

NGK: Spark plugs counterfeit, a risk to society.

History of the brand

“NGK” is a recognized brand of spark plugs for the automotive industry, manufactured by the NGK SPARK PLUG CO.LTD of Japanese origin. In 1959 NGK SPARK PLUG CO.LTD opened its first factory outside of Japan in Brazil. This was the first step towards a worldwide expansion, followed by the opening of subsidiaries in the United States, Malaysia, Indonesia and Europe, among others .

The products entering Bolivia generally come from Brazil through official distributors of the brand.

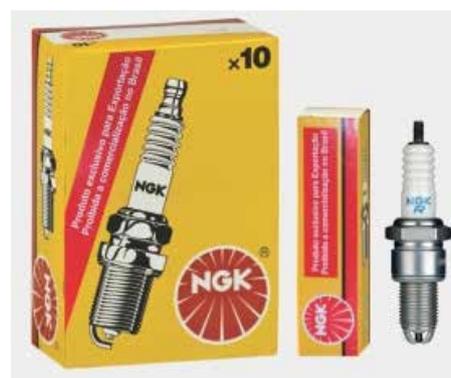
Its product portfolio consists of NGK brand spark plugs, glow plugs, coils and ignition cables (ignition components), as well as MAF and MAP sensors, lambda sensors/oxygen sensors, exhaust gas temperature sensors of the NTK brand (vehicle electronics).

All products are manufactured under the highest quality standards, as they are extremely important parts for the proper functioning of motor vehicles.

Background

Through our research we learned that NGK spark plugs were available at various stores in El Alto and La Paz, offering spare parts and accessories for automobiles, among a wide variety of products.

Client	NGK SPARK PLUG CO. LTD
Trademark	NGK



In the commercialization of these spark plugs, there were offered products presumably in infringement of the trademark: Spark plugs of the NGK brand, code BKR5EKC, which had evident and clear differences compared to the original product, among them the quantity of electrodes and the colors of the packaging.

Trademark status

On a trademark level, NGK SPARK PLUG CO.,LTD, is the owner in Bolivia of the word mark “NGK”, which protects products in the international Nice class number 7 including spark plugs for internal combustion engines and spark plugs for explosion engines.

Actions taken

In view of this situation, the business premises which offered these infringing products were identified and urged to stop using, promoting and marketing “NGK” infringing products, to provide information regarding the origin of the goods, to destroy the infringing goods and to pay the costs incurred.

In almost all cases, the infringer acknowledged that the product is counterfeit.



Original Products



Counterfeit Products



Out-of-Court settlement

The following was reflected in the transactional agreements:

- ▶ the offenders acknowledged the infringement committed;
- ▶ they agreed not to commercialize NGK products in infringement of the trademark again;
- ▶ provided information about the origin of the products;
- ▶ they handed over the infringing products for its destruction;
- ▶ paid the destruction costs.

Destruction of infringing spark plugs

Due to the nature of the material with which they were manufactured, the destruction was carried out in a metalworking workshop and with the help of a grinder they were destroyed.

Of the danger of infringing spark plugs on the market

The spark plugs have an essential function in the vehicle, they are responsible for transmitting the ignition spark within the combustion chamber of the propeller.

In order to operate the spark plugs require a high voltage and trigger the spark, which must be of sufficient intensity and duration to ignite the air/fuel mixture. Also, in order to withstand the high temperatures in which they work, the spark plugs are made of heat-resistant ceramic materials.

As a result, the commercialization of infringing spark plugs on the market which lack the quality and guarantees of original manufacture, are not very resistant to heat and therefore do not last or work as they should, resulting in great harm to the consumer.

Among the damages caused by these infringing products are: Not having the useful life they are supposed to have, their malfunctioning damages the engine, generates higher gasoline consumption, causes loss of power in the vehicle and



even immobilization of the vehicle, causing enormous economic losses to the consumer.

Its also important to consider the geography of the cities of La Paz and El Alto in which these offending spark plugs are commercialized. La Paz is a city that is built on mountains so its streets are very steep and through hillsides they connect with the city of El Alto, being vital for the inhabitants of these cities, to have vehicles with power in the engine and that work optimally so as not to be exposed to automobile accidents that can be fatal.

Conclusions

Large and small businesses in the cities of El Alto and La Paz, dedicated to the commercialization of automobile spare parts and accessories, offered NGK brand spark plugs to the general public in infringement.

Actions were taken against several formal businesses requesting the cease of the commercialization of infringing NGK products, the provision of information regarding the origin of the goods, the destruction of the infringing goods and the payment of the costs incurred.

A good response to the injunction letters was obtained, settling the conflict out of court.

Dangerous products for the society were eliminated from the Bolivian market, since the spark plugs are very important pieces within the operation of our car. These are in charge of supplying the ignition spark so that the fuel inside the combustion chamber is inflamed. In addition, they relieve the heat that is generated in the engine. Therefore, eliminating this type of infringing product from the market is of vital importance not only for NGK, but also for society as a whole.

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