

Department of Justice

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Western District of New York

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MAN INDICTED ON CHARGES OF TRAFFICKING COUNTERFEIT SPORTS JERSEYS

Buffalo, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that a federal grand jury in Buffalo, New York has returned a six-count indictment charging Brian E. Bartoe, 35, of Amherst, New York, with trafficking in counterfeit goods. The charges carry a maximum penalty of 10 years in prison, a fine of \$2,000,000 or both. This indictment also seeks the forfeiture of \$50,000 in profits derived from the illicit trafficking of these goods as well as the counterfeit merchandise which was seized.

Assistant U.S. Attorney Charles B. Wydysh, who is handling the case, stated that Bartoe is accused of selling NFL, NHL, NBA and MLB counterfeit sports jerseys between September 2009 and April 2010 at the Jersey Junkie on Bailey Avenue in Buffalo, New York and on his Jersey Junkie website. The sports jerseys, principally Bills and Sabres, were manufactured in China and bore counterfeit trademarks registered to the NFL and NHL. The investigation began after U.S. Customs & Border Protection intercepted shipments of the merchandise from China that were addressed to Bartoe in Buffalo. Shipments were intercepted in Cleveland, Ohio, Los Angeles, California and the JFK Airport in New York City.

The indictment is the culmination of an investigation on the part of Special Agents of the U.S. Immigration & Customs Enforcement, under the direction of Special Agent in Charge Lev Kubiak and U.S. Customs & Border Protection under the direction of Port Director Joseph Wilson.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

Sentencing is scheduled for November 19, 2010 at 9:00 a.m. before Judge Skretny.