

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE BUCHWALD

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

NATIONAL COLLECTOR'S MINT, INC.,
a Delaware corporation, and

AVRAM C. FREEDBERG, individually and as an
officer of National Collector's Mint, Inc.,

Defendants.

Case No.

13 CV 0345

COMPLAINT FOR PERMANENT
INJUNCTION AND OTHER
EQUITABLE RELIEF

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U.S. DISTRICT COURT
S.D. N.Y.

Plaintiff, the Federal Trade Commission ("FTC"), for its Complaint alleges:

SUMMARY OF THE CASE

1. This case concerns the deceptive marketing and sale of coins and collectibles. National Collector's Mint, Inc. and its chairman and president, Avram Freedberg (collectively the "Defendants"), prey on consumers' desire to purchase purportedly valuable coins and collectibles. Although Defendants claim that all purchases are covered by their 100% customer satisfaction "guarantee," and that consumers can order with complete "confidence," Defendants' ordering and returns process is misleading and deceptive. For example, Defendants charge consumers for items they did not order. When consumers attempt to return any merchandise, including unordered merchandise, they discover that, contrary to what Defendants promise, the return process is not simple and prompt but is fraught with undisclosed conditions. Defendants also dupe the public by purporting to offer "official" coins commemorating the 9/11 tragedy; in fact, however, Defendants' products are not sanctioned or endorsed by the United States

Government, and are not marked "COPY," in violation of the Hobby Protection Act.

2. The FTC brings this action under the Federal Trade Commission Act (the "FTC Act"), the Telemarketing and Consumer Fraud and Abuse Prevention Act ("Telemarketing Act"), the Telemarketing Sales Rule ("TSR"), the Unordered Merchandise Statute, and the Hobby Protection Act and its related rules to obtain injunctive, monetary, and other equitable relief for Defendants' acts or practices in violation of these laws and rules.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and 1345; and 15 U.S.C. §§ 45(a), 53(b), 57b, 2103, 6102(c), and 6105(b).

4. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c), and 15 U.S.C. § 53(b).

PLAINTIFF

5. The FTC is an independent agency of the United States Government created by statute. 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or practices in or affecting commerce. The FTC also enforces the Telemarketing Act, 15 U.S.C. §§ 6101-6108. Pursuant to the Telemarketing Act, the FTC promulgated and enforces the TSR, 16 C.F.R. Part 310, which prohibits deceptive and abusive telemarketing acts or practices. The FTC also enforces the Unordered Merchandise Statute, 39 U.S.C. § 3009, which, except as to charities, prohibits shipping unordered merchandise, and the Hobby Protection Act, 15 U.S.C. §§ 2101-2106, which prohibits the manufacture in or importation into the United States of imitation numismatic items for introduction into or distribution in commerce that are not plainly and permanently marked "COPY."

6. The FTC is authorized to initiate federal district court proceedings, by its own attorneys, to enjoin violations of the FTC Act, the Telemarketing Act, the Unordered

Merchandise Statute, and the Hobby Protection Act, and to secure such equitable relief as may be appropriate in each case, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b), 56(a)(2)(A), 56(a)(2)(B), 57b, 2103(b), 6102(c), and 6105(b); and 39 U.S.C. § 3009(a).

DEFENDANTS

7. Defendant National Collector's Mint, Inc. ("NCM") is a Delaware corporation with its principal place of business located at 8 Slater Street, Port Chester, NY 10573. NCM transacts or has transacted business in this district and throughout the United States. NCM is not a charitable organization.

8. Defendant Avram C. Freedberg ("Freedberg") is the president and chairman of NCM. At all times material to this Complaint, acting alone or in concert with others, he has formulated, directed, controlled, had the ability to control, or participated in the acts and practices of Defendant NCM, including the acts and practices set forth in this Complaint. Defendant Freedberg, in connection with the matters alleged herein, transacts or has transacted business in this district and throughout the United States.

