

# Brand Protection & Anti-counterfeiting Services

Counterfeit activity is a menace to all modern businesses, affecting their profits, their reputation and, in some cases, the safety of their consumers. But, so persistent is the traffic in fakes – particularly online – that it can be difficult for companies to know where to start.

To develop an anti-counterfeiting strategy that is appropriately targeted, brand owners first need to assess the threat by gathering intelligence on:

- The source of the goods, distribution channels (on- and off-line), ports of entry and local instances of infringement;
- The types and volume of products affected, estimated damages and desired benchmarks for reducing the impact.

Novagraaf's off- and online anti-counterfeiting services help brand owners to create and implement strategies to measure and combat counterfeiting, including advising on appropriate preventative measures.

## Tackling the offline threat

A variety of tools are at brand owners' disposal to act against counterfeit activity once it has been identified, but techniques to identify and prevent activity are of particular importance. Our experts work with brand owners to:

- Ensure key brand and product names are registered as trademarks, and innovative design features as design rights, enabling owners to seek legal redress for any unauthorised use of those trademark or design rights (e.g. for the manufacture, distribution and sale of trademarked goods);

- Raise awareness of the issue within clients' businesses by educating staff, business partners and customers, and by providing specific training for those employees that are on the ground to help them recognise and report counterfeit products;
- Actively monitor the online and offline market, recording, reporting and carefully analysing the findings in order to define routes of action that are proportionate to the threat;
- Work closely with law enforcement authorities such as the Border Force (customs) and local Trading Standards offices that have a statutory duty to enforce the criminal provisions of the Trademarks Act; and
- Take enforcement action where appropriate.

Novagraaf acts as a single point of contact for brand owners to implement necessary preventative and enforcement strategies. We work with in-house legal teams and external investigators to monitor and investigate physical marketplaces, shops and trade shows for infringing goods. We work with local law enforcement to ensure the seizure and destruction of infringing goods. We work with customs authorities to take immediate action when suspicious goods in transit are identified. Our Customs Recordals service facilitates this process by ensuring the proactive filing of recordals with customs authorities in key markets for manufacturing, sale and transit.

  
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## Brand protection online

Continuous and persistent enforcement in the online environment is key to tackling counterfeiting. It sends a clear message to infringers and enables businesses to gain a clear picture of the threat, and the returns on investment in this area.

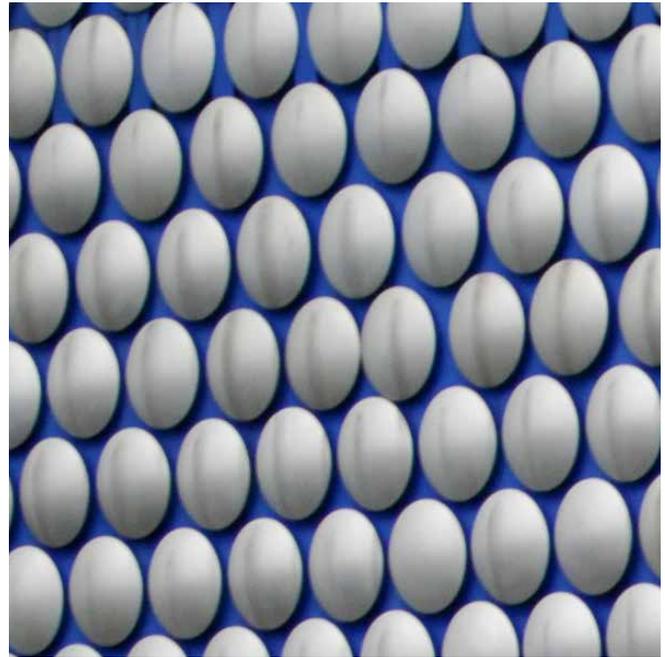
Our online Brand Protection service monitors websites, auction sites, social media channels, search engines, P2P/file-sharing sites and mobile apps for infringement. We make use of the most sophisticated tools, including AI technology, to monitor and map the trade in fakes, and to act promptly against counterfeiting and IP theft once it is identified.

We have developed an online portal on which clients are able to review the infringement identified. However, unlike many providers in this space, we don't simply supply a report to clients of all the infringement identified. Instead, we review the findings and report them to clients with advice and opinion on which infringements to act promptly against, and the recommended route for action (e.g. letter before action, website takedown request) which to simply monitor, and which to ignore.

The process can be customised suiting the specific needs and concerns of the client. For example, for some clients, we provide a monitoring service specifically targeted at the use of brand names by known affiliates (such as distributors or third-party agents of sale), ensuring compliance and legitimate online use.

We also minimise demands on in-house team by automating as much as possible the way we act against infringement; for example by processing in bulk volumes:

- Notice and takedown actions
- Cease and desist letters
- Search engine de-indexing (preventing search engines from re-indexing infringing web pages)
- Requests to payment providers to suspend payment services to an infringing website
- Reporting of IP infringements to social media platforms for removal. ■



## Why Novagraaf

Novagraaf has a 130-year track record of supporting many of the world's best known brands. The combination of our global reach and local presence ensures we are able to act locally and rapidly, which is necessary if brands are to benefit from a well-conceived anti-counterfeiting and brand protection programme.

We provide brand owners with a single point of contact for their anti-counterfeiting and brand protection activities, offering a consistent and comprehensive approach, providing regular reports on progress and advising on new tools and techniques for better targeting the sources and channels of infringement.

## International agent network

Novagraaf maintains a large network of agents in all countries around the world. The performance of our agents is closely monitored by our dedicated Agent Network Manager responsible for overseeing our entire agent network. Through this network, we can be the extra set of eyes effectively protecting your IP rights on a global scale.

  
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