

Suncast Corporation

Suncast Corporation, located in Batavia, Illinois is a market leader in custom wood structures and high-quality resin products made in the U.S.A for over 25 years. Suncast is a member of the eBay VeRO Plus Program and is the owner of hundreds of trademarks and patents. We started enforcing our trademarks and patents on eBay because we received complaints from eBay users who purchase non-Suncast product under the mistaken impression that they were authentic Suncast products.

As an eBay VeRO Plus Program member, Suncast reviews items for sale on eBay daily. Suncast 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 warranties provided with those products. Suncast will use eBay's VeRO program to report the listing(s) of any auctions it considers infringes its rights to any territory in which product is offered for sale or delivery. Suncast cannot assist in the reinstatement of any auctions or eBay accounts which have been terminated by eBay following a legitimate request by Suncast.

Suncast works to ensure that all unauthorized uses of its intellectual property are removed from eBay. When an auction listing that improperly uses Suncast trademarks and/or patents comes to its attention, Suncast 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 on Suncast's 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 genuine, authorized Suncast product.

You cannot use copyrighted photographs of Suncast products to promote the sale of the item and you cannot produce an unauthorized copy of the genuine product and offer it for sale nor customize a Suncast product that modifies any of its trademarks.

As a seller, you have a responsibility to ensure that your actions do not violate the intellectual property rights of another. Ignorance that it is a violation of any trademark, patent or copyright laws is no excuse.

NOTE: If your email requests information that is already contained in this Profile, you will not receive a response. If you have other questions, please send to: ecommerce@suncast.com and provide us with the eBay item number, which appears in the message sent to you from eBay.

Suncast's contact information is as follows: Suncast Corporation, Attn: E-Commerce Department, 701 North Kirk Road, Batavia, IL 60510.

We welcome information on the sale of counterfeit Suncast merchandise and keep the identity of our informants strictly confidential.

For information on authentic Suncast product, please visit www.suncast.com

Frequently Asked Questions (FAQ):

Q: Why was my auction terminated?

A: If one of your auctions has been removed from eBay this is because we believe that it infringes our intellectual property rights. For example, it may be an unauthorized copy of an official Suncast product, or an item incorporating our intellectual property rights, that we do not sell or license to anyone else.

We have made the decision regarding the authenticity of the item based on the photograph and the description of the product, as well as other less tangible aspects of the auction. We cannot physically see the product listed on eBay, which means we have limited information at our disposal. We work diligently to try to ensure that only items infringing our intellectual property rights are removed.

If we ended your auction, we felt comfortable with our assessment that the item you were selling 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 prescreen 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 Suncast contact me directly before reporting my auction to eBay?

A: Given the number of Suncast items listed on eBay, it would take an even larger commitment of time and resources for Suncast to contact each seller individually. Unfortunately, it is not possible for us to do this.

Q: Why was my auction singled out when there are other auctions on eBay that infringe Suncast's intellectual property rights?

A: Suncast would like to remove all infringing auctions from eBay, however given the volume of auctions being sold on eBay, it is extremely time consuming and difficult to remove every infringing auction. 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 Suncast product, please send an email to ecommerce@suncast.com identifying the seller and auction in question.

Q: can I list an item if I clearly indicate that it is a '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: Can I use Suncast 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 authorized, sponsored, approved or endorsed by us.

Q: What if I didn't realize that I was infringing Suncast's intellectual property rights?

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

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

A: We cannot guarantee the authenticity of any Suncast item being sold on eBay. The only way to ensure that a Suncast product is genuine is to buy direct from www.suncast.com or any of our authorized dealers.

Q: Can Suncast verify the authenticity claims of products for sale on eBay?

A: Suncast is unable to guarantee the authenticity of any items for sale on eBay. Suncast will not compensate any person that purchases counterfeit products from an eBay seller, or replace such products with genuine products. If you believe that an eBay member is selling counterfeit Suncast products, please send an email to ecommerce@suncast.com, identifying the seller and the auction in question.

Q: Why does Suncast care if I sell a single piece of unauthorized Suncast product?

A; Suncast 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.