

QUARTERLY NEWSLETTER

Q1 and Q2, 2020
July 2020

IACC's Response to COVID-19

As the COVID-19 global outbreak unfolded around the world, the IACC took swift steps to secure the safety of our employees, as well as ensured that we continue to move forward with our mission to protect brands and consumers from counterfeiting and piracy. Back in March, we instituted a work-from-home policy for our employees and moved all in-person meetings to video and phone conferencing. To ensure our member and event attendees' health and safety, we also cancelled all in-person events until 2021. See page 2 for more information.



We owe a great deal of gratitude to the true heroes of COVID-19 - doctors, nurses, police, EMT's and firefighters. In response to a shortage of Personal Protective Equipment (PPE), the IACC donated thousands of KN95 medical masks to these brave men and women.

We also recognize our law enforcement partners, especially Homeland Security and the U.S. National IPR Coordination Center, for their tireless efforts in protecting our community against COVID-19 fraud. We cover their efforts via [Operation Stolen Promise](#) on page 4.

Read our messages of support here:

[Recognizing Our Community Heroes](#)
[Paying It Forward-COVID-19](#)

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26-Year Brand Protection Veteran Joins the IACC



The IACC welcomed Shawn Brosnan as Director of Special Programs on

June 24th. Shawn joins the IACC to lead the expansion of the IACC-Amazon Program and manage special projects in the organization.

Shawn spent much of his career in brand protection with Liz Claiborne and later Kate Spade. He's been an long-time member and served on the Board of Directors. Please read our [press release](#) for more information.

IACC Events Update

Conferences & Training

Due to the global outbreak of the coronavirus (COVID-19) and for everyone's health and safety, the IACC postponed all conferences that were scheduled for 2020. We're excited to see everyone in-person next year at our Annual Conference in San Diego on April 28-30, 2021 and our Latin America Summit in Orlando on September 14-15, 2021. Details regarding the EUROPOL IP Crime Conference will be available as soon as possible. We will be factoring in additional safety measures for our 2021 events to address any continuing concerns arising from COVID-19.

All in-person law enforcement training events have been suspended and will resume when it is safe to do so.

Webinars

The IACC launched its Regional IP Dialogue Virtual Series with guests from the U.S. Patent & Trademark Office's IP Attachés.

The first one was held on June 18th with more than 130 registered attendees. IP Attachés from across the EMEA region engaged in a dialogue highlighting current IP events and hot topics. Thanks to Dominic Keating, Susan Wilson, Peter Mehravari and Dorian Mazurkevich for sharing their perspectives.

Additional webinars are being scheduled.

IACC Programs Update

IACC Organizes Brand Engagement Meeting with Facebook



On February 27, the IACC and Facebook hosted a one-day event on IP protection on Facebook and Instagram. More than 40 attendees from 30 brands, along with senior IACC and Facebook staff, participated.

During the event, brands raised priority issues and learned about Facebook's ongoing efforts to fight counterfeiting and piracy. Brands took away new contacts and learnings to support their enforcement efforts on the platforms. Facebook benefited from the direct feedback, ideas, and questions put to them by the participant group. The IACC looks forward to working with both Facebook and its members to continue to drive improvements and engagement in the social media space.

IACC President Talks about Online Fakes on CNBC

IACC President Bob Barchiesi spoke about the pervasiveness of counterfeiting and how it affects US businesses in a recent CNBC feature story video. The feature, released on February 29, covers the rise of online counterfeiting on e-commerce platforms, its impact on businesses, and how the U.S. government is addressing the issue.

Click on the following links to read the [article](#) and watch the [video](#).

IACC Programs Update (cont'd)

You Asked, We Delivered: Sales Volume Threshold Data Now Available

The IACC and Amazon announced an important expansion to the [IACC-Amazon Program](#) that enables Amazon to give the sales volume threshold data of confirmed counterfeit sellers. This new feature provides immediate, practical benefits to Program participants by helping them quickly and easily obtain additional information that may be useful to their investigative enforcement efforts.

The availability of the sales volume threshold data, which is unique to the IACC's collaboration with Amazon, is yet another example of the traction that has been achieved by both organizations in building a strong framework of cooperation. In the two years since we launched the IACC-Amazon Program, we have

implemented a number of other features based on participant feedback to ensure that our partnership continues to meet brands' needs. Many of the learnings from the Program have also bolstered IP enforcement on Amazon and contributed to scalable solutions that benefited not only Program participants, but also the entire rights-holder community.

