

\$50 replicas of \$2,300 watches please buyers, draw firms' fire

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They look like Cartier watches. They feel like Cartier watches. They even say Cartier on them. Best of all, they cost \$50, compared to the \$2,300 Cartier watches cost.

They are, of course, not Cartier watches, but a close approximation of the real thing. So close, in fact, that Cartier is suing Herbert Neues of Pompano Beach — who has been selling the imitations — for at least \$10,000, charging trademark infringement and unfair competition.

In its suit, filed in federal district court in Fort Lauderdale June 8, the status watch company said: "The existence of unauthorized 'Cartier' watches on the market has undermined the sales credibility of Cartier... and has reduced the demand for genuine Cartier watches."

It is but the latest in a spate of incidents involving replicas of Cartier watches in South Florida. It also continues a trend of imitators making profits from a variety of copied merchandise, including designer jeans.

For Cartier, the problem is particularly bad. Company officials estimated that half of all watches labeled as Cartier and sold around the world actually are fakes.

'A large number of people are happy with their purchases. People would be complaining in masses if they didn't get what they paid for.'

Assistant State Attorney Michael Fischler

It is not clear how many consumers took advantage of Neues' low-price offer before an undercover private investigator for Cartier — posing as a customer — bought 170 of the watches in the process of collecting evidence for the case.

Neues had started with a big market, albeit a small advertisement. He placed a quarter-inch ad in the classified section of The New York Times May 18. The ad read: "WATCHES — Replicas of the finest watches made in the world. Wholesale or retail. Open 7 days." It listed Neues' Pompano Beach telephone number.

Reached by telephone, Neues said he had no comment about the suit. But he still appears to be inquisitive. A woman who declined to identify herself answered the telephone number given in the New

York Times ad: "Good morning, Replicas Incorporated."

Kenneth R. Umans, a consulting attorney for Cartier Inc., said that Neues told him he thought he would be immune to prosecution if he told his customers the watches were facsimiles.

But that was not OK with Cartier. Representatives traced Neues to his 2080 SW 10th Ct., home after reading The New York Times ad — one of about 50 he placed in newspapers throughout the country, he told the undercover detective.

The investigators first bought several watches from Neues. Two of them were replicas of Cartier watches. After company jewelers examined the imitations, the investigator ordered an additional 170

watches from Neues and arranged to pick them up June 9.

But instead of completing a cash transaction, the investigation, accompanied by two federal agents and a Cartier executive, seized 201 watches from Neues' home. The company also has obtained an order from the federal court barring Neues from selling the watches.

Neues was "outraged" at the time of the raid and claimed the sale was to have been his only Cartier transaction and contended that most of his business was with imitation Rolex watches. Umans said, "Rolex, in fact, was not upwards of Neues' business. Federal agents went to Neues' home June 16 and seized his stock of replica Rolex watches. Rolex has five similar cases pending in South Florida," the firm said.

But Cartier has been even more active.

Problems with replicas are not new for the watch company. Umans said his law firm has sued to protect its trademark more than 250 times in the past six years. Cartier representatives routinely comb newspapers, wholesale outlets, flea markets, and urban sidewalks in

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