

SKF

®

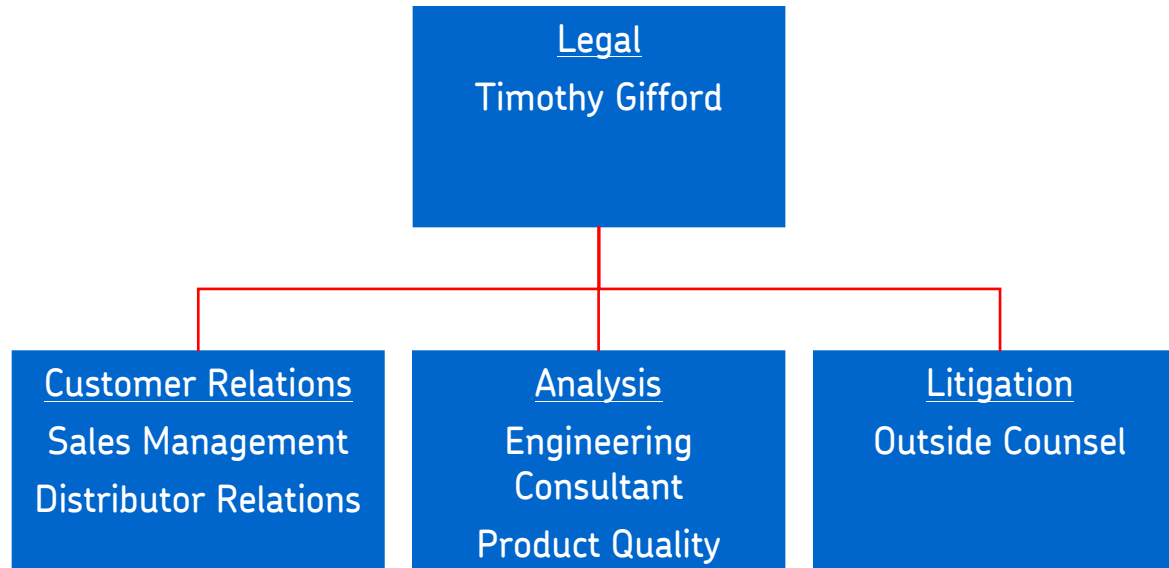
SKF Suspect Product Protocol

ABMA 2009 Fall Meeting

Timothy D. Gifford
Vice President and General Counsel
SKF USA Inc.

