

# Himalaya (Since 1930)

The Himalaya, Himalaya Drug Company is a member of eBay's Verified Rights Owners (VeRO) Program.

Himalaya aka 'The Himalaya Drug Company' is a renowned manufacturer of herbal pharmaceutical and cosmetic products for the past more than 84 years and our herbal products are being marketed, extensively promoted, prescribed and sold to consumers in close to 157 countries worldwide. Himalaya's herbal products under the brand names, but not limited to, "Himalaya", "Himalaya Since 1930" "Himalaya Herbals" and "Himalaya Herbal Healthcare" are globally well-known and Himalaya in the course of its business has earned excellent reputation and credibility over years. These brand names are protected and advertised extensively across the globe which has resulted in the popularization of these brand names which are solely associated with Himalaya. By virtue of its long term and extensive use in respect of its various products, Himalaya exclusively holds all the legal rights in these brand names and the products sold under this brand name.

Our enforceable rights, including but not limited to our trademarks, copyrights, designs and its derivatives are registered/applied for in close to 157 countries worldwide. The trademark "Himalaya" was coined and adopted by Himalaya and is used in all its products extensively as a distinctive identity. All the intellectual property rights in the brand name, including copyright in the artistic works on all the labels thereof are exclusively owned and used by Himalaya in respect of its products. Himalaya enjoys its tremendous popularity and reputation worldwide and is considered to be one of the best-selling herbal care products in the global market.

Violating Intellectual Property Rights, Trademark Infringement or of similar nature is taken very seriously by Himalaya to protect our brand and to avoid unpleasant customer experience. We have listed below some of the areas of concerns relating to this matter.

## **SELLING NON-EU COMPLIANT PRODUCT ACROSS EUROPE**

Kindly be notified that each country mandates different specifications, ingredients, packaging standards, and prices for various classes of goods in conformity with prevailing laws in specific geographical territory. Himalaya's products are manufactured in accordance with laws and restrictions for specific geographical regions. Thereby, the products being marketed and sold by you in the territories other than that of the territories which they are meant for would violate the legal mandates and compliance procedures that have to adhere in the respective territories. All dealers/ retailers/ stockists of Himalaya Products are required to abide by the rules and regulations of the European and the local market laws to ensure products sold in a particular market are compliant with the local rules and regulations.

In view of the restrictions and prohibitions mandated by different countries or association of countries, Himalaya does not market and sell the products which are labelled specifically for a country to the consumers of any part of the world. Labelling laws vary from country to country. Also, certain items approved for sale in one country may not be approved in another, thereby contravening the laws prevalent in that specific jurisdiction, where the end consumer procures the products or where the products are delivered. The formulations and the specifications for the products are in consonance with Laws to suit accordingly to respective markets. Therefore, Himalaya never entertains the sale of a product in any part of the world which is labelled specifically for certain market jurisdiction.

The products of Himalaya being sold by any seller on EU online platforms MUST be legally allowed to be sold in the EU AND also compliant in that specific market within the EU. For example, products labelled as 'For India and Nepal market only' which are being sold in the EU, violate the laws of various countries/regions where the products are sold or offered for sale. It does not matter where the seller is registered or based, but more to do with the illegal export/import of Himalaya products so as to make wrongful gain and to injure and tarnish the business and goodwill of our well-known brand name.

Also, a most common miss-conception is that any product (legally) purchased from a local EU dealer, can be sold in ANY EU markets. This is not the case as what is compliant in EU market 'A' might not be compliant in EU market 'B' due to various reasons including, but not limited to labelling, packaging, marketing claims, ingredients restrictions and more. If you cannot ascertain the item's authenticity please do not list it on eBay beyond your core market.

## **COPYING HIMALAYA CONTENT WITHOUT APPROVAL**

All material content created by Himalaya, without any limitation, shall be and remain the property of Himalaya and shall not be reproduced or copied in whole or part without Himalaya's consent. Sellers copying content from our official website, marketplaces, in the form but not limited to Product Description, Titles or Images is a blatant contravention of all our trademark or legal rights. Any copies of the materials shall become Himalaya's property and may include a notice stating that copywriting and all other intellectual property rights of whatever nature in the materials are vested in Himalaya.

## **WRONGFUL CLAIMS FOR THE PRODUCTS**

All products undergo a full compliance review and validation on the claims we can use for the products.

Any unauthorised product claims beyond the capacity of the product within a specific market can create a false impression and expectation for the customer, on what the

product could do. It also could raise legal claims, along with the adverse impact on the reputation of our products and brand.

An act of unauthorized/illegal online selling of our products or product claims on European storefront adversely affects us and may jeopardize the experience for our shoppers and consumers. We hereby request all illegal export/import of the Himalaya product or violation of our trademark to cease and desist from marketing, selling, reselling or offering for sale, trading with the products of Himalaya through any channel with immediate effect. Any such violation could see a legal case action against you, and could lead of compensation request for the losses incurred, including damages to our brand reputation, to the level that we may see as reasonable for the specific case.

## **Frequently Asked Questions (FAQ)**

**FOR**

**BUYERS**

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### **Q: Can Himalaya verify the authenticity claims of products for sale on eBay?**

A: Himalaya is unable to guarantee the authenticity of any items for sale on eBay. Himalaya will not compensate any person that purchases counterfeit products from an eBay seller, nor replace such products with genuine products. If you believe that an eBay member is selling counterfeit Himalaya products, please contact us at [hello@himalayaonline.store](mailto:hello@himalayaonline.store), identifying the seller and the auction in question.

### **Q: Whom should I contact about my claims?**

A: If you have purchased a product that is not original or not otherwise rightfully manufactured by Himalaya, although you may have thought it was genuine when you purchased the product, please direct your claims, requests for refunds, and complaints to the seller. The Himalaya Drug Company is not a party to the dispute.

**FOR**

**SELLERS**

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### **Q: Why has my listing been removed?**

A: The Himalaya Drug Company is a member of eBay's Verified Rights Owner (VeRO) program, which allows us to request the removal of auctions that we in good faith believe violate Himalaya's trademark or Intellectual Property rights.

### **Q: I am a European Seller, why has my listing been removed?**

A: There can be a number of reasons. We have seen an increasing circulation level of illegal / unauthorised / non-compliant products across Europe as well. They may have been bought in from outside of Europe illegally, and claims to be traded on eBay pretending to be an official and compliant product. In addition, the rules and regulations vary vastly on certain Himalaya products across markets across different regions in Europe. What is compliant in market 'A' might not be compliant in market 'B' due to

various reasons including, but not limited to labelling, packaging, marketing claims, ingredients restrictions and more. [If you cannot ascertain the item's authenticity please do not list it on eBay beyond your core market.](#)

**Q: What if I did not know that my item was counterfeit or infringing?**

A: It is your responsibility as a seller to ensure that the items you list for sale are authentic, permissible for sale in Europe and they do not infringe on trademarks of The Himalaya Drug Company. Due to a large influx of these issues, Himalaya may not be able to review it on a case by case basis. [If you cannot ascertain the item's authenticity please do not list it on eBay.](#)

**Q: Why didn't Himalaya contact me directly before reporting my listing to eBay?**

A: Given the number of Himalaya's items posted on eBay, it would take a very large commitment of time and money from us to enter into discussions with each seller individually. Not every seller will act diligently to remove their item and some sellers do not check their messages before the listing ends.