9. Defendant Freedberg has been involved in conceiving Defendant NCM's telemarketing campaigns, engaging others to execute telemarketing campaigns, drafting the telemarketing scripts used by NCM's employees and telemarketers, and deciding whether its telemarketing campaigns should include upselling, as defined by the TSR, 16 C.F.R. § 310.2(ee).

10. Since as early as 2008, Defendants have engaged or caused others to engage in telemarketing through plans, programs, or campaigns conducted to induce the purchase of goods or services by use of one or more telephones and which involved more than one interstate telephone call.

COMMERCE

11. At all times material to this Complaint, Defendants have maintained a substantial course of trade in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANTS’ BUSINESS ACTIVITIES

12. Defendants are engaged in the manufacture, sale, and distribution of various items of merchandise, including imitation numismatic items, to the public in the United States and internationally.

13. NCM markets its products through telemarketing, advertisements in magazines, on television, via e-mail, and on websites, including at www.nationalcollectorsmint.com. NCM markets its products through both live operator telephone sales and an automated sales line, generally known as an interactive voice response (“IVR”) system.

A. Defendants Deceptively Market their Numismatics.

14. Defendants manufacture in or import into the United States for introduction into or distribution in commerce a variety of numismatic items that fail to comply with the Hobby Protection Act and its related rules, including numismatics commemorating the attacks on the United States of September 11, 2001.

15. Defendants have sold more than 230 varieties of 9/11-related coins and collectibles since 2008, generating more than \$22 million in sales.

16. For example, Defendants advertise the 9/11 Commemorative, the face of which bears “10th Anniversary September 11th Commemorative.” Defendants claim that the 9/11 Commemorative is “exclusively authorized,” and pays “homage to America’s heroes and remember[s] the day that changed America forever.” *See Exhibit A.*

17. Defendants' advertisements for the 9/11 Commemorative typically feature an image of the *USS New York* and the World Trade Center Towers, and indicate that the 9/11 Commemorative marks the 10th anniversary of September 11th by being double-dated with the years 2001 and 2011. The 9/11 Commemorative is priced at \$29.95.

18. In the summer of 2010, Congress authorized the United States Mint to manufacture and sell a medal to commemorate the 10th anniversary of the September 11th attacks (the "Original Medal"), and, commencing in June 2011, the United States Mint began selling the Original Medal. The Original Medal is inscribed "always remember 2001-2011." The Original Medal is an original numismatic item, as defined by Section 7 of the Hobby Protection Act, 15 U.S.C. § 2106.

19. Defendants' 9/11 Commemorative is an imitation numismatic item as defined in Section 7 of the Hobby Protection Act, 15 U.S.C. § 2106. Defendants have sold and continue to sell their 9/11 Commemorative at the same time that the U.S. Mint sells the Original Medal.

20. Many consumers are misled or confused as to whether Defendants are offering an official coin commemorating the September 11th attacks.

21. Because of consumer confusion, the U.S. Mint issued a consumer alert concerning Defendants' products. This consumer alert is displayed on the "hot items" page of the U.S. Mint's website, www.usmint.gov/consumer/?action=hotitems. A print-out of the U.S. Mint's consumer alert concerning Defendants' products is attached hereto as **Exhibit B**.

22. In its alert, the U.S. Mint specifically warns consumers that "the only official United States coin or medal to commemorate the 10th anniversary of the September 11th attacks is the 'National September 11th Memorial & Museum Commemorative Medal.'"

23. Defendants do not mark their 9/11 Commemorative with the word "COPY" as required

by Section 2(b) of the Hobby Protection Act, 15 U.S.C. § 2101(b), or pursuant to 16 C.F.R. § 304.6, on either its obverse or reverse side.

B. Defendants' IVR Ordering Process Results in Deception.

24. Defendants' advertisements for the 9/11 Commemorative and other coins and collectibles direct consumers to call a toll-free telephone number that Defendants' IVR system answers.

25. Defendants' IVR system allows consumers to order products through voice or touch keypad recognition.

26. The IVR system also presents consumers with upsells, which include the original product that consumers called in to purchase, such as the 9/11 Commemorative.

