

From: Sophia Duncan sophie@brainwavec.com
Subject: Re: UPC Code
Date: Nov 2, 2021 at 7:56:38 AM
To: Zemen Mesmer zm@simplybarcodes.com
Cc: Marcelo Silva marcelo@simplybarcodes.com, Gleici (Glacy) Pereira
gp@simplybarcodes.com

Hi Zemen,

Your emails are very passive aggressive and unprofessional. Making it seem unreasonable to ensure my business is doing business correctly is not something I am ashamed of. I do my due diligence. You should do yours.



Sophia Duncan
Chief Financial Officer
P: 562.225.2097
E: sophie@brainwavec.com

On Nov 2, 2021, at 5:24 AM, Zemen Mesmer
<zm@simplybarcodes.com> wrote:

Sophie,

We have provided ample paperwork documenting ownership of the codes. We will not be researching similarly named companies, located in different states, founded decades later, to alleviate these unfounded doubts of our legitimacy.



Zemen
Your Global Barcode Expert
zm@SimplyBarcodes.com
877-UPC-2060
[404-869-0701](tel:404-869-0701)
[Extension 12](tel:404-869-0701)



www.SimpleBarcodes.com
...Barcoding Made Simple

From: Sophie <sophie@brainwavec.com>
Sent: Monday, November 1, 2021 6:20 PM
To: Zemen Mesmer <zm@simplybarcodes.com>
Subject: RE: UPC Code

Hi Zemen,

Thanks for the document. Gracie Enterprises in Washington was not incorporated until 2001 (UBI Number:[602 147 127](#)). It looks like the UPCC doc provided predates their incorporation, so I am unclear on how this is accurate. Is there another company I should look up to verify?

I also noted the UPCC certification does not list our specific UPC.



Sophia Duncan

Chief Financial Officer

P: [562.225.2097](tel:562.225.2097)

E: sophie@brainwavec.com



Save paper. Don't print.

From: [Zemen Mesmer](#)
Sent: Monday, November 1, 2021 12:46 PM
To: [Sophia Duncan](#)

Subject: FW: UPC Code

Hi Sophia,

Hope all is well.

Few things

- The image below is not legible as it was not sent as an attachment
- Your UPC Codes cannot expire since the prefix originates from 1984, which was well before (UCC now GS1 leased prefixes. At that time it was still a purchase)
- We offered to send you links to our clients who have been selling their products on Amazon for years and are still doing so and you declined.

We have proof in writing from Amazon stating that our Codes DO work.

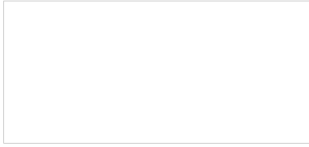
I have attached the origin documents as well as the proof of ownership for your convenience.

We have been trying to assist you and are standing by to answer any additional questions you may have.

Title: Simply Barcodes

Zemen
Your Global Barcode Expert
zm@SimplyBarcodes.com

877-UPC-2060
[404-869-0701](tel:404-869-0701)
[Extension 12](tel:404-869-0701)



www.SimplyBarcodes.com
...Barcoding Made Simple

From: Sophie <sophie@brainwavec.com>
Sent: Monday, November 1, 2021 2:13 PM
To: Zemen Mesmer <zm@simplybarcodes.com>
Subject: RE: UPC Code

Hi Zemen,

Here is the message. I feel I've give you enough information to show that a UPC is furnished to one company, and one company only, for a specific product. Brainwave C has no affiliation with the company within the GS1 database. Amazon checks for UPC and although the UPC is "valid" and active, it will not match my company name or product. Plus, we have no way of knowing if and when the annual fee is being paid. I will be contacting to dispute this charge as I was led to believe the UPC would be unique. Your UPCs do not meet Amazon standards. I will not be risking having my account and business suspended because of a grandfathered UPC loophole.

Thank you, have a great week!

cid:image005.png@01D7CF11.6254FE90



Sophia Duncan

Chief Financial Officer

P: 562.225.2097

E: sophie@brainwavec.com

Save paper. Don't print.

From: [Zemen Mesmer](#)

Sent: Monday, November 1, 2021 5:03 AM

To: [Sophia Duncan](#)

Subject: RE: UPC Code

Sophia,

Thank you for sharing the below screenshot.

However, as we have explained by phone. You are the owner of your UPC Code, you do not however own the prefix. Furthermore, the GS1 database only reflects the original prefix holder.

I may also add that the below is not a message from Amazon as you had stated.