Read the full press release [here](#).

The IACC-Amazon Program is available to IACC members only at no additional cost. For more information about the Program and its impact to date, please visit the [Program webpage](#).

IACC Steps Up Support for SMEs

Small and medium sized enterprises (SMEs) are the backbone of entrepreneurship and innovation, accounting for 99.9% of businesses in the U.S. alone. Today, the internet has greatly facilitated the growth of SMEs' brands and products. Unfortunately, SMEs also experience serious counterfeiting issues, which are exacerbated by limited resources and capacity to protect their intellectual property.

Over the years, the IACC has received notable interest from SMEs to join the organization. As a result, the IACC has laid the groundwork to facilitate SME membership and provide them with tools and assistance to support their enforcement efforts. At the end of 2019, the IACC launched a new membership category for SMEs to allow them to access the IACC's [member benefits](#) and networking opportunities at a rate that is in line with their company size. The annual dues for this new category is \$3,000.

Building on the success of the IACC MarketSafe Program, we also launched the IACC MarketSafe SME Program in the beginning of 2020. The SME Program supports small businesses lacking sufficient resources and manpower to effectively tackle online fakes. The SME Program provides hands on, day-to-day assistance,

and helps companies develop the necessary know-how and exposure to better deal with infringing issues on Alibaba's platforms. Thanks to funding from Alibaba, this program is free to all SMEs. The MarketSafe Program has helped close to 100 SMEs and the number continues to grow.

Hear what SME participants had to say:

"The program and you have all been incredible to work with. Highly effective program and very grateful for all your help. Definitely made huge strides on copyright and trademark removals." - Sholdit

"We have checked diligently more than once a week and are not seeing ANY of our designs on AliExpress at this time! What a blessing that has been. Since our last filing which I think was like October or November we have found zero! What a victory! And we say it is all because of IACC!" - A Jillian Vance Design

We look forward to expanding our assistance to SMEs and to become an important anti-counterfeiting resource for them.

Advocacy & Legislative Updates

DHS Announces Plan to Combat Online Fakes with New Report on: Combating Trafficking in Counterfeit and Pirated Goods

In January, the Department of Homeland Security (DHS) unveiled a [new report](#) highlighting the need for more concerted efforts by both the government and private sector to protect consumers and legitimate businesses from the illegal trafficking of counterfeit goods. Prepared at the direction of the White House, in coordination with numerous Executive Branch agencies, “Combating Trafficking in Counterfeit and Pirated Goods,” details the Administration’s urgent concerns related to the online sale and distribution of counterfeit goods.

The report provides a roadmap for addressing online challenges including actions to be immediately undertaken by federal agencies to combat the illicit trafficking of counterfeits and a series of best practices for e-commerce providers. It also underscores the need for continued collaboration between and among the government and private sector stakeholders.

We are pleased that the IACC is prominently mentioned in the Executive Summary regarding the seriousness and pervasiveness of online counterfeiting. Throughout the process, the IACC shared information with government partners including the DHS and the Department of Commerce. We emphasized the importance of a holistic and collaborative approach to fight online fakes and provided examples of our efforts in building a bridge between various industry partners and government. These efforts include our partnerships with industry through RogueBlock, IACC MarketSafe, the IACC-Amazon Program, and the HSI/IACC IP Advisory Board.

Enforcement against COVID-19-related Counterfeits and Scams

It will likely come as no surprise that counterfeiters and other bad actors have sought to exploit the current pandemic for their own ends. In response to that activity, Homeland Security Investigations launched [Operation Stolen Promise](#), which has already led to hundreds of seizures of illicit imports including counterfeit testing kits, personal protective equipment, and pharmaceuticals. The operation has also resulted in a number of arrests, indictments, and convictions for COVID-19-related scams.



These issues have garnered a great deal of attention from Congress and the private sector. On April 8th, a bipartisan group of senators sent a [letter to President Trump](#) highlighting concerns related to price gouging, counterfeiting, and fraud. The IACC contributed to another [letter](#) raising similar concerns with Vice President Pence, which was joined by 40 organizations representing a broad cross-section of legitimate businesses and consumer interests.

