

# Saleen



## SALEEN®

Since 1984 Saleen has been dedicated to producing quality high performance vehicles, parts, and related accessories. Because Saleen takes great care and pride in every Saleen branded product, we are not only committed to protecting our copyrights, trademarks and other intellectual property from counterfeiting and other unauthorized uses; but have a legal obligation to do so.

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Our continued efforts to build the Saleen brand would be meaningless if we did not aggressively protect our intellectual property from counterfeiters and infringers. We have zero tolerance for those who attempt to steal our ideas, and consider it a high priority to protect the integrity of the Saleen brand.

As a member of the eBay VeRO program, Saleen regularly reviews and monitors items for sale on eBay. Saleen only sells to authorized dealers and does not sell seconds or damaged goods. Verification of authorized Saleen dealers can be obtained by calling 800-888-8945 or visiting [www.saleen.com](http://www.saleen.com).

### **A Word About Trademarks**

Trademarks – such as brand names and logos – sometimes are used in a decorative manner, but they are not mere decorations. Among other things, they tell consumers the source (i.e., the manufacturer) of the goods they buy and who they may be able to turn to if the goods don't perform properly.

Generally, when we talk about Saleen's trademarks on this page, we are referring to SALEEN and our Saleen "S" logo. However, Saleen also has trademark rights in many other trademarks and logos, including POWER IN THE HANDS OF A FEW, SPEEDLAB, RACECRAFT, POWERFLASH, SUPERSHAKER and all of our model names, such as S7, S281, S351, etc.

"Saleen" is a company-specific brand name that is properly used only in connection with products actually made or licensed by Saleen. Use of these terms in connection with the products of others misleads consumers and infringes Saleen's valuable trademark rights.

### **Know the Law**

It is illegal (and in most states a criminal act) for anyone to create trademark-bearing goods intended for sale without written permission directly from the trademark owner. There are no exceptions. It is also illegal to resell such goods, even when they have been purchased in good faith from someone else. Therefore, if you are purchasing goods for resale, you

should make sure that you can legally resell them, beyond merely taking the word of the person you purchased them from. Your seller may not know that the goods are counterfeit, but even if the seller does know, he or she could have a vested economic interest in misleading you.

Note that making minor changes to the shape of a logo or changing the words inside of a logo does not change this. There is no “% of change” that creates a safe harbor for the unauthorized use of trademarks.

### **Know Your Rights**

**You do** have the right to use word trademarks (such as SALEEN) in truthful, informational statements descriptive of what you are selling. So, if you sell parts and accessories that fit Saleen® vehicles but were not made by Saleen, you may call them “Parts for Saleen® vehicles” (but not “Saleen Parts”).

**You do** have the right to resell, without the need for a license or other permission, genuine, authorized goods obtained legally.

**You don’t** have the right to display any Saleen logo for any purpose, including in auctions where genuine goods are being offered. Only authorized Saleen dealers and licensees have the right to use our logo in advertising. (Note that this refers to the display of our logo other than it appears on product. Logos that are legitimately part of product design can be shown in photos of the product).

**You don’t** have the right to apply Saleen® stickers, decals, patches, and scrapbooking materials to new goods made by someone else when you intend to sell them. These items are sold solely so that enthusiasts can decorate their already-owned personal property. The application of a patch or decal does not turn the entire item into a “Saleen” item, and items so decorated may not be represented as such.

**You don’t** have the right to use genuine, licensed SALEEN products to create completely new and different items. The presence of our trademarks on any goods offered for sale tells prospective purchasers – even if you don’t say so in so many words – that the entire object came from Saleen. Disclaimers are not an acceptable way to avoid this rule. Representation of the merchandise as “replica” does not offer exemption or release seller from any liability.

**You don’t** have the right to alter licensed product when you intend to sell the result. Trademarks owners have a very basic right – and an obligation -- to control what goods bearing their marks look like, what they’re made of, the quality of all the component parts, and the labor practices employed in their manufacture. As long as our trademarks remain on the goods, they may only be resold in essentially the same form in which they were originally licensed.

**You don’t** have the right to use Saleen’s trademarks (such as SALEEN) in the title of your listing if the entire product offered does not actually come from Saleen. Our trademarks may not be used to attract potential customers to your listings merely because what you are selling might be of interest to Saleen enthusiasts. Additionally, Courts have held that this confusing practice of enticing buyers, referred to as “initial interest confusion” is a form of trademark infringement, even though consumers may ultimately realize the goods offered for sale in an auction do not originate from Saleen. This practice is an attempt to exploit the goodwill associated with the SALEEN name and will not be tolerated

**You don't** have the right to reproduce SALEEN technical publications, brochures, service manuals, or owner's manuals for any purpose; reproduction for profit is especially problematic.

