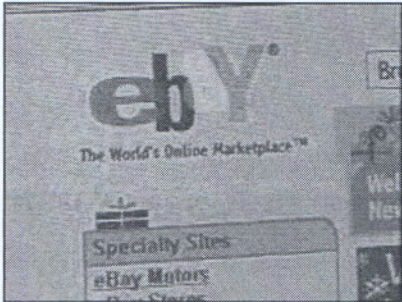


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Embroidery software buyer under investigation



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[Mishawaka, IN](#) - Just about everyone buys and sells on eBay.

The auction website is so popular, it's become a breeding ground for scam artists selling bootlegs, from movies to software and more.

For one Mishawaka woman, buying embroidery designs turned into a nightmare.

Denise Dircks thought she was receiving a great deal on eBay, but now, she is under investigation by the Embroidery Software Protection Coalition for purchasing bootleg embroidery designs

In a Contact 16 report, a cautionary tale about reaping what you sew before you buy on eBay.

Buyer beware

Sewing is a passion for Denise Dircks.

"I like being able to create something from just a piece of fabric, and making it into something," says Dircks.

With her embroidery machine, Denise creates quilts, sweatshirts, and even wedding veils.

However, Denise's love for sewing came to a screeching halt when she got a letter, which informed her that she was under investigation.

"(It said I was) being investigated for piracy and copyright violation for buying embroidery designs off of eBay."

The letter demanded Denise surrender all copies of pirated designs, put in writing that she won't purchase or use pirated designs, and finally, pay a nominal monetary sum for wrongful conduct.

"It scared me and then maybe, I thought it was a scam," says Dircks.

Contact 16 did some digging and unfortunately for Denise, this isn't a scam, it's pretty serious.

"Under a normal monthly period, embroidery auctions on eBay run \$10,000 a day, and a large percentage of those are counterfeit," says Attorney Carole Faulkner.

Faulkner represents the Embroidery Software Protection Coalition (ESPC). They own design copyrights. It's their job to protect those famous logos we see everywhere and knock-off buyers cost them big time.

"By purchasing the counterfeit goods, they're encouraging the pirates to stay out there and put the legitimate businesses out of business," says Faulkner.

Denise paid nearly \$40 for the bootleg or knock off designs she bought on eBay. Now, had she walked into a fabric store and paid retail, it would of cost as much as \$100 or more for some designs, which is a clear sign that what she was getting wasn't the real deal.

"We have a lot of people out there that have purchased a design set of 50,000 embroidery designs for a big whopping amount of \$5," said Faulkner.

Denise says she didn't have a clue the designs were bootlegs.

"I'm buying these designs, thinking that this person had actually digitized these things and they had the right to sell them," said Dircks.

So how much trouble is Denise in?

"They voluntarily come forward, and say that I've got the counterfeit goods, we won't sue them, they pay a fee of \$300 to get the release," said Faulkner.

A copyright attorney NewsCenter 16 spoke to says the letter Denise received is a phishing expedition to see how many people will pay up.

A Notre Dame law professor tells Contact 16 copyright laws make it illegal to distribute copies, not buy them.

However, the ESPC says they mean business.

"There is going to be a class action lawsuit filed against the purchasers in federal court by the ESPC," says Faulkner.

The ESPC recently sued eBay for copyright infringement; eBay settled out of court.

"How is eBay allowing this to still go on and how are we supposed to know what's real and what's not real," asks Dircks.

Signs to look out for

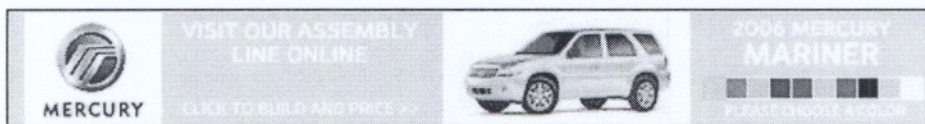
Some tell-tell signs an embroidery software CD is a bootleg are the following:

- You didn't pay a lot, but received a number of designs.
- The CD you get is blank, except for the word "designs" written in marker.
- It doesn't come with a color cover or users manual.
- The seller tells you it's a copy.
- The seller doesn't advertise that he's an authorized dealer.

Whether it's bootleg software, movies or music the bottom line is if the deal sounds too good to be true, it probably is!

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