

Agenda

- ❖ What is intellectual property?
- ❖ What is the current state of the fake merchandise market?
- ❖ Why is this happening at such rapid pace?
- ❖ What can you do to protect your brand and reputation?

What is Intellectual Property?

- ❖ Intellectual property is a property right that can be protected under federal and state law, including copyrightable works, ideas, discoveries, and inventions. Grouped into 4 general categories - trademarks, copyrights, patents, and trade secrets.
- ❖ Lanham Act, 15 U.S.C. §§ 1051 - 1127, and states' statutory and/or common laws. Trademarks include words, names, symbols and logos. The intent of trademark law is to prevent consumer confusion about the origin of a product.
- ❖ U.S. Copyright Act, 17 U.S.C. §§ 101 - 810, is federal legislation enacted by Congress under its Constitutional grant of authority to protect the writings of authors which includes graphic arts, software, apps.
- ❖ Uniform Trade Secrets Act
- ❖ International equivalents

Where do Things Stand Today?

- ❖ Much more sophisticated



- ❖ Much quicker
- ❖ New measures must be taken
- ❖ Brands must act swiftly

Why Such a Rapid Pace?

❖ Ease of Access

❖ Jack Ma / Alibaba

- ❖ Counterfeiters can “make better quality, better prices than the real product.”
- ❖ Recently kicked out International Anti-Counterfeiting Coalition
- ❖ Skips convention altogether

❖ Amazon

- ❖ Registered with the Federal Maritime Commission to make it easier to receive merchandise from China into its warehouses
- ❖ Amazon ships for its sellers and pools merchandise from multiple sources together
- ❖ Does not provide enough information about sellers

❖ \$500b + and growing

What Can You Do Now?

❖ RFID and other technology

- ❖ Moncler
- ❖ Salvatore Ferragamo

❖ Be vigilant

- ❖ Monitor
- ❖ Register
- ❖ Protect
- ❖ repeat

❖ Communicate often and directly with consumers on all channels

- ❖ Stockists
- ❖ Educate

Closing Remarks

“Luxury counterfeiting, at a minimum, dilutes a brand and takes a brand from bespoke to omnipresent. For luxury brands, its heritage, workmanship and limited quantities are sacred. Counterfeiters are taking luxury brands from luxury to ubiquitous.”

- Rania V. Sedhom

Thank You

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