

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Jon Leibowitz, Chairman
Pamela Jones Harbour
William E. Kovacic
J. Thomas Rosch**

<p style="text-align: center;">In the Matter of</p> <p>ENHANCED VISION SYSTEMS, INC.,</p> <p style="text-align: center;">a corporation.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>DOCKET NO. C-4265</p>
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COMPLAINT

The Federal Trade Commission, having reason to believe that Enhanced Vision Systems, Inc. (“respondent”) has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Enhanced Vision Systems, Inc. is a California corporation with its principal office or place of business at 5882 Machine Drive, Huntington Beach, California 92649.
2. The acts and practices of respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.
3. Respondent advertises, labels, develops, manufactures, offers for sale, sells, and/or distributes goods to the public throughout the United States, including vision enhancement products such as the Merlin desktop magnifier and Acrobat 3-in-one LCD portable video magnifier, and the Merlin and Acrobat family of products. Respondent sells these products to the public through dealers and retail outlets.
4. Respondent has disseminated or has caused to be disseminated advertisements, including in national print publications, on shipping boxes, and on data sheets provided to dealers and consumers, for certain of its products, including but not necessarily limited to the attached Exhibits A through E. The advertisements contain the following statements or depictions:

- A. **Enhanced Vision ad featuring the 3-in-1 Acrobat Magnifier, Exhibit A**
“made in the USA”
Newsweek, May 12, 2008 and June 16, 2008
- B. **Enhanced Vision ad featuring the Desktop Merlin Magnifier, Exhibit B**
“made in the USA”
AAA Journey - Maine, New Hampshire, Vermont, September 2008
- C. **Enhanced Vision Ad, featuring the Desktop Merlin Magnifier, the handheld Amigo magnifier, and the 3-in-one Acrobat Magnifier, Exhibit C**
“made in the USA”
VFW Magazine, August 2008
- D. **Acrobat LCD Data Sheet, Exhibit D**
In text: “Acrobat, like all Enhanced Vision products is made in the U.S.A.”
Under Enhanced Vision Logo and contact information: “*MADE IN THE U.S.A.*”
- E. **Merlin Plus Data Sheet, Exhibit E**
Under Enhanced Vision Logo and contact information in red ink: “Made in the USA”

5. Through the means described in Paragraph 4, respondent has represented, expressly or by implication, that certain of its vision enhancement products, including the Merlin and Acrobat family of products, are made in the United States.

6. In truth and in fact, a significant portion of the components of such products is, or has been, of foreign origin. Therefore, the representation set forth in Paragraph 5 was, and is, false or misleading.

7. The acts and practices of respondent as alleged in this complaint constitute unfair or deceptive acts or practices in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this third day of September, 2009, has issued this complaint against respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL: