



Fall 2002

Steamrolling Forgeries: UL's Trademark Enforcement Program

Knock-offs and fakes. It seems like they are everywhere. Trademark infringement has been spreading to many areas of our lives.

UL recognizes that this issue must be dealt with to protect the integrity of its **Listing Marks** found on products throughout the world. For 108 years, the UL Mark has been the symbol of safety. Its reputation and integrity have been built upon by the most comprehensive product certification process in the world. Manufacturers, consumers, and authorities having jurisdiction (AHJs) have all come to rely upon UL to assure them that a product bearing its trusted Mark reduces the risk of fire, shock, and/or personal injury hazards.

Counterfeit UL Marks on products threaten to undermine the integrity of the Mark, and can present unknown safety hazards to the end user. In 1995, Underwriters Laboratories Inc. embarked on a strategic approach to combat the counterfeiting of its Marks. This strategy primarily focused on enlisting the enforcement arm of the **United States Customs Service** to protect the intellectual property rights of Underwriters Laboratories' Certification Marks. By providing Customs personnel with the necessary training and materials, UL helped that agency's efforts to target and intercept product shipments bearing counterfeit UL Marks. UL's Trademark Enforcement Team, located at the Melville, New York, USA, office, conducts annual seminars for U.S. Customs officials at major ports throughout the United States on how to identify counterfeit Marks and the types of products on which they appear. UL distributes enforcement manuals, specifically designed for Customs inspectors, to distinguish legitimate UL Marks from counterfeits. To date, thousands of Customs officials have received UL's training.



"Every time I visit a port, I am thanked by Customs officials for providing them with the tools necessary to help target and intercept counterfeit UL Marks. They sincerely appreciate our dedication and support," says Andrew Vourlos, Engineering Team Leader.

Products imported into the United States are subject to a Customs examination. When counterfeit UL Marks are found on products and/or packaging, Customs will seize the shipment under the appropriate U.S. statutes. The importer is notified that the shipment will be destroyed unless permission to release the shipment is provided by the trademark holder.

Part of what makes UL's enforcement program so strong is its consistent practice of applying a "zero tolerance" approach to seizure cases. UL does not negotiate with anyone to facilitate the import, export, or manipulation of products that bear counterfeit UL Marks.

Another means of protecting the integrity of the UL Mark adopted by UL involves the composition of its Listing Marks. In 1993, UL switched from issuing its Listing Marks for decorative lighting-

<http://www.ul.com/auth/tca/fall02/trademark.html>

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type products from paper labels to specialized holographic labels. These labels contain both overt and covert security features that make them expensive and difficult to duplicate. So successful was the implementation of these labels at deterring the amount of would-be counterfeiters that UL instituted holographic labels for additional products in 1996. The holographic labels make it easy for U.S. Customs inspectors to spot counterfeit labels.

In 2001, UL Marks appeared on over 17 billion legitimate products. Counterfeits comprise an extremely small percentage of this number. However, no matter how many counterfeits there are, one is one too many. As long as counterfeiting continues to thrive, UL will remain steadfast in its zero tolerance approach and do whatever it takes to protect the integrity of its Mark.

This information was current as of September 2002 and is presented here for archival purposes only. For current information, please contact Brian Monks in Melville, New York by phone at +1-631-271-6200, extension 22856, or by email at Brian.H.Monks@us.ul.com.