

# Consumers Combat Counterfeits

## USPTO Video Contest



## The Basics of Counterfeit Goods

### A guide for video contest entrants

When creating your public service announcement (PSA) video on the dangers of counterfeit goods, it's important to include accurate and relevant information. This guide provides basic information on counterfeits, but it's only a starting point for your own research and is not legal advice.

#### What are counterfeits?

Counterfeits are goods intended to trick consumers who rely on brand names and logos when deciding what to buy. Consumers seek out certain brands because of the product quality or other features they have learned to expect from those brands. Counterfeiters deceive consumers by placing familiar brand names or logos on fake goods that are not produced by the brand owner. These goods may appear safe and legitimate, but are manufactured and sold illegally. When you buy counterfeits, you are not actually getting the product you wanted to buy.



Some consumers intentionally buy counterfeit goods, while others may mistake counterfeits for the real thing. In either case, counterfeit goods may be unsafe, and the profits often go to dangerous criminal organizations. At the most basic level, counterfeits are a means to steal from you and the brand owner.

#### Why are counterfeits dangerous?

Counterfeits can harm your **finances**, **health**, and **community**.



Counterfeit medicine, personal hygiene products, and makeup may contain toxic materials that can endanger your health. Fake electronics and mechanical parts are usually not tested for safety, which means phone chargers and batteries can start fires or explode, and car parts can catastrophically fail while you are driving.

Law enforcement agencies around the world have found that counterfeit goods purchased on the street and online often fund criminal organizations. Even seemingly harmless counterfeits, such as clothing, often contribute directly to criminal organizations and are often produced by people working in unsafe conditions without regulatory oversight. These criminal organizations put consumers at risk of illness and injury and use the profits to fund illegal activities.

#### What do counterfeits look like?

Counterfeiters often try to disguise their fake goods with familiar brand names and logos and trusted certification marks. Some counterfeiters produce copies of genuine products and copy familiar packaging, box art, or design features. A growing online trend is the fraudulent use of certification marks, which indicate that goods meet certain standards, including safety and quality. Some counterfeiters use fake certification marks on otherwise unbranded goods, while others use certification marks on counterfeit brand products without authorization from the appropriate certifying organizations, or the brand owners.





### Where are counterfeits sold?

Counterfeits can be found everywhere—that is why we want to bring awareness to the public. Today, counterfeit goods are not just sold on street corners at “too good to be true” prices, but may also be sold by your local businesses, big box stores, and large and small online retailers. Retailers can also be tricked by counterfeiters, and some retailers accidentally or carelessly sell fake goods to the public. Consumer awareness is the last line of defense against these dangerous products. If a deal seems too good to be true, it usually is, and it could be putting you at risk.

### How do we fight counterfeits?

Many government entities are hard at work to keep you safe from counterfeits. Despite their efforts, it is nearly impossible to stop all counterfeit goods, and counterfeit goods sold online are even more challenging. Therefore, it is crucial that consumers protect themselves from the counterfeits that end up in the marketplace. Consumers should follow the tips below when shopping in a retail store or online.



### Top 3 Ways to Spot Counterfeits

**Price:** Prices that seem too good to be true are usually associated with counterfeit goods. When shopping, check that the price and product quality are typical of authentic goods. Take note, however, that counterfeiters may lower the price only a little to appear legitimate.

**Packaging:** Check certification marks and trademarks. Compare markings and packaging artwork to known authentic goods. Authentic packaging is usually high quality and the products are tightly packed. Look for peeling labels, low-quality ink or printing errors, and loose products inside the box.

**Place:** When shopping at a store or online, buy directly from brand owners or from authorized retailers. Unknown third-party sellers may be counterfeiters. [A 2018 report by the U.S. Government Accountability Office](#) found that close to half the products purchased online from third-party sellers on popular websites were counterfeits.

### Sample Resources

- Consumer Reports
  - <https://www.consumerreports.org/cro/magazine/2015/05/counterfeit-goods-how-to-tell-real-from-ripoff/index.htm>
- National Crime Prevention Council
  - <https://www.ncpc.org/stopfakes/>
- The Counterfeit Report
  - <http://www.thecounterfeitreport.com/>
- International Trademark Association (INTA):
  - <https://www.inta.org/TrademarkBasics/FactSheets/Pages/CounterfeitingNL.aspx>
- International AntiCounterfeiting Coalition (IACC)
  - <https://www.iacc.org/resources/about/what-is-counterfeiting>
- USPTO Certification Marks Applications
  - <https://www.uspto.gov/trademarks-getting-started/trademark-basics/certification-mark-applications>

\*The USPTO does not endorse any particular third-party resources, and these are provided solely as examples. The information they provide may be inaccurate; it is the responsibility of the contestant to ensure that any information submitted in your video is accurate, and used appropriately.\*