You can report information concerning COVID-19-related fraud and criminal activity to: COVID19FRAUD@DHS.GOV.

Advocacy & Enforcement Updates (cont'd)

CBP Publishes FY 2019 Seizure Statistics

On April 24th, U.S. Customs and Border Protection published its annual [IP seizure statistics](#).

Report highlights include:

- Decrease in the total number of seizures – 27,599 (down from 33,810 in FY 2018).
- Total value of seizures reportedly increased to over \$1.5 billion for the fiscal year (up from \$1.4 billion in FY2018).
- The top product category for seizures was “Watches and Jewelry,” followed by “Wearing Apparel and Accessories,” “Handbags and Wallets,” “Footwear,” and “Consumer Electronics.”
- China and Hong Kong are cited as the primary source of counterfeit seizures account for 92% of seizures by value (\$1.03 billion) and 83% of seizure actions (>23K shipments).
- Seizures among express consignments (15,811) and international mail (8,982) continue to dwarf those made in the cargo (1,903) or “other” categories (e.g., goods accompanying international travelers) (903).

We Advocate for Our Members

IACC's advocacy efforts highlight members' views to shape the development of legislative, policy and government resourcing priorities related to IP enforcement. Our track record of success collaborating with a wide range of platforms, expertise in brands' enforcement issues, and knowledge of online counterfeiting challenges makes the IACC the go-to resource for governments worldwide. Our voice matters. That is why we are called upon to provide input at all levels, including testifying at high-level forums from Congress to the Italian Parliament.

USMCA Enters into Force on July 1st

On April 24th, Ambassador Lighthizer notified Congress that Canada and Mexico have taken measures necessary to comply with their commitments under the United States–Mexico–Canada Agreement (USMCA), and that the Agreement will enter into force on July 1, 2020.

The new trade agreement replaces the prior North American Free Trade Agreement (NAFTA) which has provided the framework for trade between the three countries since the mid-90s.

The full text of the USMCA – including chapters related to intellectual property and digital trade – is available [here](#).

Advocacy & Enforcement Updates (cont'd)

US and UK Commence Free Trade Agreement Negotiations

On May 5th, U.S. Trade Representative Robert Lighthizer and U.K. Secretary of State for International Trade Elizabeth Truss issued a [joint statement](#) announcing the formal opening of negotiations in pursuit of a free trade agreement between the United States and United Kingdom.

The announcement builds upon the work of the U.S.-UK Trade and Investment Working Group over the past three years. Each country has stressed its desire to secure a comprehensive trade agreement that will further enhance the already robust trade relationship that exists between the two countries.

The IACC participated in a call with representatives from Her Majesty's Government, where the desire for a strong agreement and the need for

input from stakeholders - including empirical data where possible - were underscored.

Negotiations are ongoing, with a tentative schedule providing for each round to take place over two-week periods, followed by a four-week pause to allow for internal discussions and consultations with stakeholders.

Last year, USTR published a [preliminary outline](#) detailing its negotiating objectives for a free trade pact with the United Kingdom. We welcome member input regarding these issues and development of this agreement.

U.S. Special 301 Report and Notorious Markets List

The Special 301 Report is a comprehensive review of the global landscape for IP protection and enforcement. It seeks to highlight countries that fail to provide adequate or effective protection of IP rights, or which have imposed market access barriers that adversely impact U.S. companies. It also identifies steps that those countries should take to address those deficiencies.

This year's [Special 301 Report](#) was released on April 29 and included a total of 33 countries: 10 were placed on USTR's Priority Watch List - designating jurisdictions with the most significant concerns; an additional 23 countries were designated as Watch List countries.

USTR's final determinations were largely consistent with the [IACC's recommendations](#): 19 of the 22 countries for which we recommended a Watch List- or Priority Watch List-level placement were included in USTR's final report.

IACC's Vice President for Legislative Affairs, Travis Johnson, also met with the U.S. govern-

ment's interagency team tasked with assembling the government's final report. Mr. Johnson elaborated on members' concerns, highlighted issues in other jurisdictions that were not in the IACC's formal comments, and identified areas for further engagement by USG.

