

Safety Socket Wins First Battle in New Approach to Eliminating Counterfeit Parts

In its ongoing battle to protect the supply channel from counterfeit parts, Safety Socket has adopted a novel legal strategy and prevailed in its first use. Safety Socket won its case in federal court (the U.S. District Court for the Northern District of Illinois), against Accurate Aerospace, Inc. (“Accurate”), a distributor who took commercial fasteners, postprocessed them and represented them as aerospace-grade fasteners. The court granted broad injunctive relief against Accurate, holding that its actions constituted:

“...trademark infringement, unfair competition and false designation of origin under 15 U.S.C. §1125(a), as well as trademark infringement, unfair competition and deceptive trade practices under the laws of the State of Illinois, including the Uniform Deceptive Trade Practices Act, 815 ILCS 510/1, et seq.”

“While many people believe post-processing of trademarked parts is allowable under certain provisions of various procurement regulations and customer policies, companies that do so need to be aware they may be participating in trademark infringement and other unlawful acts,” said Jim Erbs, Safety Socket’s president. “Safety Socket must protect its registered marks, and encourages other manufacturers to do so as well if they find their products being post-processed.”

Accurate filed for bankruptcy protection in the face of Safety Socket’s claims, but the court permitted Safety Socket to proceed with, and granted, its claims for injunctive relief.

For those wishing to read the final ruling, email info@shebarlaw.com and ask for a copy of Safety Socket LLC vs. Accurate Aerospace Inc., Case Number 15-CV-2437.

Safety Socket is a domestic fastener manufacturer of high-strength, made-to-print special fasteners. It services distributors supplying both aerospace/military and commercial OEMs. Manufacturing capabilities include cold, warm and hot heading, single-spindle and multi-spindle machining and a variety of other processes. Safety Socket’s sizes range from #4’s to 1” diameter (M4 thru M16). Materials used in manufacture include high-strength alloy, stainless and exotic stainless steel. Safety Socket regularly supplies product to the requirements of DFARS, REACH, RoHS, PPAP Level III and ITAR/EAR.