

In current economic times it is very tempting to buy, for example, a counterfeit supporter's jersey from a stall on the side of the street as it often costs half the price you would pay in a shop for the real one. *After all, the manufacturers make enough money, one jersey won't harm them*, one would think. Heard this argument before?

The problem is that it is never just one jersey, or one pair of boots – there are thousands – and it is a long line of people that get burnt by the loss of income generated from the legitimate product being sold.

Counterfeiting is a world wide phenomenon, and not unique to South Africa. Unfortunately, the value of the counterfeit sports merchandise market in South Africa is difficult to ascertain. Tracey Minnaar of Signet Licensing — the licensing agent for a number of major rugby unions and football clubs in South Africa — says that “conservative estimates are that at least 25% of the retail sales of sports licensed product is lost due to the sale of counterfeit”.

Robbing your team

Clubs, unions, and so forth, sell the license to specific official manufacturers who make their supporter's gear and use their logo's and emblems on products.

If these products do not sell due to supporters buying counterfeit instead of legitimate, the manufacturer is unlikely to support the club in future, resulting in the club losing out on valuable funding, and the fans in turn are likely to suffer due to this as clubs use the funding to grow the club and team, develop talent and improve facilities and services to fans and players.

Counteracting How to ensure

Most people have heard that buying counterfeit goods is bad. Why is it so bad and how does it affect you? Also, while counterfeiters are just getting more clever with every passing day, how are you supposed to be able to spot a counterfeit product?

Thus, buying counterfeit has a negative effect on your team you are ‘supporting’ by buying a counterfeit supporter's jersey. Counterfeit products affect the development of the players, team and sport associated with the supporter's wear. Also, due to counterfeit products being of an inferior nature, they can cause damage to the reputation of the brand they are copying, be it club or sport brand.

Loss of jobs

In return, when the legitimate manufacturer does not make money, or loses money, due to counterfeits the manufacturer might be forced to retrench people.

It is not only the clubs and manufacturers who are affected. The shop that sells the genuine product at the higher price also

loses money, which also in turn might possibly lead to having to lay off staff. Shops that cannot sell their stock are stuck with the stock — they cannot simply return to the manufacturer and ask for a refund of their money.

Thus, not only do counterfeiters rob players, teams and clubs and damage clubs' reputations, they also harm the economy by causing further possible job-losses.

Price difference

So you might ask, why do shops sell the supporter gear at such high prices when the counterfeits can be sold for a lot less?

This is due to the high quality workmanship and materials used in the manufacture of the legitimate product. There is

What happens on a counterfeit raid?



Step 1: Goods are identified as counterfeit (photo 1). After affidavits are submitted, police obtain a search warrant and enter the premises.

Step 2: The counterfeit goods are

removed.

Step 3: After the necessary documentation has been completed (photo 2), the counterfeits are counted and packed into boxes (photo 3).

Step 4: The boxes are sealed and

transported to the Counterfeit Goods Depot for storage (photo 4).

Step 5: Once the destruction notice is received from the relevant authorities, the goods are destroyed.

counterfeits: you wear legit

more than just sewing involved in these garments.

Counterfeits are often made in sweatshop environments with bad working conditions and low pay for their workers, which allow them to make the products much cheaper than the official manufacturers can. In addition, the materials are not of the same quality as the legitimate products and the embroidering and stitching are often inferior.

At the end of the day, it is illegal to obtain, make, distribute, import or export counterfeit goods.

Apart from the negative effect on the economy, trade in counterfeit merchandise is often linked to organised crime networks and syndicates. Buying counterfeit goods could ultimately fund activities such as money laundering, human trafficking, drugs, illegal weapons trade

and international terrorism. Selling counterfeit may result in the confiscation of such goods, including the institution of criminal and/or civil legal action.

Reporting counterfeit

Do you know of counterfeit products being sold, but you do not know how to go about making sure they are stopped?

Primedia and the SA Police Service launched crimeline, an anonymous tip-off service, during 2007. You can SMS your tip-off of any crime-related activity to 32211 or alternatively, visit www.crimeline.co.za/tipoff.asp. This service helps the police identify crime they might not have otherwise been aware of.

Alternatively, contact Customs and Excise on Tel: 0800 00 28 70 or complete a form on SARS' website, https://commerce.sars.gov.za/sas_static/internet_sas.htm. YS

Spotting a counterfeit

- Stalls on the side of the road almost always do not sell legitimate supporter's gear. Neither do sellers at traffic lights. Distributors of the legitimate products sell through certain reputable shops.
- On a match day, certain vendors will have permission to sell licensed products at the stadiums and they will be positioned very close to the stadium.
- Ask for a receipt as proof of payment that has the name and details of the seller printed on it.
- Look for an *Official Licensed Product* swingtag or label on the product as well as a label that has the manufacturer's details. However, keep in mind that some counterfeits also have counterfeit labels.
- Avoid products that have unofficial labels.
- Check to see if there is a Label of Origin, which all legitimate products are required to have by law. However, just because it was *Made in China*, does not necessarily mean it is a counterfeit.
- On a legitimate garment, the neck label should have the technical sponsor's logo and there should be a wash care label on the side of the garment.
- Some counterfeits are made of bad quality material and may shrink or change colour when washed. The embroidery and stitching may also be of inferior quality.
- Does the price sound too good to be true? It probably is. Unless you are at an official store, the product is likely to be a counterfeit.
- Check to see if the logo looks correct. Some counterfeiters alter the logo.
- Are all the correct sponsors' logos on the jersey? The legitimate product will always feature all the correct information, design and branding.

Protecting yourself

Are you wondering what help there is for you in trying to protect yourself from being counterfeited?

In 1997, the Counterfeit Goods Act No 37 was proclaimed and came into force in South Africa on 1 January 1998. This Act provides the owners of various intellectual property rights with effective enforcement mechanisms against counterfeiters.

Offences that the Act protects you against are:

1. The possession of infringing goods in the course of business;
2. The manufacture, making or production of infringing goods for use which is not of a private or domestic nature;
3. The selling, hiring or exchanging of infringing goods;
4. The exhibition of infringing goods for the purposes of trade.
5. The distribution of infringing goods for the purposes of trade, or any other activity or action which could cause prejudice to the rights of an intellectual property owner;
6. The importation of infringing goods into or through the Republic of South Africa, with the exception of doing so for private or domestic use.

Resources:

- Signet Licensing is the licensing agent for a number of major rugby unions and football clubs in South Africa. They have initiated an anti-counterfeiting programme together with these clubs and unions to gather intelligence on the manufacturing and distribution sources of counterfeit merchandise, to monitor and seize counterfeit merchandise, and to increase the level of public awareness of the problem. Tel: 021 671 5887 Fax: 021 671 7269 Email: info@signet-licensing.co.za www.signet-licensing.co.za
- SARS: Customs and Excise Tel: 0800 00 2870 https://commerce.sars.gov.za/sas_static/internet_sas.htm
- Crimeline: SMS: 32211. Complete a form online: www.crimeline.co.za/tipoff.asp