2009-10-15

SKF Suspect Product Team

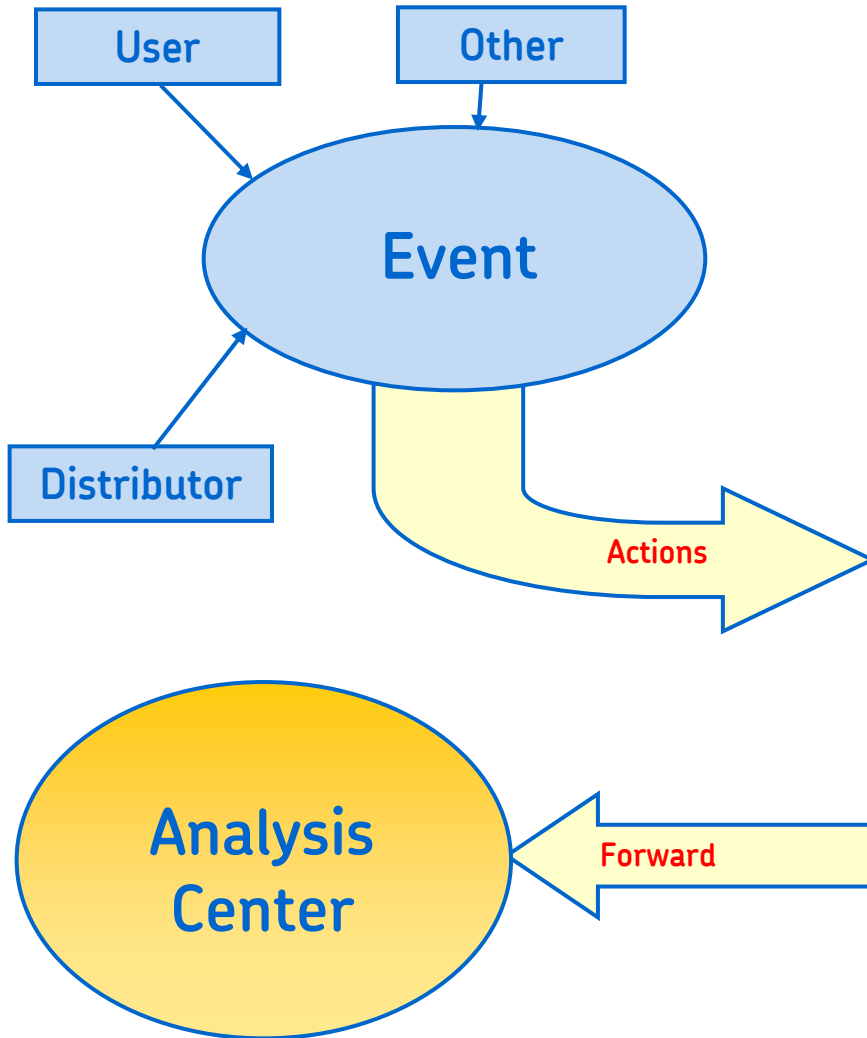


SKF Suspect Product Protocol

Six basic steps or phases

- Identification
 - Identification of potential counterfeit product and steps to follow
- Analysis
 - Review of all collected information, samples and papers to determine legitimacy
- Legal Actions
 - Preparation of any initial pleadings and any declarations to be executed
- Customer Relations Management
 - Customer response and financial resolutions after and legal filings
- Litigation
 - Execution of declarations and full discovery, if required
- Resolution
 - Settlements and internal or external communications

