

Rainbow Sandals, Inc.

Who We Are

Rainbow® Sandals-brand sandals, loafers and other apparel items are designed, manufactured, distributed and marketed by Rainbow Sandals, Inc., located in Southern California. Rainbow Sandals, Inc. has been offering high quality footwear since its formation in 1975 through authorized wholesale accounts and directly to the consumer through our retail store and our e-commerce site.

We have various registered trademarks protecting our brands and models, including U.S. Reg. No. 1,264,326 and U.S. Reg. No. 4,623,991. The protection was obtained in the 1980's for categories of products used in commerce since 1975, and are deemed "incontestable" (15 U.S.C. § 1065).

Rainbow Sandals is a member of eBay's "Verified Rights Owner (VeRO) Program." This Participant Profile Page was created to minimize any confusion or misunderstanding on the part of Sellers or Buyers regarding Rainbow Sandals products. Also, if a Seller receives a notice from eBay that an Item is being removed for a violation, this Profile Page should give the Seller a better understanding of the justification of the action.

Rainbow Sandals and the eBay VeRO Program

As an eBay VeRO Program member, Rainbow Sandals regularly reviews items for sale on eBay. Rainbow Sandals 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 Rainbow Sandals products can be found by visiting www.RainbowSandals.com.

Rainbow Sandals uses eBay's VeRO program to report the listing of any auctions it considers infringing its rights. Rainbow Sandals cannot assist in the reinstatement of any auctions or eBay accounts which have been terminated by eBay following a legitimate request by Rainbow Sandals.

Rainbow Sandals works to ensure that all unauthorized uses of its intellectual property are removed from eBay. When an auction listing that improperly uses Rainbow Sandals trademarks and/or patents comes to our attention, Rainbow Sandals 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 Rainbow Sandals 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 Rainbow Sandals product.

It violates intellectual property laws to use the Rainbow Sandals trademarks in connection with goods not made by or under the authority of Rainbow Sandals. Similarly, textual, photographic and audiovisual works published by Rainbow Sandals are protected under United States and other countries copyright laws. Anyone who reproduces, copies, or displays Rainbow Sandals copyrighted materials, including photographic images and accompanying item descriptions appearing on Rainbow Sandals' website (www.RainbowSandals.com) or in Rainbow Sandals' catalogs and advertisements without permission is also in violation of the law, and may be liable for copyright infringement.

Frequently Asked Questions (FAQs)

For the benefit of Sellers and Buyers, we provide Answers to some Frequently Asked Questions (FAQs):

Q: Can I use Rainbow Sandals trademarks, design rights, or copyright material to make my auction look appealing? _

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

Q: I obtained an image of Rainbow Sandals merchandise from the Rainbow Sandals website or catalog and pasted the image onto my eBay listing. Is this permissible?

A: No. Any unauthorized reproduction, display or distribution of Rainbow Sandals ' copyrighted images is against the law.

Q: Can I use Rainbow Sandals logo or other logos or properties owned by Rainbow Sandals to make my listing more appealing?

A: Unfortunately, this is not permissible. Use of these logos wrongfully implies that your listing is authorized, sponsored, or approved by Rainbow Sandals, and dilutes the value of these logos in violation of state and federal trademark laws.

Q: Can I use Rainbow Sandals logo or other logos or properties owned by Rainbow Sandals to create homemade products of any kind, such as clothing apparel? _

A: No. Only Rainbow Sandals and its licensees may use Rainbow Sandals trademarks and copyrighted material in connection with the manufacture, offer for sale, and/or sale of goods or services.

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.

Q: How can I determine whether an item for sale on eBay is a genuine Rainbow Sandals product? _

A: We cannot guarantee the authenticity of any Rainbow Sandals item being sold on eBay. The only way to ensure that a Rainbow Sandals product is genuine is to buy direct from our retail store, from our e-commerce site (www.RainbowSandals.com), or from any of our authorized dealers (www.RainbowSandals.com).

Q: Why does Rainbow Sandals care if I sell a single piece of unauthorized Rainbow Sandals product? _

A: Rainbow Sandals 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: What if I did not realize that I was infringing Rainbow Sandals intellectual property rights?

A: Unfortunately, whether or not you knew your listing violated Rainbow Sandals intellectual property rights does not matter. You have a responsibility to ensure that your actions do not violate someone else's intellectual property rights. Before listing items for sale on eBay, you should take affirmative steps to ensure this.

_Q: Why was my listing singled out when there are other listings on eBay that may infringe Rainbow Sandals intellectual property rights? _

A: Rainbow Sandals works diligently to ensure that as many listings as possible are removed that violate Rainbow Sandals intellectual property rights. Given the high volume of merchandise for sale on eBay, however, it is at times difficult to identify and remove all such listings.

Q: Why was my auction terminated?

A: If one of your auctions has been removed from eBay this is because we believe may have reported the listing to eBay based on the VeRO Program in that it 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 Rainbow Sandals contact me directly before reporting my listing to eBay? _

A: It is not practical to contact each and every seller given the volume of eBay listings.

Q: What if I decide to re-post a listing once it has been ended? Rainbow Sandals will never know, right?

A: If you decide to re-post an infringing listing after Rainbow Sandals has provided notice to eBay that the listing infringes the Rainbow Sandals intellectual property rights, be warned that you are likely to subject yourself to civil and/or criminal liability.

Contact Information

For information about selecting authentic Rainbow Sandals products, please visit www.RainbowSandals.com.

Rainbow Sandals, Inc. is happy to answer questions concerning the use of its trademarks or to assist you in determining whether something you're interested in buying is genuine or counterfeit. We can be reached by email at Info@RainbowSandals.com. Our corporate office is located at:

Rainbow Sandals, Inc. 900 Calle Negocio San Clemente, California 92673

Thank you for taking the time to read this material.