

Lexmark International Inc.

About Lexmark: For the past 25 years, Lexmark International, Inc. has produced innovative printing and imaging products, business process solutions and services for customers in over 170 countries across the globe. For the past 25 years, Lexmark International, Inc. has produced innovative printing and imaging products, business process solutions and services for customers in over 170 countries across the globe.

Lexmark and the Lexmark logo are trademarks of Lexmark International, Inc., registered in the U.S. and/or other countries.

Lexmark Brand Protection

Protecting the Lexmark Brand against trademark, patent and copyright infringement is very important. Lexmark takes action against infringement of its intellectual property rights on a global basis, checking physical and virtual marketplaces for infringing goods.

Lexmark is dedicated to ensuring that its customers are able to purchase and use genuine Lexmark supplies. This includes taking the necessary steps to address misleading product listings and identifying cartridges that are being offered in violation of General Exclusion Order 337-TAA-740.

eBay Seller Notification

Lexmark monitors auction activity on eBay to ensure that its intellectual property rights are not violated and to prevent consumer confusion as to source and condition of goods being offered. Auction listings are scrutinized and the following key factors are considered:

- Does the auction use Lexmark trademarks or copyrighted material, including images of actual Lexmark product packaging, in a manner that is confusing or misleading and without Lexmark's express approval?
- Are refilled/remanufactured cartridges clearly identified as refilled/remanufactured?
- Does the seller make false claims about the origin, quality or performance of its non-genuine toner?
- Is the identity of the seller and manufacturer of the item being offered clearly and conspicuously displayed within the listing?
- Does the listing misidentify the brand or manufacturer of a non-Lexmark product as a Lexmark product?
- Does the product being offered violate General Exclusion Order 337-TAA-740 or otherwise infringe Lexmark patents?
- Is the listed item misrepresented as new when it is actually remanufactured/refilled?

Lexmark will request eBay to disable any auction that Lexmark finds that is misleading, confusing or unfair (as described above) or is otherwise in violation of its intellectual property rights.

To avoid consumer confusion, the following practices (at a minimum) should be followed:

- Auction titles and descriptions within auction listings must clearly and accurately identify the item being sold.
- The Lexmark brand name should only be used as necessary to communicate information about the non-OEM product's compatibility with Lexmark products. Acceptable compatibility references are:
 - [Your Brand] toner cartridge for Lexmark [printer model name/number]
 - [Your Brand] remanufactured toner cartridge for use in Lexmark [printer model name/number]
 - [Your Brand] toner cartridge compatible with Lexmark [printer model name/number]
 - The Lexmark logo and stylized version of the Lexmark trademark should NEVER be used in a listing for refilled/remanufactured products or any products which are not new, OEM Lexmark products.
 - Any images used within the listing should be of the product being sold; Lexmark catalogue or other images, including images from Lexmark's web site, should never be used.

More detailed guidance and additional examples of legally acceptable compatibility statements can be found on eBay's "Creating legally compliant listings" found at: <http://pages.ebay.com/help/sell/compliant-listings.html>

Please email any questions to qcheck@lexmark.com