

Lenny & Eva, Inc.

Lenny & Eva, Inc. (“L&E”), a member of eBay’s VeRO program, began as the bright idea of founder and designer Kellie Fitzpatrick in 2009. L&E’s mission is to inspire women of all ages, in all walks of their lives. L&E proudly designs and creates a proprietary, Made-in-the-USA collection of mix & match cuffs, necklaces, sentiments, charms, and pendants, and ships to more than 2000 retail locations internationally from its headquarters in Tennessee. Genuine L&E products are sold through a network of authorized online and brick-and-mortar retailers.

L&E strictly enforces its intellectual property rights, including, without limitation, trademarks and copyrights. L&E owns several trademarks registered with the United States Patent and Trademark Office, including the above-pictured logo and the word mark LENNY & EVA, and additional trademarks (together, the “L&E Marks”). L&E has strict guidelines regarding the use of the L&E Marks and will not hesitate to notify eBay of any auction that uses the L&E Marks without L&E’s permission, in a manner that unfairly competes with L&E or causes or is likely to cause confusion in the marketplace, and/or in any other unauthorized manner. Auctions that use L&E Marks in an unauthorized or unlawful manner are subject to termination, as are auctions that use L&E’s photographs, videos, images, or other copyrighted material.

The manufacture, distribution, and/or sale of counterfeit and/or infringing L&E items is illegal, and doing so may subject you to civil and/or criminal liability. If L&E requests a removal or “take-down” of your auction, it is because your store or listing contained an item that infringed upon the trademarks and/or copyrights of L&E, or is otherwise unlawful.

You should be aware that the fact that a product is described as an L&E product does not guarantee that such product is a genuine L&E product. L&E cannot guarantee the quality of goods sold by anyone other than L&E or one of its authorized retailers and does not accept such items for return or exchange. Secondary market sellers should exercise caution when representing that a secondary market product is “new” when it is, in fact, a secondary market product, as such designation can mislead customers if the overall impression left by that online auction implies sponsorship or affiliation with L&E in violation of U.S. trademark infringement and unfair competition laws.

If L&E becomes aware of an auction that infringes on its intellectual property, L&E will not only refer the auction to eBay for termination but may consider other legal remedies in order to protect its brand and its intellectual property.

For a list of authorized L&E retailers, please see: <http://lennyandeva.com/a/store-locator>

FAQ:

Q: What types of L&E products can be sold in an online auction, and what is the legal way to advertise the products?

Secondary market sellers may list genuine L&E products obtained after a legitimate sale by and purchase from an authorized L&E retailer. Such listings must be absolutely truthful and accurate in describing the product. Secondary market sellers may post their own original

photographs of the L&E product that particular seller is auctioning, but **may not** use, post, or display images from L&E, L&E's website, or L&E's marketing materials.

Q: Why can't I use "Lenny and Eva" "L&E" or a similar name, tag, or description even though I am not selling L&E merchandise?

A: L&E has strict guidelines regarding the use of the L&E Marks, and using such marks in connection with products that are not genuine L&E products could cause confusion in the marketplace and constitute unfair competition, for which you may be held liable.

Q: Can I describe my item as "Lenny and Eva-Style" or similar?

A: No. L&E has strict guidelines regarding the use of the L&E Marks. Auctions that use L&E Marks in an unauthorized or unlawful manner, including a manner that suggests affiliation, sponsorship, or approval by L&E, are subject to termination.

Q: Why did eBay allow me to post my auction?

A: eBay does not pre-screen or authenticate merchandise before sale or auction. Thus, it is up to intellectual-property owners, like L&E, to report unauthorized listings to eBay.