

INDIA
IPR - ENFORCEMENT
MONTHLY DIGEST — **EDITION - APR 2023**



COVID - 19
Impact on
BRANDS & INDIAN ECONOMY

Featuring Inside

- Information on enforcement actions
- Digital sales and counterfeiting during COVID-19 pandemic
- Chaotic unrest in the Country-Oxygen Cylinders: A Case Study

» Stay tuned for latest updates

TABLE OF CONTENTS

Preface	03
by Mr Sanjay Sharma	

Increasing Threat of Counterfeiting	04-07
<ul style="list-style-type: none">• Overview of affected industries• Information on enforcement actions• March 2023 Raid Actions – India	

Impact Of Covid-19 On Indian Economy Vis-à-vis Brands	08-10
<ul style="list-style-type: none">• Digital sales and counterfeiting during COVID-19 pandemic• Advantages & drawbacks of the COVID-19 pandemic• Chaotic unrest in the Country-Oxygen Cylinders: A Case Study• Several News caught viral during the COVID-19 outbreak	

Upcoming Events	11
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About IIRIS Consulting	12
------------------------	----

P R E F A C E

In this face of unprecedented challenges brought by the COVID-19 pandemic, the Indian economy has witnessed a profound impact that has rippled across various sectors and industries. Though as a nation we navigated well through these crises at large compared to the western counterparts but loss to human life cannot be compensated. It became crucial to analyse the impact of this global crisis on economy and, in particular, its effect on brands.

The consequences of the pandemic have been both detrimental and transformative for businesses, leading to a mixed bag of challenges and opportunities. While some brands have struggled to survive amidst economic uncertainties, others have managed to thrive by embracing innovation and reimagining their strategies.

There is a considerable shift in consumer behaviour, changes in supply chains, and evolving marketing strategies that have emerged in response to the pandemic. Through insightful analysis and compelling case studies We aim to provide a comprehensive analysis and examination of the challenges faced by brands operating within the Indian market and the strategies they have employed to navigate these unprecedented times successfully.

Let's come and make joint efforts to ensure environmentally friendly disposal of the material.

Keep fighting the counterfeiters.

Mr Sanjay Sharma
AVP - IPR, Brand Protection
IIRIS Consulting



**THE CONSEQUENCES
OF THE PANDEMIC
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INCREASING THREAT OF COUNTERFEITING

OVERVIEW OF AFFECTED INDUSTRIES

Counterfeiting in India has had a significant impact on various industries and brands, resulting in detrimental consequences for both the economy and consumer trust.

Through our ongoing **monthly digest about IPR - Enforcement actions** happening across India, you may know about the sectors most affected by counterfeiting include **pharmaceuticals, electronics, FMCG** (Fast-Moving Consumer Goods), **luxury goods**, and **automotive parts**. Counterfeit pharmaceuticals pose a grave threat to public health, as they often contain substandard or fake ingredients, compromising the effectiveness and safety of medication.

Electronics manufacturers face the challenge of counterfeit products flooding the market, leading to revenue losses and reputational damage.

INFORMATION ON ENFORCEMENT ACTIONS

The COVID-19 pandemic has disrupted the global economy, and India is no exception. As businesses struggle to adapt to the new normal, brands have had to navigate the changing landscape of consumer behaviour and preferences. One major issue that has emerged during this time is the rise of counterfeit products. This is where IIRIS, a brand protection service provider, comes in to help companies tackle the issue of counterfeiting. In a month of **March 2023**, a total of **140** counterfeit cases were reported across various industries and regions in India. This highlights the importance of being vigilant in identifying and reporting counterfeit products, and of seeking assistance from experts like IIRIS to protect your brand and safeguard your business from potential loss of revenue and damage to reputation.

For a better understanding of the counterfeit problem in India, we have compiled four charts that highlight different aspects of counterfeiting.

FMCG companies encounter the issue of counterfeit products imitating their popular brands, affecting their market share and consumer loyalty.

Luxury brands face substantial losses due to the proliferation of counterfeit replicas, which not only impact their sales but also dilute their brand value. Additionally, the automotive industry faces the risk of counterfeit spare parts compromising vehicle safety and performance, putting lives at stake. Counterfeiting has emerged as a pervasive issue, necessitating concerted efforts from both the government and businesses to combat this menace and safeguard consumer interests.

The information shared in the report is all statistical and has been compiled from third-party sources, which we believe are reliable.

- *The first chart provides a breakdown of enforcement actions performed **across various industries**.*
- *The second chart divides the country into the **five zones** and shows the total number of raid actions in each zone.*
- *The third chart highlights the **top States** in India with the highest number of counterfeit cases reported.*
- *The fourth chart in our compilation shows a comparison of counterfeit cases reported in **March 2022 versus March 2023**, on a state-by-state basis.*

This comparison provides a clear picture of the progress made in combating counterfeiting in different states over the course of a year. It can serve as a useful tool for businesses and law enforcement agencies in identifying the areas that require greater attention and resources in the fight against counterfeiting.