27. For example, when calling to place an order for Defendants' 9/11 Commemorative, consumers first hear the product advertisement, which states:

The face of this three-piece tribute is clad in 14 milligrams of pure 24 karat gold. Featured on the obverse are strikings of the USS NEW YORK which was built from 7.5 tons of steel salvaged from Ground Zero, and the Twin Towers, both beautifully clad with jeweler's precision in 14 milligrams of pure .999 silver. These strikings transform into a magnificent sculpture of the World Trade Center with the USS NEW YORK sailing past.

On the obverse is the official Department of Justice/FBI insignia including the inscription "Justice Will Prevail."

Each commemorative is double-dated with 2001 and 2011 to signify the 10-year anniversary of September 11th.

The price was to be set at \$49, but when you order today using our secure and convenient automated system, you'll get this magnificent commemorative at our absolute lowest price, just \$29.95, and only \$5.95 shipping and handling. That includes an individually numbered certificate of authenticity with triple verification of its 24 karat gold and recovery silver content.

28. Consumers then hear this message:

This call will take just a moment or two of your time and may be recorded. Please have your credit card ready during this call. Due to high demand and the limited nature of the commemorative, orders will be handled on a first-come, first-served basis.

29. After they indicate the quantity of 9/11 Commemoratives they want to order, consumers then hear the following:

Great! Your 10th Anniversary September 11th Commemorative comes with our iron-clad guarantee. If you're not 100% satisfied after receiving your order, you can return it within 30 days for a full refund! I'm confident, though, that you'll be thrilled to add this tribute to your collection. Now, I'll just need to know where you'd like me to send your package.

30. Defendants' IVR system then asks consumers to input their name, address, and payment method.

31. After Defendants receive consumers' payment information, consumers then hear the following recording:

You can order up to five 10th Anniversary September 11th Commemorative proofs during this call. Each one includes a certificate of authenticity and you'll save up to 50% on shipping and handling when you order more than one.

So how many would you like?

32. Defendants' IVR system asks consumers at least three times to confirm whether they are sure they want only one 9/11 Commemorative.

33. The IVR system then presents consumers with multiple upsells. Defendants' IVR system does not permit consumers to bypass the upsells.

34. In many instances when consumers press the key on the telephone indicating a zero

quantity desired, or say zero quantity, the automated system tells consumers, "I'm sorry, but I did not understand what you said," and the offer is repeated. Despite their repeated attempts to decline additional items, consumers complain that Defendants' automated system registers orders that consumers declined.

35. In numerous instances, Defendants' lengthy and confusing IVR, which does not permit consumers to readily decline repeated upsells of merchandise, results in the receipt of merchandise that consumers did not order.

36. At the end of Defendants' IVR sales call, Defendants' recording informs consumers only that their order is complete and will be processed. In numerous instances, Defendants fail to provide consumers with the total cost of their purchases, a breakdown of the items that consumers ordered, or all of the material terms of Defendants' refund policy.

C. Defendants' Return Policy Is Illusory and Deceptive.

37. Defendants fail to disclose, or to disclose adequately, material terms and limitations of their guarantee and return policy.

38. Defendants represent, through various advertisements and marketing materials, that they have an "ironclad" 30-day money-back guarantee.

39. Defendants further represent that "You can order with confidence from National Collector's Mint because all of your purchases are fully protected by our 30-Day Solid Gold Money-Back Guarantee!" A print-out of Defendants' website guarantee as it appeared on September 21, 2011 is attached hereto as **Exhibit C**.

40. Defendants repeat this guarantee on the IVR sales calls when they tell consumers that the consumer's purchase "comes with our iron-clad guarantee. If you're not 100% satisfied after receiving your order, you can return it within 30 days for a full refund!"

41. Defendants represent that if consumers are not satisfied with anything they buy from Defendants, consumers can “simply return it” for a “prompt refund.”

42. Defendants fail to disclose, or to disclose adequately, that consumers must pay for insurance and shipping in order to receive a refund.

