

BEDIVAR, S.A.

Loja Cat / Merrell Oeiras Parque
C.C. Oeiras Parque, loja 1086A
2780-594 Oeiras

Lisboa, 9 Fevereiro de 2009

Assunto: Devolução referente ao modelo Chameleon Wrap Mid Gore-Tex, refº86463, tamanho 9UK.

Exmos. Srs.,

Na sequência da vossa devolução de uns ténis da Merrell, modelo Chameleon Wrap Mid Gore-Tex, com a refº 86463 no tamanho 9UK, e após a sua análise pelos nossos serviços de controlo de qualidade, vimos por este meio informar-vos de que esta devolução não é por nós aceite, visto a reclamação apresentada pelo cliente não se dever a qualquer defeito de fabrico ou má construção do sapato, mas a um desgaste normal do sapato.

O Gore-Tex é uma membrana com micro-poros, que torna o calçado impermeável e permite que o pé respire, sendo normal que com o uso, os poros dilatem reduzindo a impermeabilidade da membrana.

Encontramo-nos à vossa disposição para qualquer esclarecimento adicional que considerem necessário.

Sem outro assunto de momento, subscrevemo-nos com os nossos melhores cumprimentos.

Atentamente,


BEDIVAR, S.A.

Ana Figueiredo,
(Controlo de qualidade)

From: LuisR [xxxxxxx@gmail.com]
Sent: segunda-feira, 16 de Fevereiro de 2009 16:14
To: 'merrellcs@wwwinc.com'
Subject: COMPLAINT - Merrell
Attachments: Bedivar SA response to claim.pdf; Merrell Chameleon.zip

Importance: High

To
Customer Service
MERRELL

Cascais (Portugal), 16 Feb 2009

COMPLAINT : Merrell boots, model CHAMELEON Wrap Mid Gore-Tex, ref. 86463,
NO waterproof

Dear Sirs

My wife and I, between us, own 6 pairs of Merrell shoes and have up until now been happy with your products.

I purchased my Merrell 'Chameleon' boots 3 years ago with a view to possible use on trekking holidays; since we have a maximum of 30 days holiday per year you will see that use of the boots would receive limited usage. I set out below details of the wear I have given these boots to date.

2006			
12 days in Morocco (4x4)	<i>light use</i>	visiting cities, short walks	no water, no mud, some rocky paths
10 days in Lanzarote	<i>very light use</i>	visiting monuments, short walks	no water, no mud, some rocky paths
15 days in Asturias	<i>medium use</i>	some day trekking in mountains till 2.600m peaks	no water, no mud, rocky paths
2007			
12 days in Chamonix (Montblanc)	<i>light use</i>	shorts walks, some trekking in mountain	no water, no mud, some rocky paths
15 days in Asturias	<i>medium use</i>	some day trekking in mountains till 2.600m peaks	some water, some mud, rocky paths
2008			
16 days in Costa Rica (tour)	<i>medium use</i>	shorts walks, some trekking in tropical forest	no water, some mud, no rocky paths
15 days in Asturias	<i>medium use</i>	some day trekking in mountains till 2.600m peaks	no water, some mud, rocky paths
10 days in London	<i>light use</i>	walks inside the city	some water, no mud, no rocky paths

To the above we can add approximately 10 weekends spent in Portugal near Sintra and Cascais where the use given can only be described as light. As you can see after 3 years the use received is minimal to light.

Furthermore, after each use the boots are cleaned using only products recommended by the seller. The boots are then stored in their original box.

Merrell are not the only recreational/sporting footwear we use. For normal daily city use, when not working, I also use Timberland full leather models; we also wear Trezeta, Scarpa and Garmont boots. My personal preference goes to Trezeta, these are incredibly comfortable, have a Vibram sole, and have remained waterproof after many years of hard use (approx 10 years) and to date I have never had any complaint.

Being an active outdoor couple we regularly use brands like North Face and Nitro (garments), Vaude, Deuter and Vango (rucksacks, sleeping bags, tents, accessories), Northland Professional (outdoor travel bags, accessories) as well as others.