Notorious Markets List

The Notorious Markets List allows USTR to focus attention more directly on brick-and-mortar and online marketplaces (defined broadly to include a variety of commercial websites and online service providers) that present significant challenges in the protection and enforcement of IP rights. This year's list includes a total of 37 online markets (including 3 of the 5 sites recommended by the IACC), and 34 physical markets, including 9 of the 11 physical markets recommended for inclusion by the IACC.

The full text of USTR's Notorious Markets List is available [here](#). The full text of the IACC's recommendations to USTR is available [here](#).

Advocacy & Enforcement Updates (cont'd)

U.S. Copyright Office Publishes Report on DMCA Section 512 Safe Harbors

On May 21st, the U.S. Copyright Office published its [long-awaited study](#) on the impact and effectiveness of the “safe harbor” provisions enacted under Section 512 of the Digital Millennium Copyright Act. While the report does not recommend wholesale changes to the Section 512, it does conclude that those provisions, as implemented, have resulted in an “unbalanced” system, “out of sync with Congress’ original intent.”

While Section 512 applies only to copyrights, it has served to inform the framework that has developed with regard to the protection and enforcement of trademarks online. As such, any action taken by Congress in response to the report can be expected to have a significant

impact on trademark owners as well.

On June 2nd, the Senate Judiciary Committee’s IP Subcommittee held a hearing entitled, [“Is the DMCA’s Notice-and-Takedown System Working in the 21st Century?”](#) to hear the views of a variety of stakeholders. Chairman Tillis stressed during the hearing that the Committee will continue to explore ways in which the existing framework can be modified to strike a more appropriate balance between the competing interests at play.

Legislative Developments in the U.S.

The IACC is currently monitoring, and seeking members’ feedback, on four pieces of U.S. legislation currently pending in Congress.

- [Stopping All Nefarious Toys in America \(SANTA\) Act - S. 3073](#)
- [Stopping Harmful Offers on Platforms by Screening Against Fakes in E-commerce Act of 2020 \(SHOP SAFE Act of 2020\) – H.R. 6058](#)
- [Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act \(INFORM Consumers Act\) – S. 3431](#)
- [Counterfeit Goods Seizure Act of 2019 – S. 2987](#)

The SANTA Act, the SHOP SAFE Act, and the INFORM Consumers Act – focus on issues related to the trafficking of counterfeit goods via e-commerce platforms. The Counterfeit Goods

Seizure Act would extend CBP’s authority to seize goods at the border on the basis of design patent violations.

Given the current environment, it is unlikely that these bills will be passed during this legislative session. That said, these issues will undoubtedly continue to receive significant interest from Congress for the foreseeable future.

IACC Law Enforcement Training Program

The IACC's Law Enforcement Training Program provides authorities with the tools to act strategically in the detection and seizure of counterfeits. Brands provide individualized instruction to strengthen efforts and law enforcement officials' ability to deter sales of counterfeit products.



IACC JFK Training – 2/11/20

Training was held at the CBP facility in JFK and provided an opportunity for over 100 CBP officers to view up to date information on product lines and known counterfeits of the 60 brands in attendance.

[Read more](#)



IACC Newark Training – 2/12/20

Training was held at the CBP facility in Newark and provided an opportunity for over 85 CBP officers to view up to date information on product lines and known counterfeits of the 60 brands in attendance.

[Read more](#)



IACC Donna, Texas Training – 3/3/20

Training was held in the CBP facility at the Donna International Crossing, Port of Entry and provided an opportunity for over 54 CBP officers and HSI Investigators to view up to date information on product lines and known counterfeits of the 32 brands in attendance.

[Read more](#)



IACC Eagle Pass, Texas Training – 3/4/20

Training was held in the CBP facility at the Eagle Pass International Crossing, Port of Entry and provided an opportunity for over 67 CBP officers and HSI Investigators to view up to date information on product lines and known counterfeits of the 34 brands in attendance.

[Read more](#)

MEMBER Spotlight

July 2020

We invite you to learn more about our members in our new Member Spotlight. These spotlights will be featured monthly and include members from all categories.



Laetitia Jouhaud

[GoPro, Inc.](#)

Senior Brand Protection Manager
Sunnyvale, California, USA

What is your role in your company/organization?

I manage global brand protection efforts for GoPro in all regions of the world. While a team of 1, protecting GoPro's brand from abuse is in the company's DNA and I receive great support from all stakeholders at GoPro. I manage protection of GoPro's IP and mitigation of the global grey market.

