

Rav Yosef Greenwald, Rav of Khal Dexter Park and Dayan in the Bais HaVaad

Question: In Manhattan, it is very common for street vendors to sell knockoffs of name brands. If someone buys a belt from a street merchant that is claimed to be Ferragamo but is clearly an imitation for \$50, and then a block further, sees another vendor selling the same counterfeit Ferragamo for \$30, would he have a claim of *onaah*?

Answers: It stands to reason that there is a legitimate market price for knockoffs.

We know there are different prices for a product that is a brand name and one that is generic. There certainly is a market for generic products, with the accepted market price being less than the cost of the same product with a brand name. It would seem that the same idea would apply to knockoffs. If the item is being sold illegally, that might make it difficult to pin down what the price is; but if there is a clear price as to how much this knockoff sells for everywhere in Manhattan, that would become the accepted price and overcharging would be *onaah*.

Question: Knockoffs are often inferior in quality. If someone would buy an imitation Ferragamo belt and then it subsequently breaks the first time he tries it on, would he have a claim of *mekach ta'os* or do we say that he should have known it might not be good quality?

Answer: In English we say that, "You get what you pay for".

If someone buys a product that says, "Made in China" on it, or something of the sort, where he knows that he is paying less because the item is of inferior quality. That's fair game.

However, if it is accepted in the market that this specific item is supposed to be of better quality, there would definitely be a claim of *mekach ta'os*.