43. Defendants also fail to disclose, or to disclose adequately, that Defendants require consumers, for any purchases costing more than \$100, to obtain a Return Merchandise Authorization (“RMA”) number that can be obtained only through a live operator.

44. Typically, consumers first learn of the RMA policy only after they have received Defendants’ package and have determined that they want to return all or part of the order.

45. In many instances, consumers are unable to reach NCM’s customer service representatives to request the RMA number, despite leaving multiple voicemail messages and sending e-mail messages.

46. In many instances, when consumers successfully reach one of Defendants’ live customer service representatives, they are given conflicting information as to how to obtain the RMA number.

47. Moreover, after consumers finally receive instructions on how to obtain a refund, refunds are not processed until many weeks or months have passed.

48. In some instances, consumers have been unable to receive a refund from Defendants.

VIOLATIONS OF THE FTC ACT

49. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or deceptive acts or practices in or affecting commerce.”

50. Misrepresentations or deceptive omissions of material fact constitute deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

51. Acts or practices are unfair under Section 5 of the FTC Act if they cause substantial injury to consumers that consumers cannot reasonably avoid themselves and that is not outweighed by countervailing benefits to consumers or competition. 15 U.S.C. § 45(n).

COUNT I

Failure to Disclose Material Aspects of the Refund Policy

52. In numerous instances in connection with the advertising, marketing, promotion, offering for sale, or sale of numismatics and other merchandise, Defendants have represented, directly or indirectly, expressly or by implication, that consumer satisfaction is guaranteed, and consumers would receive a prompt full refund within 30 days of their purchase.

53. In numerous instances in which Defendants have made the representations set forth in Paragraph 52, above, Defendants have failed to disclose, or to disclose adequately, to consumers material terms and conditions of their refund policy, including that:

- A. In order to receive a refund from Defendants, consumers must pay for insurance and shipping; and
- B. For any purchases costing more than \$100, consumers must obtain a RMA number that can only be obtained through a live operator.

54. Defendants' failure to disclose, or to disclose adequately, the material information set forth in Paragraph 53, above, in light of the representations described in Paragraph 52, above, constitutes a deceptive act or practice in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

VIOLATIONS OF THE UNORDERED MERCHANDISE STATUTE

55. The Unordered Merchandise Statute, 39 U.S.C. § 3009, generally prohibits shipping unordered merchandise unless such merchandise is clearly and conspicuously marked as a free

sample or is mailed by a charitable organization soliciting contributions. The Statute also prohibits mailing bills for unordered merchandise or dunning communications.

56. Pursuant to Section (a) of the Unordered Merchandise Statute, a violation of the Statute constitutes an unfair method of competition and an unfair trade practice, in violation of Section 5(a)(1) of the FTC Act, 15 U.S.C. § 45(a)(1).

COUNT II
Mailing Unordered Merchandise

57. In numerous instances, in connection with the advertising, marketing, promotion, offering for sale, or sale of numismatics and other merchandise, Defendants have mailed unordered merchandise to consumers without clearly and conspicuously marking the merchandise as free samples.

58. Defendants' acts or practices, as described in Paragraph 57 above, violate Section (a) of the Unordered Merchandise Statute, 39 U.S.C. § 3009(a), and Section 5(a)(1) of the FTC Act, 15 U.S.C. § 45(a)(1).

VIOLATIONS OF THE TELEMARKETING SALES RULE

59. Congress directed the FTC to prescribe rules prohibiting abusive and deceptive telemarketing acts or practices pursuant to the Telemarketing Act, 15 U.S.C. §§ 6101 - 6108, in 1994.

60. Defendants are "seller[s]" or "telemarketer[s]" engaged in "telemarketing," as defined by the TSR, 16 C.F.R. §§ 310.2(aa), (cc), and (dd).