What do you view as the greatest challenge to brand protection today? How should it be addressed?

One great challenge to brand protection is getting the buy-in and support from C-suite. Brand protection is a loss prevention effort that is often not heard enough. Brand Protection touches all or most groups in a company. All should be somehow educated of loss risks and ultimately be involved in some protection effort. To prevent brand protection to be siloed, a clear mission and company priorities should be directly linked to brand protection priorities. Recurring check-ins with stakeholders of various impacted groups in the company should include impactful data.

How do you think that will change over the next 3-5 of years? Or, what issues are on the horizon that you're watching?

Rights holder and governments will have to continue working together as brand abuse is not going away. Furthermore, with online shopping being so easy and convenient, online marketplaces, and social media platforms need to work with rights holders and adapt their consumer protection programs as counterfeit and other abuse evolve.

What's one fun or interesting thing about yourself?

I love to dance. I dance for fun; I dance for fitness. I used to teach a dance fitness class and it was so much fun. Nowadays, being at home most of the time, I still get to shake the floor (sorry neighbor!) with online classes and the "Just dance" game.

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MEMBER Spotlight

Justin Gaudio

[Greer, Burns & Crain, Ltd.](#)

Attorney - Shareholder

Chicago, Illinois, USA



What is your role in your company / organization?

I oversee GBC's litigation program against offshore ecommerce stores that offer for sale and sell products to the United States using counterfeit trademarks. We have a very talented litigation team that now includes 20 full-time attorneys and professional staff. This includes my fellow shareholder Amy Ziegler and senior attorneys Allyson Martin and RiKaleigh Johnson.

What makes your company unique?

GBC has been the top filer of U.S. trademark counterfeiting lawsuits for the past 5 years with over 900 cases filed for 50+ brands. We leverage our own technology with manual searching to achieve high-scale enforcement through court ordered asset restraints against offshore ecommerce stores. Our efforts have been exceptionally successful at reducing and deterring online counterfeiting and include recovery of \$10s of millions from China-based ecommerce stores for brand owners.

How do you see the COVID-19 pandemic changing the way people do business?

We expect accelerated increases in online sales as a portion of total sales to continue for businesses even as brick-and-mortar stores reopen. Opportunistic counterfeiters are taking advantage of this shift. Our number of cases filed to date in 2020 (131) and ecommerce stores enforced against (11,200) are both up 45% year-over-year.

What's the most rewarding part of your job / what is the thing that you've been most proud of in your anti-counterfeiting work?

While I know our clients enjoy the monetary recoveries, the end goal with our program is to reduce or stop online counterfeiting. It is rewarding when we receive feedback from our clients that we are accomplishing that goal and making a real difference in reducing online counterfeiting for their brand.

What's one fun or interesting thing about yourself ?

When I am not chasing counterfeiters, my time is spent chasing my three children (ages 6, 3 and 1).

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MEMBER Spotlight



Michael Fuller

[IP Services, Inc.](#)

Department Manager, Investigations
Erie, Pennsylvania, USA

What is your role in your company/ organization?

I am a 16-year member of IP Services' Brand Protection Department and currently the Manager of Investigations. Whether it's larger brand protection initiatives that span across the department or focusing on investigative support, I strategize with our clients to understand their concerns, organize an effective plan, and execute their objectives. I'm also proud to be IPS' resident BBQ specialist.

What makes your company unique?

Since IPS' infancy we've supported direct enforcement actions that include serving thousands of legal notices, providing legal support for civil and criminal cases, and assisting clients with the identification and removal of counterfeit products from online marketplaces. Our experience identifying infringements and conducting eCommerce fraud and abuse investigations has allowed us to support brands across multiple industries, and in so doing we've become highly adept at using investigative and analytical tools. But most importantly, our ability to understand and customize our support based on our clients' needs is what really sets us apart. We leave the cookie cutters for baking.

How do you see the COVID-19 pandemic changing the way people do business?

Brick & mortar business restrictions and consumer health concerns will further escalate the trend toward shopping online, where it's tougher to ensure the legitimacy of wholesale supply chains and retail distributors. Additionally, brand owners who sell direct to consumers may see an increase in eCommerce fraud, whether via stolen credit cards, compromised user accounts, or refund/return abuse. Monitoring online distribution chan-

nels, sampling questionable products or unverified storefronts, and quickly engaging with suspect sellers will be more important than ever to protect brand integrity and the customer experience.

