



## **Fakes & Frauds**

### **Shelby American World Registry**

#### **von 1987**

*If you want to build a fake Cobra, it will cost you. The parts required, although available, will be expensive. So will be the labor to assemble the car. We are not talking kit car here. Building what ultimately becomes a seamless body out of aluminum takes such skill that there are probably less than 1000 people in the whole world who are qualified. Building a fake Shelby, on the otherhand, is much easier. All you need are a Mustang and all of the technique parts Shelby added. Or, at any rate, most of them.*

*So why aren't we drowning in a sea of fake Shelby's? Like somany other things, the answer is money. By rough estimate, the cost of parts and labor required to build a passable fake Cobra is probably under \$50,000. A genuine Cobra with faultless title and owner history, newly restored, is worth somewhere between*

*\$75,000 and \$150,000 (with competition cars going for more). That difference is quite an incentive to phoney-up some paper-work and try to paddle a bogus car as an original. The cost of buying a fairly decent Mustang and all of the proper Shelby parts is probably closer to \$8,000. The selling price of a corresponding Shelby is likely to be around \$15,000. The profit margin is much lower. But make no mistake: as the value of Shelbys climb, so will the number of fakes that will be attempted to be passed off on unsuspecting buyers. There are two things standing in the way of all fake Cobras and Shelbys. One is the system of individual state departments of motor vehicles and each states' laws prohibiting tampering with vehicle identification numbers and requiring proper documentation. Law enforcement agencies, in most cases, do not get involved until there is a victim who files a formal complaint. The only other thing keeping the number of bogus cars in check is the Shelby American Automobile Club. Just the knowledge that SAAC has accurate records on all Cobras and Shelbys produced and given enough information, can readily identify virtually every fake or counterfeit car that comes on the market is enough to deter ninety percent of the individuals who entertain thoughts of building a fake. And as far as SAAC is concerned, we don't have to wait for any formal complaints to be lodged. We*



*can spread the word on a bogus car as soon as we find out about it. Our lines of communication are excellent, and our members are unusually knowledgeable. When fakes are sold, it is usually to non-members and as much as we hate to see that happen, there's not much we can do about it.*



*The law of supply and demand is responsible for the value we place on things. The rarer an item, the more valuable it is - and when bought or sold, the higher the price it changes hands for. With the exception of a few years in the late 1960s and early 1970s when they were treated as used cars and their prices bottomed out - changing hands for between \$3,000 and \$6,000 Cobras have always been perceived as both rare and valuable. At no time is this truer than today.*

*We are fortunate that AC Cars, Ltd. kept excellent records of every chassis they built. Legitimately, there can never be more Cobras than were made during Cobra production, roughly from February 20, 1962 through August 27, 1968. Legitimately.*

*However, high prices seem to have a way of attracting the unscrupulous and the result, in the case of Cobras, is the playing fast and loose with paperwork as well as selective amnesia regarding individual cars' histories and previous owners. All of the parts needed to build a complete Cobra are available today and predictably, complete cars are being built. Sometimes these newly created Cobras have a legitimate purpose: the original car might have been wrecked or damaged beyond repair and its legitimate owner has no choice but to replace his car instead of repairing or rebuilding it. What disturbs us - and we are seeing more and more of it - is the illegitimate car; the one for which no valid paperwork exists or the one in which the original car was destroyed long ago and of which there is not a trace left today. These cars need to be identified so they cannot be misrepresented in the future. Every Cobra chassis built by AC Cars, Ltd. received a serial number. No two cars received the same number and all of the numbers were recorded. Yet despite this, Cobras keep turning up which are at odds with*



*the information recorded by the factory at the time of manufacture; or owners report a sequence of events which is at odds with previously recorded history. An automobile title is a piece of paper which represents a car. It is not interchangeable with the car. Because it is not physically possible for an owner to bring his car up to the window at the Department of Motor Vehicles when he is registering it, the DMV permits the substitution of paperwork in its place. The paperwork is merely a legal convenience. However, some individuals erroneously believe that the paperwork (i.e. title, registration, shipping or import documents, bill of sale, etc.) is just as good as the real car - and having one is as valid as having the other. Thus, if an individual learns that a Cobra was totally destroyed in 1969 and manages to ascertain that car's serial number, he may be able to get a title for it from one of the states which are notorious for supplying titles without the person's physically having the car. Title in hand, the person can then buy the parts to build a brand new car (or have one built for him). All that is left is to stamp the serial number into the chassis and, using the corresponding title, get the car registered in his own state. Chances are that the original car will never turn up again. And a Cobra is a Cobra is a Cobra..*

*Chances are. But the flip-side of skyrocketing Cobra prices is that everything Cobra related currently has a high value. The bent, twisted and rusting hulk that might have once been a gleaming Cobra roadster may now, in its present boneyard condition, be worth more than it originally sold for back when it was brand new. Cars that have been sitting in junkyards, out behind body shops or in vacant fields for the last twenty years are being found and sold at premium prices. Many of these buyers are discovering that 'their' cars already exist, in the form of newly 'restored' Cobras. In actual fact, brand new cars have been built from scratch; created from thin air. Air Cars.*

*The definition of 'air cars' at the beginning of this chapter was essentially correct. However, because we are entering into the twilight zone of semantics, one where some members of our society reap generous rewards for debating the intended meanings of definitions not unlike these, we should clarify a few things. An air car is a Cobra built from scratch by someone who has no legitimate claim to that Vehicle Identification Number, either by legal ownership of major parts (which we define as the mainframe tubes and front suspension tower or brackets carrying the original serial number stamping; this does not mean the ownership of door hinges, hood or deck latches, the serial number plate or other parts carrying the car's serial number WITHOUT the main frame tubes. Having a door or a hood latch is not enough to justify the building of an entire car and claiming owner-*



ship of it.) or paperwork (i.e. a bill of sale, title, letter assigning ownership based on legal transfer of parts, to include major components **INCLUDING** main frame tubes and front suspension tower or brackets carrying the original serial number.)