61. The TSR defines upselling as "soliciting the purchase of goods or services following an initial transaction during a single telephone call. The upsell is a separate telemarketing transaction, not a continuation of the initial transaction," 16 C.F.R. § 310.2(ee). Defendants offer

product upsells, as defined in the TSR, as part of their telemarketing sales practices. *Id.*

62. The TSR prohibits sellers and telemarketers from misrepresenting, directly or by implication, in the sale of goods or services, among other things:

- A. Any material aspect of the performance, efficacy, nature, or central characteristics of goods or services that are the subject of a sales offer. 16 C.F.R. § 310.3(a)(2)(iii).

63. The TSR prohibits sellers and telemarketers from failing to disclose truthfully in a clear and conspicuous manner, before a customer pays for goods or services, among other things:

- A. The total costs to purchase, receive, or use, and the quantity of, any goods or services that are the subject of the sales offer. 16 C.F.R. § 310.3(a)(1)(i);
- B. If a seller has a policy of not making refunds, cancellations, exchanges, or repurchases, a statement informing the customer that this is the seller's policy; or, if the seller or telemarketer makes a representation about a refund, cancellation, exchange, or repurchase policy, a statement of all material terms and conditions of such policy. 16 C.F.R. § 310.3(a)(1)(iii).

64. Pursuant to Section 3(c) of the Telemarketing Act, 15 U.S.C. § 6102(c), and Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a violation of the TSR constitutes an unfair or deceptive act or practice in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT III
Failure to Disclose Material Refund Policy Terms

65. In numerous instances, in the course of telemarketing numismatics and other merchandise, Defendants have failed to disclose truthfully, in a clear and conspicuous manner,

before a consumer pays for the goods or services, all material terms and conditions of their refund policy, including that:

- A. In order to receive a refund from Defendants, consumers must pay for insurance and shipping; and
- B. For any purchases costing more than \$100, consumers must obtain a RMA number that can only be obtained through a live operator.

66. Defendants' acts or practices, as described in Paragraph 65 above, violate Section 310.3(a)(1)(iii) of the TSR, 16 C.F.R. § 310.3(a)(1)(iii), and Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

COUNT IV Failure to Disclose Total Costs

67. In numerous instances, in the course of telemarketing numismatics and other merchandise, Defendants have failed to disclose truthfully, in a clear and conspicuous manner, before a consumer pays for the goods or services offered, the total costs of the sales offer.

68. Defendants' acts or practices, as described in Paragraph 67 above, violate Section 310.3(a)(1)(i) of the TSR, 16 C.F.R. § 310.3(a)(1)(i), and Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

VIOLATIONS OF THE HOBBY PROTECTION ACT AND ITS RULES

69. The Hobby Protection Act requires that imitation numismatic items that are manufactured in the United States or imported into the United States for introduction into or distribution in commerce be plainly and permanently marked with the word "COPY," 15 U.S.C. § 2101(b). In Section 2(c) of the Hobby Protection Act, Congress directed the FTC to prescribe rules related to that Act, 15 U.S.C. § 2101(c). Pursuant to Section 2(c), the FTC promulgated 16 C.F.R.

Part 304, Rules and Regulations Under the Hobby Protection Act (the “HPA rules”).

Section 304.6(b) of the HPA rules, 16 C.F.R. § 304.6, provides, among other requirements, that the word “COPY” shall be marked upon imitation numismatic items “legibly, conspicuously, and nondeceptively.”

70. Pursuant to Section 4(b) of the Hobby Protection Act, 15 U.S.C. § 2103(b), a violation of the Hobby Protection Act constitutes a violation of the FTC Act.

COUNT V
Failure to Mark Properly Imitation Numismatic Items

71. In numerous instances, NCM has manufactured in the United States or imported into the United States for introduction into or distribution in commerce imitation numismatic items that do not bear the word “COPY” as prescribed by the Hobby Protection Act, 15 U.S.C. § 2101(b), or do not bear the word “COPY” marked legibly, conspicuously, and non-deceptively.

