



## **INTELLECTUAL PROPERTY PROTECTION CASE STUDY**

Our client, the regional franchisee of one of the world largest brands approached SSSI management after they had been informed by the global headquarters that their products were being parallel imported into a territory held by a separate franchisee.

Our client faced penalties in excess of \$5 Million under their franchise agreement and sort assistance in remedying the situation.

SSSI in conjunction with the local Customs officials quickly established that the goods had in fact been imported into the territory. The buyer allegedly from the former Soviet Republics was marketing the goods well below local prices and cutting deeply into the local franchisee market. Close co-operation with the local Customs authorities and exhaustive investigations resulted in a storage facility being located and all goods seized by customs.

Our clients were then able to re-export the goods thus avoiding the fine threatened by the franchise holder. The evidence gathered by SSSI was then utilised in a prosecution of the buyer in the country of origin. Our client was able to recover all their costs as well as being awarded damages by the court.

This case illustrates how the intellectual properties of three separate sections of the overall franchise network were not only protected from outside attack, but also from competing parts of the franchise network.

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☎ +61-(0)8-62600821  
☎ +61 - (0)8-94022277  
✉ info@sssigroup.com  
<http://www.sssigroup.com>