

Secretary of State for Defence

ABOUT ME

The Ministry of Defence (MOD) takes its intellectual property - and use of its badges in particular - very seriously, and legal action can be taken against you if you use a badge without the correct permission, which can ONLY be granted by Defence Intellectual Property Rights (DIPR).

The Secretary of State for Defence is the proprietor of Ministry of Defence trade marks, design marks, patents and copyright material in relation to a considerable range of goods and services. For more information relating to Ministry of Defence intellectual property, please refer to the Ministry of Defence copyright and merchandising website:

<https://www.gov.uk/government/publications/mod-copyright-licensing-information>

eBay are committed to helping protect the intellectual property rights of rights owners and to providing their users with a safe and enjoyable place to trade. For this reason eBay have created the Verified Rights Owner (VeRO) Programme. The Ministry of Defence is a member of the VeRO Programme and this allows us to report and remove listings that infringe our rights. Additionally, should we require, we are able to request and obtain users' personal seller information.

We monitor eBay on a regular basis, identifying and removing listings which we believe infringe our rights. We take the protection of our intellectual property rights extremely seriously and thus we take action, as and when necessary, against users that we find manufacturing, selling, or advertising for sale counterfeit or unauthorised products.

We welcome any information regarding the sale of counterfeit and unlicensed MOD products. You can contact us by email at DIPR-Enforcement@mod.gov.uk. Please note we will not always be able to reply to all correspondence.

Frequently asked questions

What types of product does the MOD most frequently take action against?

- Unauthorised merchandise bearing military insignia
- Replicas of the veterans badge
- Unauthorised replica and miniature medals
- Military clothing copying MOD camouflage patterns or made to MOD owned designs which have not been disposed of through authorised channels
- Documents or copies of MOD documents which are not available for release under the Freedom of Information Act
- Copies of MOD documents which have not been reproduced in compliance with the correct licence

Why was my auction cancelled?

Your auction was most likely terminated because we believe that it infringes our intellectual property rights. For example, it may be an unauthorised copy of an official MOD product, or an item incorporating our intellectual property rights that we do not sell or licence anyone else to do so.

Why was I not informed directly by the MOD prior to my auction being shut down?

While the MOD attempts to make contact with the seller it may be that there is no seller contact information listed, or for reasons of speed and efficiency it may not be feasible for MOD to contact all sellers directly.

Why was my auction singled out when there are other auctions on eBay that infringe MOD intellectual property rights?

MOD would like to remove all infringing auctions from eBay, however given the volume of items being sold on eBay, it is extremely time consuming and difficult to remove every infringing listing. The fact that others are selling products that infringe our intellectual property rights **does not** give you or anyone else the right to do so. If you believe that an eBay member is selling counterfeit or unauthorised MOD products, please send an email to DIPR-Enforcement@mod.gov.uk identifying the seller and the listing in question.

Why did eBay allow me to post my listing if it is illegal?

eBay cannot conduct a comprehensive pre-screening process to account for all violations. As such, the ability to post auctions of infringing merchandise, trade marks or copyrighted material does not mean that the auction is legal.

Can I list an item if I clearly indicate that it is 'Replica', 'Unofficial', 'Knock Off' or 'Fake'?

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 excuse you from liability.

Can I use MOD trade marks, design rights, or copyright material to make my auction look appealing?

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

What if I did not know I was infringing on MOD intellectual property rights?

It is your responsibility to ensure that your actions do not infringe our intellectual property rights. Ignorance or lack of knowledge is not a defence under most intellectual property laws.

I am a veteran, why can't I sell veterans badges or variations of the veterans badge?

No-one has been licensed to produce copies, replicas or variations of the badge. Original badges issued by the MOD may be resold.

If you have a query regarding an auction we have removed, please provide details of the auction number, auction description and your eBay user ID and contact us at DIPR-Enforcement@mod.gov.uk