



Brent & Harrow Trading Standards Service

WORKING IN PARTNERSHIP



14th September 2009

Quartet convicted of illegal operation at Wembley Market

Two convicted Wembley market traders dealing in counterfeit goods were sent to prison for up to two years at Inner London Crown Court on Monday (September 14) 2009.

Nazakat Hussain, aged 35, of Hospital Street, Walsall, West Midlands was sentenced to two years after being found guilty on 16 June 2009 in relation to the supply of counterfeit goods which breached the provisions of the Trade Marks Act 1994. Sajid Hussain, aged 27, of Hospital Street, Walsall, West Midlands was sentenced to six months in prison.

Two other men, Eidran Hussain, (19) of Gladstone Street, Walsall, West Midlands and Ali Hussain (25) of Dora Street, Walsall, West Midlands, were also sentenced after earlier pleading guilty to the same offence. Ali Hussain was sentenced to 200 hours and Eidran Hussain was sentenced to 100 hours of unpaid community work.

In passing the sentences His Honour Judge Roberts said: "Trading in counterfeit goods is a serious offence, the courts have made that quite clear".

"The mischief is that people are deceived into buying inferior goods and manufacturers have their good names destroyed. This type of trading has to be stamped out and those prosecuted must face deterrent sentences."

The four were caught after Brent & Harrow Trading Standards Service visited Wembley market on five occasions over several months and bought counterfeit Nike trainers from them.

Trading standards officers contacted the market operator, Wendy Fair Markets Ltd, and found that the stalls were registered to Naz and Sajid Hussain.

The officers wrote to the pair to warn them about the consequences of breaking the law relating to the sale of counterfeit goods. Despite the advice, the trade in counterfeit trainers continued.

On 22 June 2008 Brent and Harrow Trading Standards Service joined forces with the Metropolitan Police and raided the stalls where they found Sajid Hussain, Eidran Hussain and Ali Hussain with a large quantity of counterfeit trainers which bore the registered trademarks of such famous names as Nike, Fred Perry, Henri Lloyd, Lacoste and Adidas.

The counterfeit Nike trainers were found concealed at the back of the stalls. Officers also seized a large quantity of counterfeit trainers from a van that was registered to Nazakat Hussain. In total, trading standards seized 1,259 pairs of trainers being sold for about £25 each, giving a total sales value of £31,475.

All three present at the stalls were arrested and taken to Wembley police station and were later released on police bail. When interviewed for a second time, all three claimed to be working for someone else and denied any responsibility.

Nazakat Hussain was interviewed at a later stage but maintained that he had nothing to do with trading at markets and claimed to have lent an empty van to Sajid Hussain.

All four were charged under the Trade Marks Act 1994 in relation to the supply of counterfeit goods and pleaded not guilty at the Inner London Crown Court on 1 June.

Evidence put before the jury included the fact that Nazakat Hussain, who has two previous convictions in relation to the supply of counterfeit goods, had a van registered to him which had been spotted at a stall in Bovingdon market in Hertfordshire, where it was also shown that other counterfeit goods were being sold.

Nine days into the trial Sajid Hussain, Ali Hussain and Eidran Hussain were advised by their legal team to plead guilty. The trial against Nazakat Hussain continued.

The court heard that when interviewed Nazakat Hussain claimed that his name was not Naz, the name trading standards officers used when writing to him, and that he had not received any warning letters.

However, when cross examined he accepted that he had received two of the warning letters and thrown them in the bin. He also agreed that he was known as Naz and that his 6 series convertible BMW had a personalised number plate which included the name Naz.

He also tried to rely on a 2005 occasion when a solicitor acting for him contacted Brent & Harrow Trading Standards Service following the seizure of a large quantity of counterfeit goods from a stall registered to him. Another person accepted liability for the seized goods and no action was taken against Nazakat Hussain.

Despite the attempt to distance himself from the trade in illicit goods, evidence led back to him and the jury found him guilty.

A financial investigation will now calculate the benefit made as a result of selling counterfeit goods and a two-day hearing under the Proceeds of Crime Act 2002 has been set for 21 January, 2010.

Brent & Harrow Trading Standards Service has already restrained assets, including bank accounts and five properties, in order to prevent dissipation.

They will now investigate all of Nazakat and Sajid Hussain's finances and assets over a six year period so that the court can assess how much to confiscate.

The Proceeds of Crime Act is a powerful tool that local authorities can now use to strip criminals of the assets that they have acquired through crime.

After the case, Bill Bilon, Director Brent & Harrow Trading Standards Service, said: "I hope this sends out a strong message that counterfeiting doesn't pay. Not only do these individuals now have a criminal record but they also face being stripped of all assets gained as a result of selling fake goods"

"This and other recent prosecutions should show dishonest Wembley market traders that they are not going to get away with selling counterfeit goods. My officers will continue to work at Wembley market which I hope will reassure Brent residents and legitimate businesses that we are committed to tackling such problems".

- Ends -

Additional information

Notes for Editors

- The Trade Marks Act 1994 creates a criminal offences if a person sells, offers to sell or possesses for supply, counterfeit goods and a breach of this Act could result in an unlimited fine and or up to ten years imprisonment
- For further information on this press release or additional photographs, please contact Simon Legg on 020 8937 5522 or Lee Wenzel on 020 8937 5527.