72. Defendants’ acts and practices, as described in Paragraph 71, above, violate Section 2(b) of the Hobby Protection Act, 15 U.S.C. § 2101(b), Section 304.6(b) of the HPA rules, 16 C.F.R. § 304.6, and Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

CONSUMER INJURY

73. Consumers have suffered and will continue to suffer substantial injury as a result of Defendants’ violations of the FTC Act, the Unordered Merchandise Statute, the TSR, the Hobby Protection Act, and the HPA rules. In addition, Defendants have been unjustly enriched as a result of their unlawful acts or practices. Absent injunctive relief by this Court, Defendants are likely to continue to injure consumers, reap unjust enrichment, and harm the public interest.

THIS COURT’S POWER TO GRANT RELIEF

74. Section 13(b) of the FTC Act, 15 U.S.C. § 53(b), empowers this Court to grant injunctive

and such relief as the Court may deem appropriate to halt and redress violations of any provision of law enforced by the FTC. The Court, in the exercise of its equitable jurisdiction, may award ancillary relief, including rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies, to prevent and remedy any violation of any provision of law enforced by the FTC.

75. Section 19 of the FTC Act, 15 U.S.C. § 57b, Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), and Section 4 of the Hobby Protection Act, 15 U.S.C. § 2103, authorize this Court to grant such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the Unordered Merchandise Statute, the TSR, the Hobby Protection Act, and the HPA rules, respectively, the rescission or reformation of contracts, and the refund of money.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff FTC, pursuant to Sections 13(b) and 19 of the FTC Act, 15 U.S.C. §§ 53(b) and 57b, and Section 6(b) of the Telemarketing Act, 15 U.S.C. § 6105(b), and the Court's own equitable powers, requests that the Court:

- A. Enter judgment against Defendants and in favor of Plaintiff for each violation alleged in this complaint;
- B. Award Plaintiff such preliminary injunctive and ancillary relief as may be necessary to avert the likelihood of consumer injury during the pendency of this action and to preserve the possibility of effective final relief, including but not limited to temporary and preliminary injunctions;
- C. Enter a permanent injunction to prevent future violations of the FTC Act, Telemarketing Act, the TSR, the Unordered Merchandise Statute, the Hobby Protection Act, and

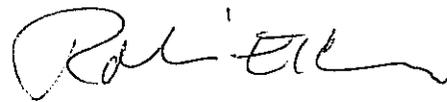
the HPA rules by Defendants;

D. Award such relief as the Court finds necessary to redress injury to consumers resulting from Defendants' violations of the FTC Act, the Unordered Merchandise Statute, the TSR, and the Hobby Protection Act, and the HPA rules, including but not limited to, rescission or reformation of contracts, restitution, the refund of monies paid, and the disgorgement of ill-gotten monies; and

E. Award Plaintiff the costs of bringing this action, as well as such other and additional relief as the Court may determine to be just and proper.

Respectfully submitted,

DAVID C. SHONKA
Acting General Counsel



Dated:

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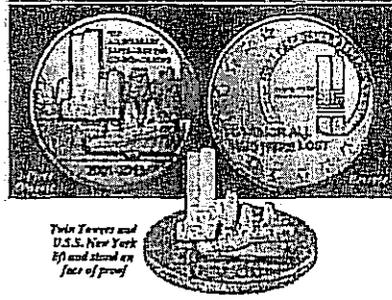
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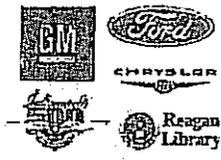
10th Anniversary World Trade Center Commemorative
Item #: 17747
Price :\$29.95

Quantity 1



National Collector's Mint, Inc. is an independent, private corporation not affiliated with, endorsed, or licensed by the U.S. government or the U.S. Mint. All tributes to original coins contain the "copy" designation as mandated by federal law.