### **Know How Genuine SALEEN® Goods are Distributed**

Saleen sells its vehicles, performance parts & accessories, clothing and collectibles *only* through its authorized Saleen® dealers.

Genuine SALEEN products are not generally available at trade shows and are rarely found in flea markets, especially in any quantity greater than a handful. Therefore, there are very few products available at wholesale to non-dealers, and you should be suspicious of an offer to sell so-called "Saleen" goods to you at wholesale. Before you invest a lot of money in inventory you won't be permitted to sell, *investigate the source*. Keep in mind at all times that the people trying to sell you goods are highly motivated to make the sale and do not have your best interests foremost in their minds. Don't merely take their word that the goods are claimed to be authorized.

### **Know What to Look For**

There is no single piece of information that will help you avoid being deceived by counterfeit goods. A little common sense, however, will go a long way. First, visit a Saleen dealership and become familiar with the look and feel of our labels, packaging, and hang tags. Genuine goods are rarely sold loose and without packaging and/or hang tags of some sort. Look for our logo on labels inside garments. Keep in mind that something that appears too good to be true – such as "Saleen" parts for prices far less than those offered in dealerships – probably *is* too good to be true. Since Saleen dealers are the only ones who can buy direct, they're also generally the only ones who can give you a true "bargain."

### **Know Whom to Ask**

Saleen 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 e-mail at [brandenforcement@saleen.com](mailto:brandenforcement@saleen.com)

### **Frequently Asked Questions**

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

A: Your auction violated one or more of eBay's terms. Possible reasons for termination include the sale of counterfeit Saleen merchandise, use of Saleen's copyrighted images without permission, sale of a promotional item in violation of a license, or misuse of a Saleen registered trademark. Saleen regularly monitors the Internet for violations of its intellectual property rights. Saleen notifies eBay of auctions which violate Saleen's intellectual property rights. eBay then takes the necessary action to comply with its user policies, 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 volume of auctions for Saleen items, it is difficult to remove every infringing auction. If you find auctions violating Saleen's rights or eBay's policies, please report them by providing the appropriate Seller ID and/or Item number to [brandenforcement@saleen.com](mailto:brandenforcement@saleen.com)

**Q: If I report other sellers for violations of eBay's policies or for selling counterfeit items, will my identity be confidential?**

A: Yes. If you find auctions violating Saleen's rights or eBay's policies, please report them by providing the appropriate Seller ID to [brandenforcement@saleen.com](mailto:brandenforcement@saleen.com). Please include "Report eBay Seller" in the subject line. Your identity and email address will remain completely confidential and will not be revealed at any time.

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

A: No. Saleen closely controls the use of its images and does not authorize the reproduction of its images, graphics or logos on your website or auction. Saleen strongly enforces its intellectual property rights in order to protect the image and reputation of Saleen products and to continue to produce top quality technology. Auctions showing Saleen's copyrighted images are in violation of eBay's policies and are terminated by eBay. Your own digitally produced images of the Saleen product you are selling are acceptable and you may refer potential buyers to [www.Saleen.com](http://www.Saleen.com).

**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: Can I sell a Saleen branded product if I am not sure whether or not it is genuine?**

A: No. eBay prohibits auctions in which the seller cannot guarantee the authenticity of the auctioned merchandise.

**Q: My auction was terminated and there are no Saleen branded products for sale. Why?**

A: It is possible that you misused one or more of Saleen's registered trademarks. eBay does not permit sellers to use registered trademarks in the titles of auctions for the purpose of gaining attention or diverting users to a listing. Please visit: <http://pages.ebay.com/help/community/png-wordspam.html> for specific information on this eBay policy. You may relist your item for sale provided you do not use Saleen's registered trademarks in the auction title. Please be sure, however, that the product you are selling does not violate any other laws or eBay rules.

**Q: I believe I purchased counterfeit Saleen 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). You may list our email address in the "cc" of the email or otherwise carbon copy the correspondence to me. Second, immediately review eBay's dispute resolution policies and proceed with a dispute resolution and a fraud report. Again, please forward a copy of the reports to us. The link is: [//pages.ebay.com/help/myinfo/complaints.html](http://pages.ebay.com/help/myinfo/complaints.html)

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

A: Due to the large volume of Saleen 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. If you believe your auction was terminated in error, please contact us.

The only way to be certain that the (new) goods you are purchasing are genuine SALEEN goods is to purchase them from a Saleen dealership or licensee. In almost any other situation, you are at risk.

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