I can say that **any** quality issues we have raised with these leading manufacturers have been dealt with promptly and resolved by the seller together with the manufacturer. On almost all occasions these companies have upheld their reputation and standards, replacing the faulty article with a brand one, and on occasion with a new improved model. We have never complained unjustly and the reason we always choose leading manufacturers is because we want the best and most reliable equipment money can buy.

Your 'Chameleon' boots are marketed, as per your website, as being waterproof and durable, however this is not the case with the particular pair of boots in question. I can only assume that the manufacture of these particular boots is in some way faulty since your website certainly does not advertise them as intended for 'city use only'.

Gore-Tex is a tested, well known waterproof membrane that should not lose its durability after such limited use; I was in London last year in December and walked around town almost everyday with wet feet because the boots allowed rain water to seep into the tops of my feet.

I understand that the Portuguese market may be small and therefore not considered of much significance to a large company such as Merrell. It is certainly obvious that your representative in Portugal, Bedivar, SA, considers spending money on plush offices in central Lisbon more important than maintaining customer satisfaction. However, I would like to point out that in this climate a company's good reputation is something which should be valued and built on, a point which your representative seems to have completely missed.

I would have expected that since the boots have not lived up to the standards advertised by yourselves that your representative would have either provided a new pair or refunded the monies. Instead he states that I should expect the material to lose its waterproofing, regardless of extremely limited use and the claims made by yourselves (please find a copy of his letter attached).

I sincerely hope that you will be able to resolve this issue since prior to this incident I have not had any problems with Merrell products and considered that you were a make I would strongly recommend to friends and acquaintances. My experiences

with your representative however would make me think twice about recommending you to anyone.

I look forward to hearing from you soon.

Yours faithfully

LuisR

From: Web - Merrell Customer Service [<mailto:merrellcs@wwwinc.com>]
Sent: quinta-feira, 19 de Fevereiro de 2009 21:44
To: xxxxxxxx@gmail.com
Subject: RE: COMPLAINT - Merrell

Good Afternoon LuisR,

Thank you for your inquiry. While our brand enjoys global recognition, due to international licensing and distributor agreements, each individual national region is a separate marketing area. As shipping is prohibited between designated markets areas, you may see styles in some countries but not in others or the same style in a different color offering.

You have reached Consumer Relations in the US. For information regarding Merrell products in your country, please contact:

Portugal

Bediver Lda, Lisbon

Phone: 351.21.799.18.90

merrell@bedivar.pt

I have forwarded your information to our customer service in Portugal.

Kind regards,

Rachel Vormittag
Merrell Consumer Relations
1-800-288-3124

From: LuisR [xxxxxxxx@gmail.com]
Sent: quarta-feira, 25 de Fevereiro de 2009 14:49
To: 'Web - Merrell Customer Service'
Subject: RE: COMPLAINT - Merrell

Importance: High

Dear Sirs

My complaint is regarding a failure in the manufacture goods sold under the name of Merrell. Your email seems to intimate is that whilst Bedivar is distributing Merrell's brand, whom you own, you are in no way responsible for the quality of the product and have no interest in whether your distributor meets the basic requirements of customer satisfaction. This would, in effect, negate the whole point of buying Merrell products since all I am buying is a name on the box.

Your 'standard' response is in no way adequate, and I would like to know what the procedure is when registering a complaint against one of Merrell's distributors. I also request that you provide me with the name and contact address (merely and email address will not suffice) of the Director in charge of Customer Relations.

Yours faithfully

LuisR

-----Original Message-----

From: "Vormittag, Rachel" <Rachel.Vormittag@wwwinc.com>
To: xxxxxxxxxxxx@gmail.com
Sent: 03-03-09 22:16
Subject: RE: COMPLAINT - Merrell/rv

Good afternoon Mr. LuisR,

May I please have your shipping address so that I may better assist you?

Also, what size was your Chameleon Wrap Mid GTX (J86463)?

