandise, do not purchase the product. Our research shows that the counterfeit product is of poor optical quality and does not meet impact resistance standards or UV protection standards.

## **Frequently Asked Questions**

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

A: Possible reasons for termination include the sale of counterfeit Oakley merchandise, use of Oakley's copyrighted images without permission, or misuse of an Oakley registered trademark. Oakley regularly monitors the Internet for violations of its intellectual property rights. Oakley notifies eBay of auctions which violate Oakley's intellectual property rights. eBay then takes the necessary action to comply with our notice, including removing the auction from eBay.com without prior notice.

### **Q: Why are there other auctions running for the same or similar items?**

A: Be assured that you have not been singled out. However, due to the high volume of auctions for Oakley items, it is difficult to remove every infringing auction. If you find auctions violating Oakley's rights or eBay's policies, please report them by providing the appropriate Seller ID using the form provided at this link: <http://www.oakley.com/en/legal/report-fakes>

### **Q: May I use Oakley's images, from [www.oakley.com](http://www.oakley.com) or from an authorized dealer's site in my auction?**

A: No. Oakley, Inc. closely controls the use of its images and does not authorize the reproduction of its images, graphics or logos on your website or auction. Oakley, Inc. strongly enforces its intellectual property rights in order to protect the image and reputation of Oakley products and to continue to produce top quality technology. Your own digitally produced images of the Oakley product you are selling are acceptable.

### **Q: Can I legally sell counterfeit products if I identify the products as "replica?"**

A: No. It is not legal under federal or common law to sell counterfeit merchandise. Representation of the merchandise as "replica" does not offer exemption from the law.

### **Q: How can I tell if the Oakley glasses I have are genuine or counterfeit?**

A: Where did you purchase the glasses? Genuine Oakley glasses are sold only through authorized Oakley dealers. Authorized dealers accept credit cards, have point of purchase materials, and offer warranty information. The identity of authorized Oakley dealers can be verified by calling 1.800.800.6254 or by visiting the [www.oakley.com](http://www.oakley.com) website.

Does the seller offer a receipt or other proof of purchase? If not, be very skeptical. Any authorized dealer will offer a receipt and proof of purchase.

Examine the packaging for the glasses, including any peripheral packaging such as a storage bag, warranty card, etc. Genuine Oakley glasses are always sold in a box, with a cleaning/storage bag, and with detailed information regarding Oakley, Inc.'s warranty.

What representation, if any, did the seller make regarding the authenticity of the glasses? If the seller cannot guarantee that the glasses are, the glasses are likely to be counterfeit.

**Q: I believe I purchased counterfeit Oakley merchandise on eBay. What should I do?**

A: Your first course of action must be to contact the seller directly and ask for the appropriate resolution (i.e., a complete refund). Second, immediately review eBay's dispute resolution policies and proceed with a dispute resolution and a fraud report.

**Q: Why didn't you contact me before terminating my auction?**

A: Due to the large volume of Oakley items for sale on eBay, it is not possible to contact each seller and follow up with each seller to ensure that he has taken the appropriate action.