What's the most rewarding part of your job / what is the thing that you've been most proud of in your anti-counterfeiting work?

One of the most rewarding aspects of my work is seeing the positive impact our efforts have on mitigating fraud and brand abuse for our clients. At IPS you'll find analysts, technologists, and strategists who work to provide the highest level of support. We all feel a sense of pride when we're able to bring to light the identity of fraudsters who go to great lengths to obfuscate their identity and circumnavigate threat detectors. Seeing the reduction or eradication of the problem, providing measurable impact for our clients, and dismantling the networks of bad guys is what we strive for.

What's one fun or interesting thing about yourself?

As an avid baseball fan, I've made the trek to spring training every year for 20 years; I'm still hopeful for a 2020 season and Pittsburgh Pirates World Series win. Additionally, I purchased a fair stand at one of the largest agricultural fairs on the east coast. For 8 days each August, I take off my Investigator hat and put on my Fair Foodie hat to serve 150,000+ county fair visitors. Unfortunately, 2020's fair has been canceled and baseball is off to a slow start due to COVID-19. Maybe I'll just vacation to my backyard and keep on grilling instead.

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MEMBER Spotlight

Gustavo Gaiy

[Marval, O'Farrell & Mairal](#)

Partner, Head of the Trademark Litigation
and Enforcement Practice Group
Buenos Aires, Argentina



**What is your role in your company/
organization?**

I have led the firm's Trademark IP Litigation and Enforcement Practice Group for 15 years. During these years, the Group has grown and worked to adjust to the needs of our clients in the ever-changing IP spectrums. Our multidisciplinary 20-member team is exclusively focused on combating the damages arising from counterfeiting activities and on providing comprehensive services covering protection strategies and enforcement of IP rights in Argentina and across the Latin American region.

What makes your company unique?

We are result and business-driven and we believe that the distinctive source of value in our business is its people. This dual perspective results in high standards of customer service while investing in the continual development of our IP experts throughout their career so that we can always offer the best advice possible, both insightful and commercially focused. We have an outstanding track record in trademark litigation and have in-house criminal experts. We regularly organize and dictate training seminars to law enforcement and Customs agents throughout the country. And are the most experienced firm in Customs recordation and handling of Customs seizures. In fact, we are able to conduct simultaneous multiple proceedings both civil and criminal. We pride in always making our best effort to work with our clients in bold, creative and imaginative solutions to their brand-related IP issues.

How do you see the COVID-19 pandemic changing the way people do business?

Looking beyond COVID-19 is actually challenging. Our whole lives have, will and should change! The extent of those changes still remains uncertain. There will proba-

bly be a comprehensive resetting of proceedings (in Argentina most of them were all in writing!). I believe that virtual courts, e-filings, and online hearings will become the norm as human interaction is likely going to be reduced, at least, for the near future. Brands will continue to play a key role in the future, although they will have to face new challenges, including the need to take a stance on social issues, to remain authentic, and to develop a business of stakeholders that contribute and foster sustainable economic growth.

**What's the most rewarding part of your job /
what is the thing that you've been most proud of
in your anti-counterfeiting work?**

The most rewarding part of my job is to work with clients and colleagues of all around the world with a common goal. Many have become my very good friends and we enjoy getting together in our international meetings. With the support and trust of my clients and colleagues, our practice group has been very successful and we have been able to provide tangible contributions in the fight against illegal commerce and counterfeiting in my country and in the region.

What's one fun or interesting thing about yourself?

I was a volunteer firefighter in my home town for 9 years. I joined the fire department when I was 14, and fought fires from my 18 to my 23 years, when I left the fire station to work as a lawyer after I got my law degree. I was very lucky to be able to learn at a young age the joy that brings serving rather than being served, that generosity knows no boundaries, and that although it is impossible to eliminate all injustice in life, you can always find ways of helping someone else.

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MEMBER Spotlight



Nancy Merritt

[OpSec Security](#)

Senior Manager, Global Relationships

Boise, Idaho, USA

What is your role in your company/ organization?

I am primarily responsible for managing the company's non-commercial partnerships and relationships for our online business. We handle our service teams' and clients' escalations to platforms and help connect them with individual platforms, law enforcements agencies, and industry groups as needed.