Do you have an error message from Amazon?

Thanks again for your time,

Title: Simply Barcodes

Zemen
Your Global Barcode Expert
zm@SimplyBarcodes.com

877-UPC-2060
[404-869-0701](tel:404-869-0701)
[Extension 12](tel:404-869-0701)

www.SimplyBarcodes.com

...Barcoding Made Simple

From: Sophia Duncan <sophie@brainwavec.com>

Sent: Saturday, October 30, 2021 4:58 PM

To: Zemen Mesmer <zm@simplybarcodes.com>

Cc: orders@simplybarcodes.com

Subject: Re: UPC Code

Hi Zemen,

Thanks for speaking with me! Just for reference, the barcode sold to us is 051497294960.

The GS1 states, “ Obtaining a GS1 Company Prefix provides proof that your company, and only your company, is authorized to use a particular GS1 Company Prefix.” The company pre-Fix 051497 is assigned to Gracies Enterprises Ltd (below).

cid:image001.png@01D7CEf6.30544AD0



Here is Amazon stance. Our company and or brand must match the GS1 database. If we use the barcode purchased from simply barcodes, this would result in **false product identification**.

cid:image002.jpg@01D7CEF6.3D544AD0

The GS1 also states, “ A GS1 Company Prefix is issued to only one company by GS1 US and CANNOT be shared by multiple organizations. A GS1 Company Prefix uniquely identifies the company, so if multiple companies unknowingly use the same GS1 Company Prefix, it can cause confusion among trading partners, making unique product identification and product traceability problematic and potentially unattainable.”

“a GS1 US GTIN or a GS1 Company Prefix is for the sole use of the member to which it is licensed. GS1 US rules and regulations do not allow for the transfer of Identifiers except in limited circumstances, generally involving the sale of the company’s business, the sale of a business line, or the merger with another company (Transactions).”

As far as having the UPC reassigned, “ A GS1 US GTIN or a GS1 Company Prefix can only be transferred from one company to another if (1) there is a sale of the company’s business, (2) there is the sale of a business line of the company, or (3) a company merges with another company.”

Brainwave C has no rights, title, interest or affiliation with Gracies Enterprises Ltd.

Please let me know your thoughts.

Sophia

On Oct 29, 2021, at 10:22 AM, Zemen Mesmer
<zm@simplybarcodes.com> wrote:

Hi Sophia,

It was nice speaking with you.

Please be sure to share any communication from Amazon so I can assist you with your questions.

Thanks again,

<image001.png>

<image002.png>

Zemen
Your Global Barcode Expert
zm@SimplyBarcodes.com

877-UPC-2060
[404-869-0701](tel:404-869-0701)
[Extension 12](tel:404-869-0701)

www.SimplyBarcodes.com

...Barcoding Made Simple

From: Sophia Duncan <sophie@brainwavec.com>

Sent: Friday, October 29, 2021 2:31 AM

To: orders@simplybarcodes.com

Cc: zm@simplybarcodes.com

Subject: Re: UPC Code

Hello,

This barcode is used. I would like a refund. Thank you!

Sent from my iPad

On Sep 13, 2021, at 12:16 PM, Simply Barcodes
<orders@simplybarcodes.com> wrote:

Thank you for choosing Simply Barcodes!

<image002.jpg>

Please find a .zip file containing your barcode(s) attached. (Please save your files to a secure location, as future file recoveries may be subject to a fee if available.)

For your convenience, you receive your barcode graphic in different

formats so that your graphic artist, printing company, or manufacturing facility can work with the graphic in their preferred software.

Special Offers

Order today and receive **20% OFF** your Master Carton codes for your cases, pallets, or skids by entering the promotion code **SCC20** when you order.

Do you need to ship your product and want to learn more about barcodes for shipping? Visit us at <https://www.simplybarcodes.com/barcode-shipping-containers.html>

Do you need barcode labels printed?

1. **Same day print & ship** (on all orders placed before 2pm EST weekdays)
2. **Free shipping**
3. Affordable pricing
4. Custom orders available
5. Go to:
www.SimpleBarcodes.com/label_printing.html

Sincerely,

The Team at Simply Barcodes

Simply Barcodes

orders@SimplyBarcodes.com

www.SimplyBarcodes.com

[1-877-872-2060](tel:1-877-872-2060) (USA & Canada)

[+1-404-869-0701](tel:+1-404-869-0701) (International)



Virus-free. www.avast.com

<051497294960 - Simply Barcodes.zip>