

# Swift Response, LLC

Company Overview: Swift Response, LLC is a marketing company that reaches the consumer through many avenues. A few of these avenues include direct sales, direct response television infomercials, Internet advertising, telemarketing and catalog distribution. Their main focus is on high performance products that are easy to use and solve every day common issues in the work place and home.

Swift Response, LLC is committed to protecting the quality of its products as well as the interests of its customers. To that end, Swift Response, LLC stringently monitors the Internet, including auction sites, to ensure that none of its intellectual property rights have been infringed.

Any unauthorized uses of Swift Response, LLC's copyrighted works and trademarks, or any offers for sale of unauthorized merchandise, constitute infringement and are punishable by criminal penalties.

The only way to ensure that you are buying an authentic Swift Response, LLC product is to purchase it through an authorized Swift Response, LLC retailer.

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## **Swift Response, LLC copyrights & trademarks**

We are Swift Response, LLC, the creators and owners of the brand FLEX SEAL® and The Flex Seal Family of products. This includes the brands FLEX SEAL®, FLEX SEAL® LIQUID, FLEX SHOT® and FLEX TAPE™.

### **Message to sellers on eBay**

Swift Response, LLC constantly monitors sales of counterfeit "Swift Response, LLC" merchandise on eBay and deploys undercover buyers around the world to conduct test purchases of suspected counterfeit "Swift Response, LLC" products.

Swift Response, LLC has the means to establish the real identity and location of sellers of counterfeit Swift Response, LLC products and works closely with local authorities, including customs and police services around the world to protect its intellectual property rights.

Swift Response, LLC does not tolerate the sale of counterfeit "Swift Response, LLC" products and continues to monitor online activities of sellers providing counterfeit Swift Response, LLC products, even after the counterfeit listings have been removed by eBay.

The following deceptive behaviors to try and conceal the sale of counterfeit "Swift Response, LLC" merchandise:

- (i) Using image editing software to mask the Swift Response, LLC trademark in product photos in your listings to give the impression that the merchandise does not have a Swift Response, LLC trademark.
- (ii) False product descriptions such as "compatible with FLEX SEAL®, FLEX SEAL® LIQUID, FLEX SHOT® or FLEX TAPE™." or "For FLEX SEAL®, FLEX SEAL® LIQUID, FLEX SHOT® or FLEX TAPE™" when describing products that are actually counterfeit.

(iii)The use of library pictures of genuine Swift Response, LLC products when the product delivered is in fact counterfeit.

Listings found to be using these strategies will be flagged by Swift Response, LLC's anti-counterfeiting teams and will be reported to eBay for take down or other actions which include the involvement of local authorities such as the police and may include criminal charges being made against the seller and civil lawsuits being started.

Swift Response, LLC also strongly recommends that you do not procure your Swift Response, LLC merchandise for eBay sale from unreliable sources and that you always check that the Swift Response, LLC merchandise that you do purchase is genuine.

## **FAQ's**

### **Q: Why did my auction get shut down?**

A: Your auction was most likely terminated because it displayed unauthorized reproductions of copyrighted images or trademarks owned by Swift Response, LLC, or because it offered for sale unauthorized merchandise.

### **Q: Why was I not informed directly by Swift Response, LLC prior to my auction being shut down?**

A: For reasons of speed and efficiency, as well as the large volume of Swift Response, LLC items on eBay, it is not feasible for Swift Response, LLC to contact sellers directly.

### **Q: Why did eBay allow me to post my auction if it is illegal?**

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

### **Q: What if I did not know I was infringing on Swift Response, LLC's trademarks?**

A: Innocent intent does not negate liability under state and federal copyright and trademark laws.

### **Q: Can I still list my items if I explicitly state it is "not genuine," "Swift Response, LLC-like," "Swift Response, LLC-inspired" or any other similar phrase?**

A: No. Disclaimers regarding the authenticity of goods do not satisfy state and federal copyright and trademark laws.

### **Q: If I am selling a legitimate item of Swift Response, LLC merchandise, can I use Swift Response, LLC's ad in my listing?**

A: No. The use of Swift Response, LLC trademarks, logos or copyrighted photographs to promote the sale of the item or make your auction more appealing will constitute infringement.

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