What makes your company unique?

For nearly 40 years, OpSec has helped top-tier global companies and governments ensure the integrity of goods that build deeper and more profitable relationships between our clients and their constituents. Our unique combination of industry experience, broad solutions range, and digital and physical integration leadership are why brands choose OpSec to secure integrity, enhance loyalty, and protect revenue. We offer the broadest range of brand security products that address both the physical supply chain and online distribution channels.

How do you see the COVID-19 pandemic changing the way people do business?

As brick and mortar stores closed and people across the globe were sheltering in place, online activity increased dramatically and individual brands and businesses had to adjust rapidly with their online presence. We've seen shifts in the demographics of who's shopping online as well as the kinds of products they're purchasing. People are shopping online who never have done so before or are buying things online they traditionally bought in-store. Businesses will have to adapt accordingly to changes in their target

audiences, product demands, and consumer expectations of their pandemic response.

What's the most rewarding part of your job / what is the thing that you've been most proud of in your anti-counterfeiting work?

I love solving problems and thinking outside the box; It brings me a lot of joy and satisfaction to have someone reach out with a problem and work with them and other colleagues to try and resolve it and I still to this day get presented with unique challenges that I haven't encountered before. I'm also proud of the Global Relationship Management team and concept that we created several years ago to help our clients and collaborate within industry. It's been a big differentiator for us!

What's one fun or interesting thing about yourself?

Many already know this but, I am also a group fitness instructor part-time and started that career the same time I started in brand protection – about 10 years ago. I have the great luxury of having two jobs that I love and while I am very much into fitness, I wouldn't call myself a fanatic. I love exercising and teaching classes but, I am actually not very athletic when it comes to sports and hand-eye coordination. Beyond that, I am a firm believer that you can be fit and healthy and still eat cake (among other things)!!

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MEMBER Spotlight

Marcus Cohen

[Recording Industry Association of America \(RIAA\)](#)

Sr. Vice President, Counterfeit Investigations &
Enforcement

Los Angeles, California, USA



What is your role in your company/organization?

I oversee the RIAA's physical content protection team. Our focus is on preventing the manufacture, distribution, and retail sale of unauthorized sound recordings in CD, vinyl record, and digital storage device formats as well as preventing the unauthorized manufacture and sale of infringing concert tour apparel and related merchandise. Our team is divided into two sections, Field Investigations and eCommerce Investigations. Our Field Investigations unit works to address mass infringement occurring in physical locations while our eCommerce unit works to address mass infringement occurring on eCommerce platforms globally.

What do you view as the greatest challenge to brand protection today? How should it be addressed?

One of the biggest challenges for brand owners today is deciding how to effectively apportion resources to combat infringement in a global marketplace. While the internet has given companies the opportunity to distribute legitimate products all over the world, it has also provided counterfeiters equal access for unauthorized products. Determining how to allocate resources in a cost-effective manner is a daunting challenge. While there is no singular solution, multi-brand enforcement programs like the IACC's RogueBlock® Program, MarketSafe Program, or IACC-Amazon Program provide cost effective means for brands to address the mass infringement on a global scale.

How do you think that will change over the next 3-5 of years? Or, what issues are on the horizon that you're watching?

The brand protection industry must continue to look for opportunities to increase our collaborative efforts with intermediaries. This will be essential if we hope to address the massive distribution of counterfeit goods worldwide. As an industry we need to continue to build on the successful programs already underway and bring more players to the table. Enhanced partnerships with multi-jurisdictional courier companies, freight forwarders, customs houses, tech companies, and banks are all going to be vital to our ability to address the global counterfeiting trade over the next five years.

How do you / your company contribute to the brand protection community?

The RIAA has always been very active in the brand protection community. We routinely work with a broad coalition of content and brands owners on a variety of legislative, enforcement, and litigation related issues. Our association was one of the first members of the IACC and have been active participants in IACC programing over the last 20 years.

What's one fun or interesting thing about yourself?

Having grown in Indiana I am a long-suffering Indiana Pacers fan. I am hopeful they will win at least one NBA championship during my lifetime!

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MEMBER Spotlight



Joann Chan

[Sinofaith IP Group](#)

Vice President

Shanghai, China

What is your role in your company/ organization?

