

MY CBP NIGHTMARE

This can happen to you....

TIME LINE OF EVENTS

- ❑ **December 2012** – offered via email a list of excess material by this gentleman out of Sweden
- ❑ **January 2013** – after negotiation we issued a PO for product on Net Terms so we could inspect/test upon arrival.
- ❑ **February 2013** I was notified by a UPS employee in these exact words via email “Allison, UPS is clearing this shipment into the United States. It has been chosen for inspection by US customs and had been detained for further information. Please see attachments for explanation. I will be your direct contact with customs.”
- ❑ **February 2013** – UPS requires the shipper/importer to provide proper documentation that they are a legally registered entity/ company in Sweden. Importer complies and sends all corporate registrations
- ❑ **February 2013** - UPS representative requires better importing documentation from shipper as his packing slip was very vague and did not contain proper information. This was supplied immediately along with pictures of product prior to shipping.
- ❑ **February 2013** – Contact at UPS tells both the importer and myself that I have to provide proper documentation that I am authorized to import this merchandise. Even though I am 200% positive as we run our business doing exactly this every day I verify with my attorney, Keith Gregory, and there is no such requirement.

- ❑ **March 2013** Per the UPS tracking information “Registered with clearing agency Shipment release pending clearing agency review / Released by clearing agency Now in-transit for delivery”

- ❑ **March 2013** - above is not true and no one knew where the shipment was
- ❑ **March 2013** – UPS representative via the telephone inform me shipment has been seized by US Customs due to product now being deemed as counterfeit and I will receive a letter. Might I point out this was seized in PA, not the port in Long Beach that has the team trained to detect and handle counterfeit electronic components
- ❑ **March 2013** – UPS representative is no longer responding to my emails
- ❑ **March 2013** – Receive letter from CBP of seizure and value stating **\$3132.02**
- ❑ **March 2013** – Receive a notice of penalty from Dept Homeland Security US CBP with a penalty of **\$871,183.32**
- ❑ **March 2013** – Had Heart Attack
- ❑ **March 2013** - Hired Keith Gregory and his colleague Richard Katz

- ❑ **March – April 2013** – We have learned that product is still in possession of CBP, they have no proof of why they claim product is suspect other than the CPB agent that handled the seizure who is no longer there claimed they sent pictures of the parts via email to the IP holders and the IP holders said they are counterfeit & no real explanation of how they arrived at a penalty amount of **\$871,183.32** other than stating this was the amount the IP holders will suffer from importing counterfeit goods. My attorney was able to have the goods transferred to Long Beach for full inspection by the team that handles the counterfeit electronic components.
- ❑ **April 2013** – At my own suggestion I purchased samples of the same product that was held from known good suppliers to CBP and supplied a full report with decap & X-ray along with destructed samples we did in house for them to compare against seized goods.
- ❑ **May 2014** – My attorney received a letter releasing us of the penalty. CPB would not admit to any wrong doing nor would they admit to the product being counterfeit or not counterfeit and they would not release the shipment to myself or the shipper. If this had not turned out this way my attorney said I had one of two choices, 1 pay the fine, 2 hire an attorney and got to federal court in PA to fight this because it was held by customs in PA and then I could lose that fight be in debt for attorney fee's and be forced to pay the penalty.

To date I have lost what I paid in attorney fee's, which was not cheap but definitely not **\$871,183.32** and shipping costs. We have also lost the relationship with this person that had potential to bring us a lot more product from his contacts in Europe.