

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\*

CRIMINAL NO. 18-191

v.

\*

SECTION: "A"

MAHER SALIM

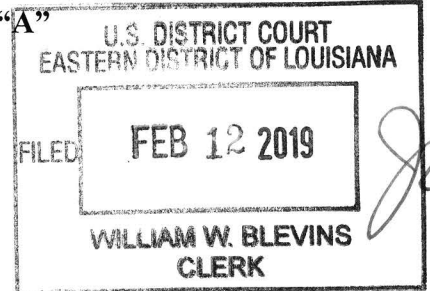
\*

a/k/a Maher Salem

\*

a/k/a Mike Salem

\* \* \*



FACTUAL BASIS

Should this matter proceed to trial, both the Government and the defendant, **MAHER SALIM (a/k/a Maher Salem, a/k/a Mike Salem)** (hereinafter "Defendant" or "SALIM") do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. Specifically, **SALIM** has agreed to plead guilty as charged to the Bill of Information charging him with trafficking in counterfeit goods, in violation of Title 18, United States Code, Section 2320(a)(1). The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant:

Records from the State of Louisiana Secretary of State would establish that BRANDS 4 LESS, INC. was a registered business located at 4200 Washington Ave., Unit A, New Orleans, Louisiana 70125, within the Eastern District of Louisiana. The registered agent and President of BRANDS 4 LESS, INC. was **SALIM**.

A Special Agent with the United States Department of Homeland Security – Homeland Security Investigations ("HSI") would testify that on or about November 9, 2016, HSI Agents assigned to the Office of the Special Agent in Charge, New Orleans, with assistance from officers

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUSA JG  
Defendant [Signature]  
Defense Counsel [Signature]

with U.S. Customs and Border Protection, conducted a cargo inspection of a package originating from the country of China at the DHL Express facility located at 200 Crofton Road, Kenner, Louisiana 70062. The package was addressed to Mike Salem, BRANDS 4 LESS, 4200 Washington Avenue, New Orleans, Louisiana 70125. It contained thirty-two (32) pairs of shoes that purported to be manufactured by Nike, Inc. (“Nike”) and that bore a Nike logo. Representatives of Nike would testify that the above-described shoes were, in fact, counterfeit merchandise that bore the brand, trademark, and symbol of Nike without authorization. The agents conducted the inspection because they possessed a reasonable suspicion that criminal activity (*i.e.*, the trafficking of counterfeit goods) was occurring. Consequently, the inspection was permissible without a search warrant because the HSI agents conducted the search pursuant to its extended border search authority. *See* Title 19, United States Code, Section 1581.

A contract representative of Nike would testify that, acting in his capacity as a Nike representative, on or about January 3, 2017, he entered BRANDS 4 LESS during its normal business hours and purchased a pair of Air Jordan Nike shoes for \$49.99. The Government would further establish, through the testimony of a representative of Nike, that the Air Jordan Nike shoes were, in fact, counterfeit.

A special agent with HSI would testify that, on about January 19, 2017, HSI agents executed a validly issued state search warrant at BRANDS 4 LESS. **SALIM** was working in the store at the time of the execution of the search warrant. During the search, HSI special agents identified and seized the following counterfeit items, in which **SALIM** was attempting to traffic:

- 111 pair of “True Religion” jeans
- 50 pair of “Rock Revival” jeans
- 8 “Michael Kors” purses

- 19 “Coach” wallets
- 2 “Michael Kors” wallets
- 8 “Louis Vuitton” purses
- 6 “Gucci” purses
- 177 “Polo” sweatshirts
- 41 pair of “Polo” sweatpants
- 24 “Polo” jogging suits
- 44 pair of “Timberland” boots
- 336 “New Era” hats
- 473 pair of “Nike” shoes
- 21 “Adidas” jogging suits
- 114 pair of “Adidas” shoes
- 6 bottles “Dolce & Gabbana” perfume
- 110 “Mitchell & Ness” hats
- 24 “North Face” vests
- 43 “Nike” hats

The Government would further introduce documentary evidence and testimony from representatives of the above-named companies that the collective fair market value of all the above-described items was approximately \$193,980.00. The aforementioned items were seized because they bore counterfeits of trademarks that were registered with the United States Patent and Trademark Office and are recorded with Customs and Border Protection.

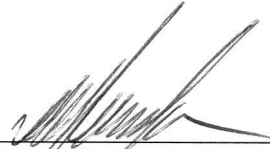
HSI agents would further testify that **SALIM** admitted that he intentionally trafficked in these counterfeit goods in that he purchased the above-listed items for the purpose of selling to the public with full knowledge that they were counterfeit. Defendant further admitted that he knowingly used and caused to be used counterfeit marks on and in connection with such goods and services, including marks which were in use and registered on the principal register of the United States Patent and Trademark Office on the items listed above.

Defendant further admitted that the use of the counterfeit marks on the seized items was likely to cause confusion, to cause mistake, and to deceive the public into believing that the items were genuine True Religion, Rock Revival, Michael Kors, Coach, Louis Vuitton, Gucci, Polo, Timberland, New Era, Nike, Adidas, Dolce & Gabbana, Mitchell & Ness, and North Face merchandise.


Experts in trademarks and counterfeit goods would testify that the items seized from **SALIM** at BRANDS 4 LESS on January 19, 2017, are indeed counterfeit and produced without authorization from the trademark holders and in violation of Federal criminal law.

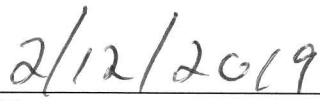
The above facts come from an investigation conducted by agents from HSI, documents from the United States Patent and Trade Office, evidence and testimony obtained in the course of the investigation by HSI, and voluntary statements made by the defendant, **MAHER SALIM**, to agents from HSI.

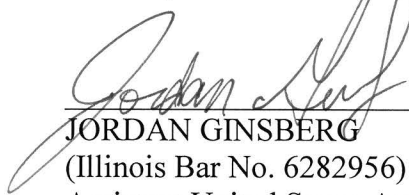
**APPROVED AND ACCEPTED:**

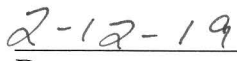
  
\_\_\_\_\_  
MAHER SALIM  
Defendant

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MICHAEL P. CIACCIO, ESQ.  
(Louisiana Bar No. 21428)  
Attorney for Defendant Salim

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
JORDAN GINSBERG  
(Illinois Bar No. 6282956)  
Assistant United States Attorney

  
\_\_\_\_\_  
Date