



CBP Office of Trade—IPR Division

Hoverboard Enforcement Update, June 2016

Background

- ◆ Hoverboards—self-balancing, two-wheeled, motorized platforms—were some of this past holiday season’s most popular items. However, major safety concerns have surfaced following reports of fires possibly caused by substandard and counterfeit lithium ion batteries that power some hoverboards
- ◆ Imported self-balancing hoverboards have been found to have both safety and trademark infringement issues that threaten the safety of consumers and the economic security of the United States by hurting legitimate businesses
- ◆ U.S. Customs and Border Protection (CBP) treats Intellectual Property Rights (IPR) and Import Safety as Priority Trade Issues and focuses resources to protect individuals and companies from harmful products

Seizure Statistics (as of June 30, 2016)

- ◆ **396** shipments, totaling **107,920** hoverboards, have been seized for trademark violations
- ◆ The total estimated MSRP of these boards is more than **\$45.1** million
- ◆ **54** Ports of Entry have made one or more IPR seizures of hoverboards



Federal Response

CBP and our partner government agencies (PGAs) are working collaboratively to address the safety and trademark infringement issues posed by the importation of substandard hoverboards. No single federal agency has regulatory authority covering the concerns presented by lithium ion battery importation.

- ◆ **CBP** has authority to seize hoverboards with counterfeit components
 - ◇ CBP has found that nationally recognized and recorded trademarks are being used without authorization on some batteries
 - ◇ CBP has seized hoverboards with counterfeit batteries, instruction manuals, and packaging
- ◆ **U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA)** has domestic authority for hazardous material (i.e., lithium ion batteries) documentation
 - ◇ CBP’s **Commercial Targeting and Analysis Center (CTAC)** is supporting PHMSA with its domestic hoverboard enforcement efforts
- ◆ **Consumer Product Safety Commission (CPSC)** is currently reviewing safety issues for toy hoverboards marketed towards small children

International Response

- ◆ The Australian government issued a formal warning to Australian consumers about hoverboard safety and overheating in January 2016
- ◆ The United Kingdom Border Force seized over **15,000** hoverboards (as of mid-December 2015), finding that **88** percent of tested hoverboards were unsafe