

Red Monkey Designs, Inc.

RED MONKEY is a member of eBay's VeRO program. RED MONKEY strictly enforces its intellectual property rights, including but not limited to its trademarks and copyrights.

RED MONKEY has the exclusive right to use its intellectual property, and any use without the express written permission of RED MONKEY is subject to action for infringement. Red Monkey does not permit or authorize the use or sale of any of its intellectual property or other proprietary material on eBay. Red Monkey regularly monitors the Internet, including auction sites, in order to protect its intellectual property rights. Unauthorized uses of Red Monkey's intellectual property or other proprietary material in connection with the sale or offering for sale of any item(s) on eBay will result in our notification to eBay of such use and the removal of the auction. Note that the manufacture, distribution, and/or sale of counterfeit Red Monkey merchandise is illegal.

Frequently Asked Questions (FAQ)

Q: Why was my auction terminated?

A: Most likely, your auction was removed from the eBay website because it displayed unauthorized uses of Red Monkey's intellectual property. However, even if Red Monkey does not proceed against an infringing auction, this does not affect the fact that the auction violates federal law.

Q: I scanned an image of Red Monkey merchandise from the Red Monkey website and pasted the image onto my eBay auction. Is this permissible?

A: No. Any unauthorized reproduction, display or distribution of Red Monkey's intellectual property is against the law.

Q: If I purchased a legitimate item of Red Monkey merchandise, can I re-sell the item on eBay?

A: Yes. It is legal to re-sell a genuine item where the source or origin was from Red Monkey Designs, or its authorized dealers, and the item is authorized for sale by Red Monkey Designs in the territory or country where you are selling it, such as the sale of genuine Red Monkey merchandise you may have bought or have been given as a gift. Please note, however, that you cannot use Red Monkey's copyrighted photographs to promote the sale of the item. Similarly, you cannot use Red Monkey's trademarks and logos to make your auction more appealing. In addition, you cannot produce an unauthorized copy of the legitimate merchandise and offer it for sale.

Q: Can I list an item if I expressly say that it is NOT GENUINE, FAKE, or a KNOCK OFF?

A: No. The manufacture, distribution and/or sale of unlicensed goods is illegal and. A disclaimer regarding the authenticity of goods does not serve to relieve a seller from liability.

Q: Can I use Red Monkey's logos to make my auction listing more appealing?

A: No. Use of these logos wrongfully implies that your auction is authorized, sponsored, or approved by Red Monkey, and dilutes the value of these logos in violation of state and federal trademark laws.

Q: What if I did not realize that I was infringing Red Monkey's intellectual property rights?

A: Innocent intent does not negate liability under United States copyright or trademark laws. You have a responsibility to ensure that your actions do not violate someone else's intellectual property rights. Before commencing an eBay auction, you must take affirmative steps to ensure that your auction does not violate the rights of any copyright or trademark owner.

Q: How can I determine whether an item for sale on eBay is authentic Red Monkey merchandise?

A: The only way to ensure that you are purchasing authentic Red Monkey merchandise is to purchase the goods directly from an authorized Red Monkey dealer or from the www.redmonkeydesigns.com web site.

Q: Can Red Monkey verify the authenticity claims of merchandise for sale on eBay?

A: Red Monkey is unable to guarantee the authenticity of any items for sale on eBay. Similarly, Red Monkey cannot compensate a dissatisfied buyer who purchased infringing merchandise from an eBay seller who made false claims of authenticity, nor can Red Monkey replace the counterfeit merchandise with genuine merchandise. If you believe that an eBay member is selling counterfeit Red Monkey merchandise, you may send an email to torry@redmonkeydesigns.com identifying the seller and the particular auctions in question for Red Monkey's review.