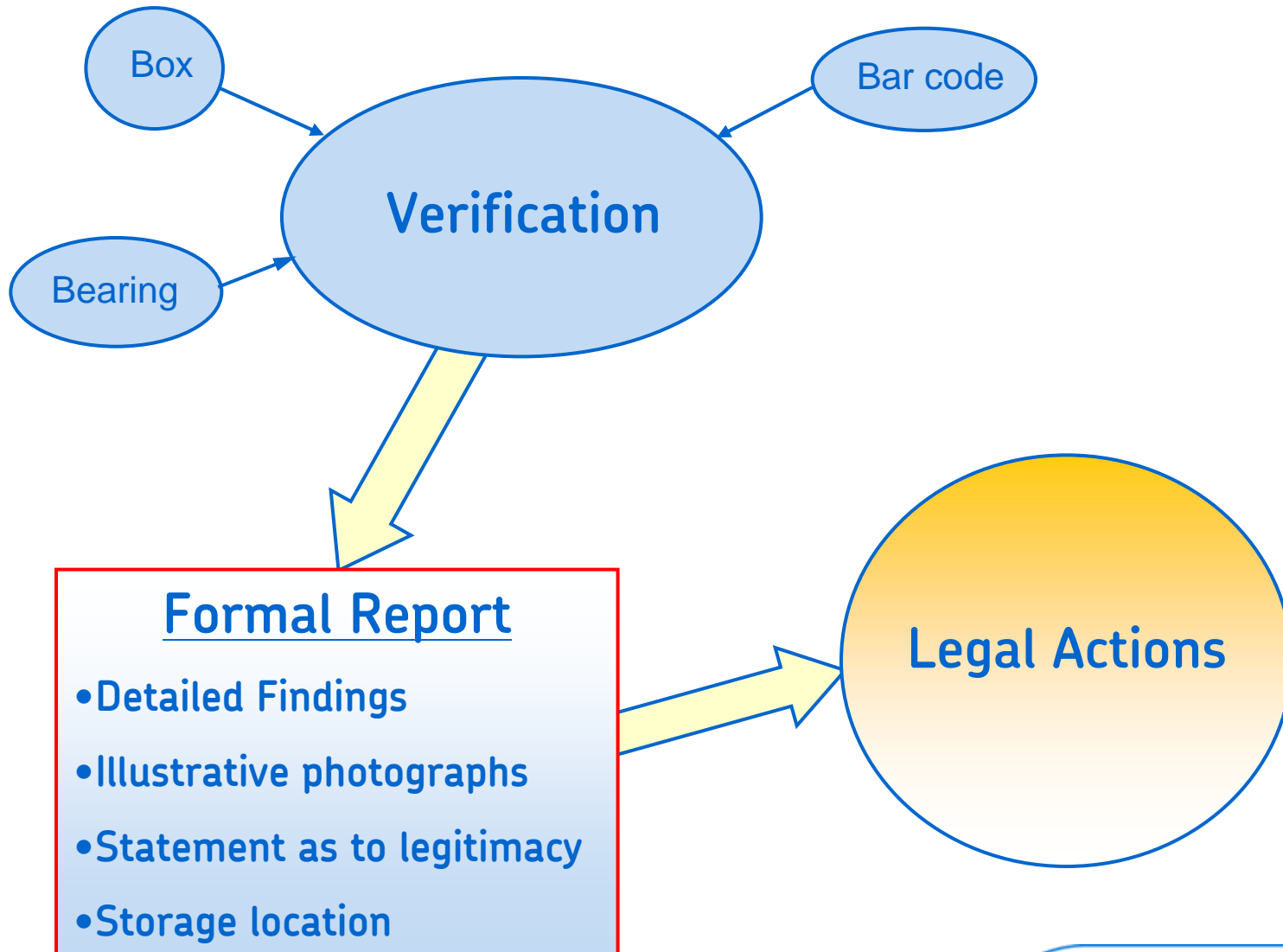
Identification



INFORMATION GATHERING

- Customer
- Application details
- Supplier and invoices
- Product details
- Packaging specifics
- Photographs
- Identification report
- Samples
- Establish “chain of custody”

Analysis



Legal Actions

Take any needed actions after reviewing the Identification Report and the Analysis Report.

- Review supplier invoices and inventory of counterfeit parts.
- Begin discussions of potential settlements
- Prepare and file official complaints and injunction papers.

Customer Relations Management

Customer follow-up:

- Notify the customer after any pending legal filings
- Return all valid customer product
- Resolve any financial claims
- Provide for needed training
 - Customer
 - User
 - Internal sales people

Litigation and Settlement

● Litigation

- Proceed with the help of external counsel:
 - Personal Declarations
 - Discovery proceedings
 - Depositions

● Settlements

- Financial
- Marketing agreements
- Communications
 - Internal and external press releases
 - Training materials

Press release examples

June 25, 2009 – New York Times

Distributor Guilty of Selling Counterfeit Parts to the M.T.A.

By SIMON AKAM

The chief executive of an industrial supply company in Brooklyn pleaded guilty on Wednesday to selling counterfeit spare parts for subway cars and buses to the Metropolitan Transportation Authority, prosecutors said.

CBP Seizes Counterfeit Bearings at Phoenix Port of Entry

(Friday, May 22, 2009)

contacts for this news release

Phoenix, Ariz. — U.S. Customs and Border Protection import specialists seized counterfeit bearings with a domestic value of \$14,652 and an estimated manufacturer's suggested retail price of nearly \$130,000 had they been genuine product.



External training example

- Preparing “SKF Counterfeit Red Flag Guidelines”
 - Common mistakes including spelling and country of origin.
 - Required box marking information
 - Non-standard shipping containers
 - Shipping and receiving locations

Exhibits for Customs

SKF

Date: 2007.10.25
Ref. No.: 32081

To: Whom it may concern

Re: Certificate of Quality/Weight

We hereby certify that the SKF Bearing/Accessories were packed in accordance with contract. Below are the related details:-


Contract No. CTBJ1025-07-LL

Item	Quantity	Country of Origin	Inv No.	Inv Date
22224E/C3	40	Malaysia	32081	2007.10.25

The products are made of the best material with first-class workmanship and have gone through precise and comprehensive inspection. They prefer well under normal working conditions.

* **They prefer well**

Yours Truly



上述型号轴承是由最好的材质，加上一级工艺制成，并通过了精确且全面的测试，在正常工作条件下能运转良好。

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They prefer well

“SKF Explorer” mis-spelled