Since 2013 I have held the position of Vice President and I am responsible for the direction and management of the Sinofaith IP Group IPR protection business operations.

What makes your company unique?

The Sinofaith IP Group provides an innovative style of "one-stop" IP protection services for its clients. Our service portfolio is structured to safeguard the core elements of Intellectual Property Rights: trademarks, patents and copyrights and incorporates an IPR strategic management and consultation arm supported by proactive brand protection methodologies, progressive research capabilities and an experienced team of IPR professionals. Sinofaith is currently accelerating the construction of the intellectual property ecological system by consolidating the China brand protection landscape and investing in and collaborating with leading players in the fields of big data, enforcement and prosecution.

How do you see the COVID-19 pandemic changing the way people do business?

During the recent lockdowns and stay at home policies our online monitoring and analysis identified a clear shift by counterfeiters moving from physical offline sales as reflected in the legitimate marketplace. We are revising strategies to address any long-term changes in the counterfeiting field. It is considered counterfeit physical offline sales will bounce back but will not recover to pre-pandemic levels. COVID-19 related disruptions to supply chain and inventories will continue to present opportunities for counterfeiters so extra vigilance will be required. Enhanced remote working such as online research and investigations, data analysis,

due diligence checks, telephone enquiries, online test purchases, monitoring active investigations and suspects will continue to grow and form part of the "new normal".

What's the most rewarding part of your job / what is the thing that you've been most proud of in your anti-counterfeiting work?

The team I lead is the largest IP protection service provider in China, with more than 200 full-time professionals, we target all forms of IP abuse and infringement across the brand protection range. What we provide is more than a legal service, but a comprehensive business solution. The team has the privilege of serving more than 200 well-known brands in China and internationally, dealing with more than 3000 administrative cases, 500 criminal cases and 3000 civil settlements & litigations every year. Many of the actions have been recognized as exemplary cases by government agencies and trade associations with Sinofaith winning the "2018 China Outstanding IPR Service Team" award and I myself was selected by the China IPR Daily in 2019 as one of "30 outstanding women in her (IP Community) field".

What's one fun or interesting thing about yourself?

Back in 1990's when I newly entered the IP Protection industry it was very much dominated by male IP practitioners, law enforcement officers and counterfeiters. Full of muscles and strength! Many people expressed interest in how a lady can survive in that world. Well 24 years on, yes, she is still alive, working, and leading from the front.

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MEMBER Spotlight

Greg Leimone

[Syngenta](#)

North America Regional Security Manager

Greensboro, North Carolina, USA



What is your role in your company/organization?

North America Head of Corporate Security, responsible for all programs related to the protection of our people, tangible and intangible assets. Within this, is responsibility for investigation of counterfeit goods and driving the brand protection strategy throughout the region. Additional responsibilities include serving as the Global corporate security lead for the end-to-end strategy to protect Syngenta's germplasm and investigation of IP/product theft, counterfeit & copy seeds, as well as other forms of illicit trade.

What do you view as the greatest challenge to brand protection today? How should it be addressed?

The greatest challenge in brand protection today is the ease by which criminals are able to get counterfeit goods into the hands of the consumer. The pathway to market has been paved with anonymity and convenience of the virtual world of e-commerce and drop shipping creates even greater challenges on Customs officials to sufficiently inspect and seize those goods. The same "instant gratification" in which we leverage to buy the things we want is allowing that same marketplace to deliver counterfeit goods that could pose health and safety risks to us.

How do you think that will change over the next 3-5 of years? Or, what issues are on the horizon that you're watching?

In light of the recent White House memorandum, and in large part due to the continued commitment and

focus on this issue by rights holders, government(s) will likely continue to step in with greater controls and restrictions on intermediaries. Further engagement with brand and law enforcement will aid in investigations, but only if there is more transparency and intelligence sharing back with the companies so they are able to progress cases and move upstream to the source. This is critical as the private-public partnership must be strong to generate actionable intelligence and move swiftly through enforcement on the criminal organizations.

What's one fun or interesting thing about yourself?

When not fighting criminal activity and protecting the company, I seem to find myself mostly on a dusty baseball field as a coach of my son's travel team. Ironically, I quit playing baseball at about his age and spent most of my time on the football field and as a competition water skier. While I may not have the same baseball knowledge the other coaches have and may be out of my element sometimes, there is no better time with my son than in the dugout.

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