

Brian Samuel Malkin

To: bmalkin@ferencelaw.com
Subject: FW: Notice: Policy Warning

Begin forwarded message:

From: John Sanderson <amazon@morphmate.com>
Subject: Fwd: Notice: Policy Warning
Date: 26 December 2023 at 08:37:25 GMT
To: fraser@morphsuits.co.uk

FYI

----- Forwarded message -----
From: **Amazon** <notice@amazon.com>
Date: Mon, Dec 25, 2023 at 6:56 PM
Subject: Notice: Policy Warning
To: <amazon@morphmate.com>



Hello ,

We received a report from a rights owner alleging that one or more of your listings may be infringing on the intellectual property rights of others. Amazon requires that listings do not infringe upon the intellectual property rights of others in the store where the ASINs are listed. Listing content infringing on the intellectual property of others is against our policies:

<https://sellercentral.amazon.com/gp/help/521>

Actions have been taken on one or more of your listings based on a report from a rights owner that was found to be a valid infringement.

We removed one or more of the listings at the bottom of this message because we received a report from a rights owner that the product on the listing violates their

utility patent rights. We leveraged a combination of automated means and expert human review to make this decision.

Have your listings been removed in error?

If you think that the rights owner has made an error in sending the notice, reach out to the rights owner and ask them to submit a retraction of this notice. Only retractions submitted by the rights owner directly to Amazon will be accepted. Amazon does not accept forwarded or attached retractions. Rights owner contact information is provided at the bottom of this email. If the rights owner does not retract their complaint, or you do not provide supporting information mentioned below, your contact information may be provided to the rights owner upon their request.

We're here to help.

If you have questions about the violations or need help to submit appeals, contact us to speak to an Account Health Specialist:

<https://sellercentral.amazon.com/cu/contact-us/cmn/repeat>

Has your account been deactivated in error?

If you believe the policy violations that caused your account deactivation are incorrect, submit evidence or documentation demonstrating that your account has not violated Amazon policies and we will investigate your concern. You can do this via the Account Health page as specified above.

Your explanation should include the following information:

- How your account has not violated the Intellectual Property policy.
- Evidence that shows your account complies with our Intellectual Property policy.

How do I submit this information?

Go to "Received Intellectual Property Complaints" under the "Product Policy Compliance" section in Account Health:

https://sellercentral.amazon.com/performance/dashboard?ref=ah_em_mpa

Locate the deactivation record for this product listing. Click on the "Appeal" button next to the listing deactivation record to submit information necessary to reactivate your listing.

What happens if I do not provide the requested information?

If we do not receive a response, the listing will remain deactivated. The violation record will remain on your Account Health page for up to 180 days after the listing was deactivated or until the violation is successfully disputed. Deleting your listing on this ASIN does not sufficiently address the reason for the violation and will not result in its removal from your Account Health page. Leaving this and other listing violations unaddressed may result in account deactivation. Amazon reserves the right to destroy the inventory associated with this violation if proof of authenticity is not provided within 60 days. Violating this policy may also result in the loss of selling privileges or other legal consequences.

How do I reactivate my listing?

To reactivate your listing, you may provide the following:

- A letter of authorization or a licensing agreement from the manufacturer or rights owner demonstrating that your product sales are lawful. External links are not accepted. For security reasons, we only accept attachments in the following file formats: .jpeg, .jpg, .pjpeg, .gif, .png, .tiff.

These are the rights owner's contact details:

- dan
- patentinsightinfo@gmail.com

Rights owner communication: ASINs B09HQTDYLM and B06XKMP9KX are identical to the ornamental designs protected under D882, 001S. The size as well as the shape of the

product are identical to the protected design patent being enforced. None of these features are required to operate this kind of costume. However, the ASINs at issue are using the exact ornamental elements protected under D882 001S. As such, we believe that an ordinary observer would be easily mistaken and would not be able to tell the difference between the design of ASIN and the design protected under D882, 001S. The sellers are not authorized to use Patent D882, 001S or to sell products that utilize patent D882, 001S without the consent of the patent owner. We ask that this ASIN be removed in an effort to protect the intellectual property of Weiwei Wang under D882, 001S.

ASIN: B09HQTDYLM
Infringement type: Patent
Patent number: D882001S
Complaint ID: 14522651321

You can view your account performance:

https://sellercentral.amazon.com/performance/dashboard?refstag=email_warn

Alternatively, select Account Health on the home screen of the Amazon Seller app on your iOS or Android device. The Account Health page shows how well your account is performing against the performance metrics and policies required to sell on Amazon.

-- Download the iOS app:

<https://itunes.apple.com/us/app/amazon-seller/id794141485>

-- Download the Android app:

https://play.google.com/store/apps/details?id=com.amazon.sellermobile.android&hl=en_US

[Amazon.com](https://www.amazon.com)

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