Kind regards,

Rachel Vormittag
Merrell Consumer Relations
1-800-288-3124

From: LuisR [xxxxxxxxxxxx@gmail.com]
Sent: quarta-feira, 4 de Março de 2009 15:58
To: 'Vormittag, Rachel'
Subject: FW: COMPLAINT - Merrell/rv

Importance: High

Dear Rachel,

My shipping address is as follows:-

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
PORTUGAL

And the size of my Chameleon Wrap Mid GTX (J86463) is:- Men USA 9.5 UK/GB
9 Euro 43.5

I would like take this opportunity to thank you for your time and assistance, and not least for restoring my faith in what I believe is a fine product and in excellent customer service. I just hope that your distributors learn by your fine example.

Kindest regards

LuisR

Good afternoon Luis,

I have great news for you! We will be able to replace the pair. All you need to do is send the shoes to the address provided below. They will be waiting for your package. Upon receiving the package, they will inspect the shoes and give the go ahead to replace. I wanted to take the time to thank you for your persistence and patience in resolving this matter. Please let me know if you have any questions. Thank you.

*Bedivar, S.A.
Tiago Veloso
Campo Grande, 28 - 8ªB
1700-093 Lisbon, Portugal
351 21 799 18 90*

Kind regards,

Rachel Vormittag
Merrell Consumer Relations
1-800-288-3124

From: LuisR [xxxxxxx@gmail.com]
Sent: terça-feira, 31 de Março de 2009 18:29
To: 'Vormittag, Rachel'
Subject: FW: COMPLAINT - Merrell/rv

Importance: High

Dear Rachel,

As instructed in your email of the 2009-03-09, I took the boots into Bedivar and personally handed them over on the 11th of March. To date I have heard nothing.

Can you please clarify what is going on as in a previous email you intimated that you would send me a replacement pair of boots (even going so far as to ask what size boot I took), this was then followed by a subsequent email requesting I take the boots back (*once again*) to Bedivar. Now, 15 working days later, we are still no closer to resolving the situation.

I have now been unable to enjoy the use of my boots, which I bought in all good faith from what I believed to be a trusted brand, for almost 4 months. With all due respect this has become completely unacceptable and I would like you to contact Bedivar and resolve the matter as soon as possible.

I am sorry if I seem to have become impatient but I am not in the habit of paying good money for something which I cannot use, and in this economic climate this is not something many people would find acceptable.

I sincerely hope you are now able to expedite matters.

Yours sincerely

LuísR

From: Vormittag, Rachel [<mailto:Rachel.Vormittag@wwwinc.com>]
Sent: quarta-feira, 1 de Abril de 2009 13:45
To: xxxxxxxxxxx@gmail.com
Cc: Rose, Troy
Subject: RE: COMPLAINT - Merrell/rv

Good morning Luis,

I have forwarded your comments to our International Department as I have done before and I am certain they are working on your situation. Unfortunately, I work in consumer relations for the United States and am outside your jurisdiction. I have helped you to the best of my ability and can be of no further assistance. Please contact the information below if you need additional assistance.

Portugal
Bedivar Lda, Lisbon
Phone: 351.21.799.18.90
merrell@bedivar.pt

Kind regards,

Rachel Vormittag
Merrell Consumer Relations
1-800-288-3124



From: LuisR [xxxxxxxxxxx@gmail.com]
Sent: quarta-feira, 1 de Abril de 2009 15:34
To: 'Vormittag, Rachel'
Subject: RE: COMPLAINT - Merrell/rv

Dear Rachel,

I appreciate your assistance to date and acknowledge the fact that you have passed on the problem to the 'International Department'; I trust Merrell does have its own International Department through contracts are set up with distributors and you are not simply referring to Bedivar? That being the case can you please let me have the contact details for your International Department so that I can follow this up.

Many thanks

LuísR



MERRELL
let's get outside





MERRELL
It's get outside

MERRELL
CONTINUUM

MERRELL

MERRELL
Performance Footwear





