

# Red Bull GmbH

Red Bull is the manufacturer of the world famous RED BULL® ENERGY DRINK. Yearly more than four billion cans of Red Bull are consumed in 157 countries around the world. Red Bull is much more than a mere soft drink it is an Energy Drink. It was made for moments of increased physical and mental stress and improves endurance, alertness, concentration and reaction speed. In short: it Vitalizes body and mind®. The effectiveness of RED BULL® ENERGY DRINK has been proven by a large number of scientific studies and is appreciated by many of the world's top athletes and drivers, opinion-leaders and hard-working people with active lifestyles.

Red Bull expends numerous resources to maintain its reputation for premium quality. One important way this is accomplished is by protecting its valuable intellectual property, including its famous trademarks and copyrights. Red Bull vigorously pursues infringing and diluting uses of its trademarks and copyrights, which are some of Red Bull's most valuable assets. Red Bull trademarks symbolize the high quality of its products, goodwill and reputation it has developed for almost two decades. By stopping the advertising and sale of unlicensed, infringing and counterfeit merchandise on auction platforms, and by requesting that its trademarks and copyrighted material be properly used and identified, Red Bull strives to protect consumers from being deceived or confused into believing they are purchasing authentic Red Bull products or Red Bull licensed products and merchandise.

Red Bull owns numerous registered trademarks for a wide variety of goods and services around the world. Some of these world-famous marks include inter alia:

- RED BULL
- Double Bull Device
- RED BULL & Device
- RED BULL ENERGY DRINK & Device
- GIVES YOU WINGS
- VITALIZES BODY AND MIND

Kindly be informed that the following kind of products are **NOT authorized** and **ALWAYS COUNTERFEIT:**

- Red Bull Stickers (*Double Bull Device and/or Wording Red Bull only*) – for example please see pictures below (infringing nature of stickers is not limited to the below images only);
- Red Bull New Era caps (*Double Bull Device and/or Wording Red Bull only*), overall fifty9fifty stlye, – for example please see pictures below (infringing nature of caps is not limited to the below images only);
- Red Bull Leather jackets (*Double Bull Device and/or Wording Red Bull only*) – for example please see pictures below (infringing nature of jackets is not limited to the below images only):

## Examples of counterfeit items bearing Red Bull Trademarks:



### Frequently Asked Questions

*Q: Why was my auction suspended?*

A: Your auction was suspended because Red Bull believes upon good faith that the product(s) that you were selling infringe(s) its intellectual property rights. Obviously, given the nature of auction sites, decisions regarding whether an item may infringe Red Bull's rights must be based on your auction's title, description, and/or photographs.

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

A: Red Bull 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 Red Bull's well-earned reputation. These actions cause Red Bull damage, as many auction site customers may attribute inferior counterfeit/knock-off products to Red Bull, and that is both unfair and illegal. Therefore, the widespread sale of unauthorized products can harm companies like Red Bull enormously, and Red Bull treats that very seriously.

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

A: If you decide to re-post an infringing article once the auction site 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 from auction sites privileges as you are acting in bad

faith and intentionally. Red Bull simply must take action to ensure that online auctions of counterfeit/infringing goods are finally ended. So, resist the temptation to test the law. Additionally Red Bull will get knowledge of re-posting anyway because it monitors the auction sites globally very intensively.

*Q: If I purchased a legitimate item of Red Bull merchandise, can I re-sell the item on auction platforms?*

A: It is legal to re-sell a genuine Red Bull item. However, even when reselling a genuine product, you may not use Red Bull copyrighted photographs or Red Bull trademarks and logos to advertise the item.

*Q: Who can use the Red Bull trademarks and logos?*

A: Only Red Bull GmbH and its Licensees can legally use Red Bull trademarks and logos to sell products.

*Q: What if I did not realize that I was infringing Red Bull intellectual property rights?*

A: Even if your ad was an accident or a mistake, you can still be held liable for infringement under copyright or trademark laws. Every seller has a responsibility to ensure that his sale does not infringe upon another intellectual property rights.

*Q: Can Red Bull verify the authenticity of merchandise for sale on auction platforms?*

A: No. Red Bull is unable to verify or guarantee the authenticity of any items for sale on auction sites, nor can Red Bull guarantee the quality of such products. If you believe that another member is selling counterfeit Red Bull merchandise, you may send an email to [auctionsites@at.redbull.com](mailto:auctionsites@at.redbull.com) identifying the seller and the particular auction in question.

*Q: How can I determine whether an item for sale is authentic Red Bull merchandise?*

A: The only way to ensure that you are purchasing authentic Red Bull merchandise is to purchase the goods directly from Red Bull, e.g. [www.redbullshop.com](http://www.redbullshop.com) or [www.redbullcollection.com](http://www.redbullcollection.com), or from an authorized Red Bull Licensee.

*Q: I thought the item I posted was authentic when I bought it. Why can't I resell it on auction platforms?*

A: Infringing products violate Red Bull trademark and copyright rights, causing harm to Red Bull, and deceive consumers who believe they purchased genuine Red Bull products. This harm will occur even if the seller acted without knowledge of the infringement. Furthermore, ignorance that it is a violation does not absolve you from liability under trademark or copyright laws. As a seller, you have a responsibility to ensure that your actions do not violate the intellectual property rights of another.

*Q: I'm just a seller. Why doesn't Red Bull go after the manufacturer and/or distributor?*

A: Red Bull does pursue the manufacturers and distributors of products which infringe its trademarks. However, under the law, the seller, as well the manufacturer and the distributor of such products, is responsible for trademark infringement. It is trademark infringement to sell a product containing markings which are likely to lead prospective customers to believe they were receiving a genuine Red Bull product. Red Bull would appreciate receiving

information about where you bought the product you listed so that we can further investigate them.

*Q: Why hasn't Red Bull suspended all auctions selling infringing products?*

A: Red Bull vigorously enforces its intellectual property rights. When an auction selling infringing products comes to Red Bull attention, Red Bull reviews the matter and takes appropriate action. Given the high volume of merchandise for sale on auction platforms, however, it is difficult to identify and remove every counterfeit and unauthorized item. The fact that others may be selling products that infringe Red Bull intellectual property rights does not give you the right to do so or prevent Red Bull from terminating those auctions. If you become aware of a listing that you believe may be violating Red Bull intellectual property rights, please send information about the auction, the seller name, a picture of the item that was offered for sale and the item number to the following address: [auctionsites@at.redbull.com](mailto:auctionsites@at.redbull.com)