



Dear WD Partners:

As a WD Partner, you play an important role in helping WD protect its brand. Recently WD has received a small number of inquiries from customers regarding counterfeit, grey market, and used WD products being sold in the market as new, genuine WD products. While WD believes these are isolated incidents, we take this opportunity to remind WD Partners of the following to ensure that you receive genuine WD products.

### **What are Grey Market WD Products?**

Grey market products are goods that incorporate WD's intellectual property rights, including patents, design rights, copyrights and trademarks that were put on the market by WD outside of the European Economic Area (EEA) and have been imported into the EEA without WD's consent. **For the avoidance of any doubt, any sale of WD products within the EEA that bear WD trademarks, but that were not put on the market in the EEA by WD or with its consent, is an infringement of WD's intellectual property rights.**

What does this mean?

- If you are located inside the EEA, you may not lawfully sell or distribute WD products purchased from a WD distributor located outside the EEA, for example in China or the United States. It is irrelevant whether you or your company acquired them inside or outside the EEA.
- Equally, if you are located outside the EEA you may not lawfully sell or distribute WD products into the EEA without WD's express consent.

To protect its intellectual property rights and the rights of consumers, WD will take action against sellers of grey goods and those falsely advertising a WD warranty on a grey good, including filing complaints or take down requests with online platforms such as Amazon or eBay.

### **What are Counterfeit WD Products?**

A counterfeit WD product includes:

1. Any product that claims to be a WD product that is not a genuine or authentic WD product.
2. Any product with a fake label or fake packaging claiming to be a WD product when it is not.

Any WD drive that has been tampered with or reprogrammed or refurbished without WD's authorization is not covered by WD's limited warranty and is considered to be an unauthorized use of WD's trademarks. In some countries, this conduct may also be considered counterfeiting. WD takes counterfeiting seriously and will actively pursue action against all sale and distribution of counterfeit hard drives in the market.

### **Purchase from WD's Authorized Distributor Network**

Buying from an authorized WD distributor in your region ensures that you receive authentic WD products covered by WD's limited warranty. Remember the following:

- WD products have region specific warranties, which means that products purchased from distributors outside of your region are not covered by WD's limited warranty. Advertising a grey good as having a valid WD warranty constitutes false advertising and, in some jurisdictions, may violate consumer protection laws. You can check the status of a warranty at: <http://support.wdc.com/Warranty/warrantyStatus.aspx?lang=en>.
- WD provides an online list of authorized distributors by region at: <http://www.wdc.com/en/buy/distributors/>.
- Only authorized distributors are listed on the WD website. If a seller holds itself out as an authorized distributor but they are not on the list on the WD website, please notify WD immediately at [enforcement@wdc.com](mailto:enforcement@wdc.com).
- Counterfeit WD products are not covered by the WD limited warranty, nor have they undergone WD's extensive testing.
- Counterfeiting, selling, distributing or holding counterfeit WD products for trading constitutes trademark infringement and may be illegal.

**PLEASE NOTIFY WD IMMEDIATELY 1) IF YOU HAVE ANY KNOWLEDGE OF INDIVIDUALS OR COMPANIES PERFORMING THESE ACTIONS OR 2) IF ANY INDIVIDUAL OR COMPANY OFFERS FOR SALE OR SELLS SUCH PRODUCTS TO YOU.**

**IF YOU HAVE ANY DOUBTS ABOUT THE LEGAL STATUS OF ANY WD PRODUCTS OFFERED TO YOU, PLEASE CONTACT [ENFORCEMENT@WDC.COM](mailto:ENFORCEMENT@WDC.COM).**