

PowerPortLA, LLC

PowerPortLA, LLC is located in Los Angeles California. PowerPortLA is the sole marketer of THERACK® All in One Gym and its related products such as THERACK® weights and pad.

PowerPortLA's Founder has been selling THERACK® since 1998. THERACK® has 2 federally registered marks Reg#3371765 and Reg#3478858 owned by PowerPortLA. One trademark is the word mark and one is a design mark. PowerPortLA also has 3 issued utility patents related to THERACK®. They are 5,961,431, 6,248,048, 6,692,417 As a result of its protection, PowerPortLA owns the exclusive right to use the mark THERACK® and patents and anything confusingly similar, in connection with portable dip stands or dip and push-up stations used for exercise.

PowerPortLA is a member of the eBay VeRO Program and reviews items for sale on eBay regularly. PowerPortLA uses eBay's VeRO program to report the listing of any auctions that infringe its trademark and/or patent rights. Your listing(s) was removed for one of the reasons listed below:

UNLESS the item is a genuine PowerPortLA product, you do not have authorization to use the terms "THERACK", "THE RACK", "The Rack", "TheRack" or anything confusingly similar to describe a portable dip stand or dip and push-up station or similar.

Due to 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 PowerPortLA's trademarks and patents rights does not give you the right to do so.

A note about counterfeits.

There is no source in Asia authorized to make PowerPortLA goods or THERACK® for sale to anyone other than PowerPortLA itself. If you are buying (or reselling) goods that will be "shipped direct from Asia" to you or your customer, the goods are more than likely to be counterfeit, no matter what they look like or what you are told.

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.

Frequently Asked Questions

Q: Why was my auction suspended?

A: Your eBay auction was suspended because PowerPortLA believes that the merchandise that you were selling infringes on its intellectual property rights.

Q: How did PowerPortLA determine the goods were counterfeit or violate PowerPortLA's trademarks, patents or trade dress rights?

A: PowerPortLA carefully reviewed the photograph(s) you attached to the auction along with the title and the description and based upon that careful review was able to assess that your item was counterfeit or otherwise infringing PowerPortLA's intellectual property rights. PowerPortLA will not disclose the specific methods by which it can assess whether or not

goods are counterfeit. If we revealed that information it could lead to the further proliferation of counterfeit goods. We can tell you that if the phrases CANNOT GUARANTEE AUTHENTICITY, AUTHENTICITY NOT WARRANTED, AUTHENTICITY NOT IMPLIED, and NO GUARANTEE are used, if you are a buyer beware these are clear signs the goods are not genuine. If we asked for an auction to be terminated we had a good faith belief the item was counterfeit.

Q: Why does PowerPortLA care if I sell a single piece of unauthorized PowerPortLA merchandise? After all, I am just a small time seller on eBay...

A: PowerPortLA has expended considerable resources to develop and maintain a reputation for providing the highest quality products to its customers. Through the auction of counterfeit/infringing merchandise, people attempt to trade off of PowerPortLA's well-earned reputation. These actions cause PowerPortLA damage, as many eBay customers may attribute inferior counterfeit/knock-off products to PowerPortLA, and that is both unfair and illegal. Therefore, the widespread sale of unauthorized products can harm companies like PowerPortLA enormously, and PowerPortLA treats that very seriously.

Further, it is PowerPortLA's policy to cancel any offending auction. If the auction is for counterfeit items, at minimum PowerPortLA will insist that you 1) turn over the counterfeit and all similar items; 2) provide full disclosure about the source; and 3) agree never to list infringements or counterfeits again. With persistent offenders and those selling large quantities, PowerPortLA will take civil action and reclaim damages.

Q: What if I decide to re-post an auction once it has been ended? PowerPortLA will never know...

A: If you decide to re-post an infringing article once eBay has ended an auction for it, be warned that you are likely to subject yourself to civil and/or criminal liability, as well as temporary/permanent suspension.

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 info@PowerPortLA.com and provide us with the eBay item number and your seller name, which appears in the message sent to you from eBay.