NCM is or has been an Official Licensee of



Official First Responders 10th Anniversary World Trade Center Commemorative
Clad In .999 pure silver actually recovered from Ground Zero

The great Navy ship USS New York was built using 7.5 tons of steel salvaged from the World Trade Center. Now, it appears on our exclusively authorized 10th Anniversary September 11th commemorative, featuring separate sculptures of the USS New York and the World Trade Center Towers inset with jeweler precision on its obverse. Both the Twin Towers and the USS New York actually rise up to transform this historic 3-piece commemorative into a magnificent standing sculpture of the World Trade Center with the USS New York sailing past! The commemorative base is clad in 14 mg of pure 24 Karat gold. Then the USS New York and the Twin Towers are clad in 14 mg of .999 pure silver, priceless silver recovered from Ground Zero. Double dated 2001-2011, the reverse features 10 stars struck in frosted relief, one for each year since that fateful day, along with the official insignia of the First Responders Alliance. Comes complete with an individually numbered certificate of authenticity confirming its 24 karat gold and recovery silver content. Privately minted - never released for circulation and available only to collectors. Pay homage to America's heroes and remember the day that changed America forever ...order today!

Not affiliated, licensed or endorsed by the National September 11 Memorial & Museum.

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Exhibit A



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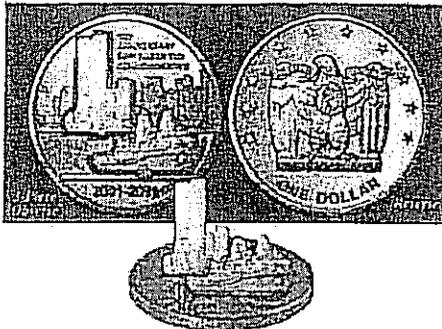
Collecting Coins

Consumer Awareness

The United States Mint frequently receives inquiries from consumers who have confused coin-related products from private companies with genuine United States coinage. This page includes information about these products, plus other coin-related issues that may be of interest to our customers and to the general public. As more public inquiries are received and new issues arise, additional information will be added, so remember to check this page for updates.

- [10th Anniversary September 11th Commemorative Dollar](#)
- [Initiation Pre-1950 Coinage](#)
- [President-Elect Barack Obama "Commemorative Coins"](#)
- [2004 United States Mint Lewis and Clark Coin and Pouch Sets Containing Pouches From the Shawnee Nation United Remnant Band of Ohio](#)
- [FINAL REGULATION ISSUED PROHIBITING THE EXPORTATION, MELTING, OR TREATMENT OF UNITED STATES ONE-CENT AND 5-CENT COINS](#)
- [Archived Items](#)

10th Anniversary September 11th Commemorative Dollar



Source: National Collector's Mint

The United States Mint wants to alert consumers and the public about a new product being marketed by a private firm—the National Collector's Mint. The National Collector's Mint advertises this product as a "10th Anniversary September 11th Commemorative Dollar" and claims that it is a "Liberian government authorized legal tender coin."

This product is not a genuine United States coin or medal. Under the Constitution, Congress has the exclusive power to coin money of the United States. Congress has delegated its authority to mint and issue coins to the Secretary of Treasury, and Congress requires the Secretary to carry out these duties at the United States Mint. Thus, the United States Mint is the only government entity in the United States with the authority to coin money.

Consumers may find the advertisements for this product confusing because the National Collector's Mint uses phrases such as "legal tender dollar." The product itself may be confusing because it bears the denomination "One Dollar." Congress did not authorize the National Collector's Mint product, and the United States Government does not endorse it.

The only official United States coin or medal to commemorate the 10th anniversary of the September 11th attacks is the "National September 11 Memorial & Museum Commemorative Medal," which is authorized by Public Law 111-221 (approved by the President on August 6, 2010). The design of these medals will be emblematic of the courage, sacrifice, and strength of those individuals who perished in the terrorist attacks of September 11, 2001, the bravery of those who risked their lives to save others that day, and the endurance, resilience, and hope of those who survived. Each medal struck will bear an inscription of the years "2001-2011" and an inscription of the words "Always Remember." These national medals will be struck by the United States Mint and made available for sale to the public later this year. Surcharges received by the United States Mint from the sale of the medals are authorized to be paid to the National September 11 Memorial & Museum at the World Trade Center to support the operations and maintenance of the National September 11 Memorial & Museum at the World Trade Center following its completion.

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Exhibit B



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Exhibit C