Almost as soon as the first fiberglass-bodied Cobra kit cars were built they were being called 'replicas'. This is not an accurate description because these cars are really not Cobra replicas. Despite the poor word choice, the name stuck.

Webster's dictionary defines 'replica' as '...1) a reproduction or copy of a work of art; especially, a copy made by the maker of the original. 2) any very close reproduction or copy; facsimile.' By this definition AC Cars was quite correct in referring to the race cars they built on chassis numbers 2136, 2137, 2138, 2154, 2155 and 2156 as 'LeMans Replicas'. likewise, kit cars are definitely **NOT** very close reproductions of the original Cobra. Some of the better ones have bodies which appear very close, visually, to the originals but in terms of the material and parts used to build them - the frame and substructure, suspension and brakes, and even in some cases the engines and drivelines- they are anything but close reproductions and should not be called replicas. SAAC would also like to establish some working definitions for describing Cobras because if the recent past is any indication of the future, things will get even more confusing as values rise.

**ORIGINAL** - refers to the fact that the main frame tubes and pieces carrying the serial numbers have not been replaced or altered.

**ORIGINAL/RESTORED** - a car having less than 50% of its original substructure or bodywork replaced, but not the main frame tubes or pieces carrying the serial numbers.

**ORIGINAL/REBODIED** - a car having more than 50 % of its original substructure or bodywork replaced, but not the main frame tubes or pieces carrying the serial numbers.

**REPLICA** - a car that has been rebuilt substantially to original specifications (including the replacement of the main frame tubes), but where some part of the original existed prior to the rebuild; also, documentable paperwork exists (1.0. traceable bill of sale, title, registration, etc.).



**AIR CAR** - a car built from scratch, starting out with no frame tubes or pieces carrying the original serial numbers, and with no legitimate paperwork.

**KIT CAR** - any car with a body which approximates the original Cobra shape, using any kind of frame, suspension, brakes or driveline.

**MkIV** - the updated version of the MkIII coil-spring Cobra currently being built in England by Brian Angliss' CP Autokraft from the original AC jigs and body bucks. These cars do not fit into any of the above categories.

### **WHERE DO AIR CARS COME FROM?**

One good source for Air Cars seems to be cars which have been listed in previous Cobra Registries as 'owner unknown'. The first Cobra Registry was printed by the now defunct Cobra Club in the summer of 1973. SMC printed its first Cobra Registry in August of 1976, and the first edition of this registry, titled 'Cobra/GT350/GT500' was printed in 1982. Some Cobras have been listed as 'owner unknown' in all three, leading some individuals to consider those numbers fair game. Unfortunately, it is all too easy to fraudulently obtain a title without being required to prove possession of the actual car. Once you do have the title it is only a matter of finding the parts necessary to create a car. And virtually all of the parts needed to make a Cobra are currently available. The gamble is that the original car will never turn up. If it does, of course, the histories of both cars will speak for themselves. However, once an air car is discovered and unmasked for the fraud that it is, there seems to be no shortage of unknowledgeable buyers who are only too willing to line up to buy what appears to be a real Cobra - sometimes at a bargain basement price. These potential buyers are almost always afraid to tell anyone about their find - to research its history or to attempt to authenticate its serial number - because they think the longer they wait, the better the chance of someone else's discovering the car and buying it out from under them. This, of course, plays right into the hand of the seller.

Once someone buys an air car and realizes he has acquired an illegitimate Cobra, his first thoughts are to sue, sue, sue! To go after the seller on the grounds of misrepresentation or even out and out fraud. And maybe tampering with a vehicle identification number. Slap him with hefty damages for emotional trauma, pain and suffering. And legal expenses. 'Why, we will hire the best lawyer we can find, and, and... And you'll soon discover that winning a judgment will hinge on your being able to prove that the seller knowingly misrepresented



*the car. If the car has changed hands a few times the seller may honestly not have known it was a fake. In which case, what do you do?*

*After consulting with an attorney, the owner is likely to reach the conclusion that a lawsuit could be protracted and almost certainly will be expensive. And it is also quite likely that whatever the outcome, the car's Cobra serial number will be invalidated. Such a car, found not to be the 'original', would receive a state DMV serial number which would greatly affect its value from that day forward.*

*Even if the buyer were to win the lawsuit there is no guarantee that he would ever collect any monetary judgement awarded to him because winning a judgement is one thing; collecting it becomes an entirely different matter. Add to this the fact that in most states legal fees are not recoverable from the losing party and you can see why so few lawsuits are filed over air cars. The easy way out is to sell the car and conveniently forget its lack of legitimate history. In professional automotive circles, this is known as 'passing the hot potatoe.'*