MARCH 2023 RAID ACTIONS – INDIA

Analyzing Counterfeit cases: Across Industries

The data of counterfeit cases that we have compiled shows that the highest number of cases were reported in the currency industry, with a total of **31 cases**. The alcohol industry followed closely with **31 cases**, while the tobacco industry reported **27 cases**, and the fast-moving consumer goods (FMCG) industry reported **14 cases**. The glass, metal, and wood industries reported a combined total of **5 cases**, while the apparels industry reported **4 cases**. The publishing/print media industry reported **3 cases**, and the fertilizer industry reported **2 cases**. Finally, the cosmetics industry reported only **1 case**, while the auto ancillary industry also reported **1 case**. These figures emphasize the need for businesses operating in these industries to prioritize measures to prevent counterfeiting and protect their brands.

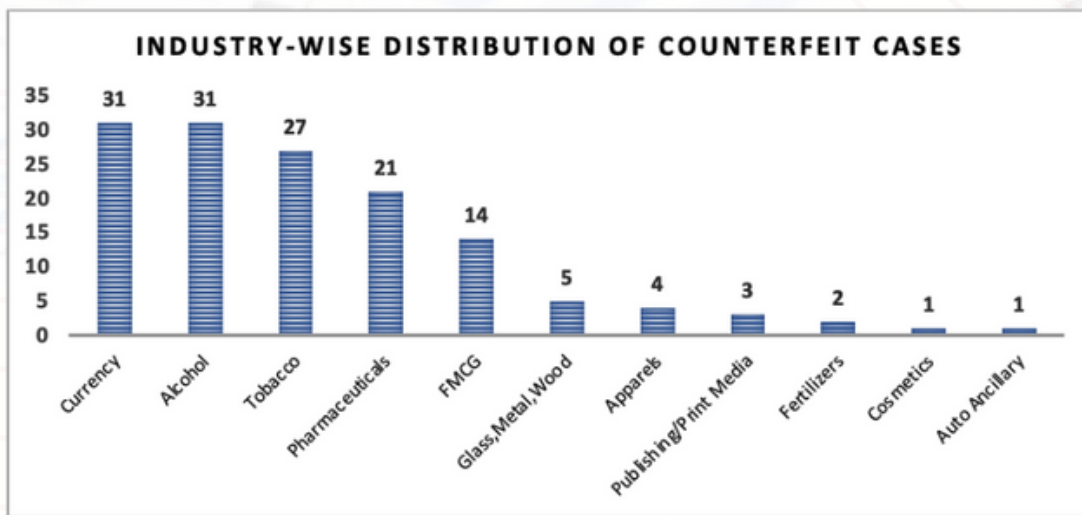


Exhibit 1: Graph showcasing industry wise Enforcement action performed in the month of March 2023

Analyzing Counterfeit cases: Across Zones

The data on zone-wise counterfeit cases reveals that the highest number of cases were reported in the North zone with a total of **48 cases**, followed by the West zone with **39 cases**. The East zone reported **32 cases**, the South zone reported **18 cases**, while Central zone reported the lowest number of cases with only **3 cases**. The grand total of counterfeit cases for the month of March was **140**. These figures highlight the need for enforcement agencies to take a more focused and concerted effort towards curbing counterfeiting activities in the high-risk zones.

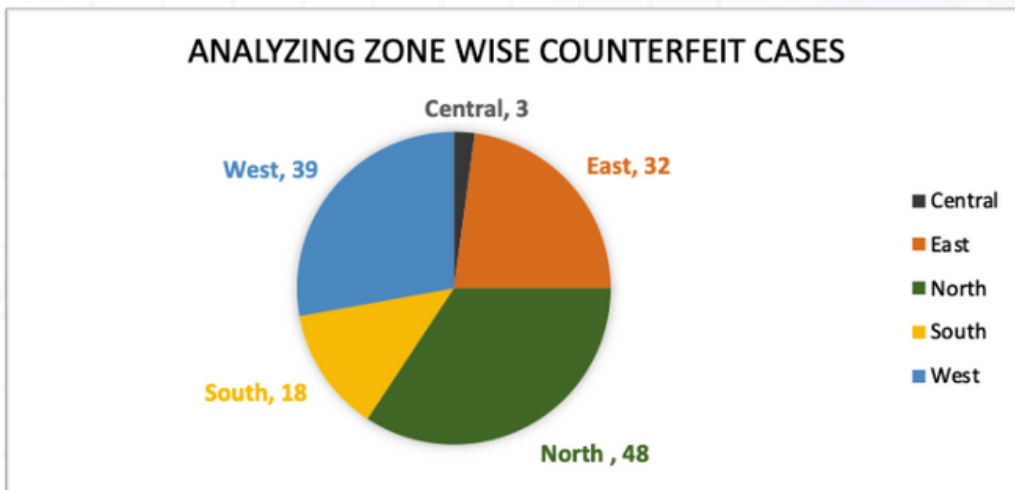


Exhibit 2: Pictorial Depiction of zone wise data shows the central zone registering lowest no. of cases in counterfeiting – March 2023



MARCH 2023 RAID ACTIONS – INDIA

Analyzing Counterfeit cases: Across States

Counterfeiting is a significant problem in India, with counterfeit products and currency damaging the economy and posing a threat to consumer safety. A recent analysis of state-wise counterfeit cases reveals that certain regions are particularly susceptible to this criminal activity. According to data presented Maharashtra and Uttar Pradesh have the highest number of reported cases, with **30** and **19** cases, respectively. Orissa and Haryana follow closely with **9** cases each, while Punjab and Jharkhand have **8** cases. By taking action against counterfeiting in these states, India can protect its citizens and its economy from the harmful effects of this illegal activity.

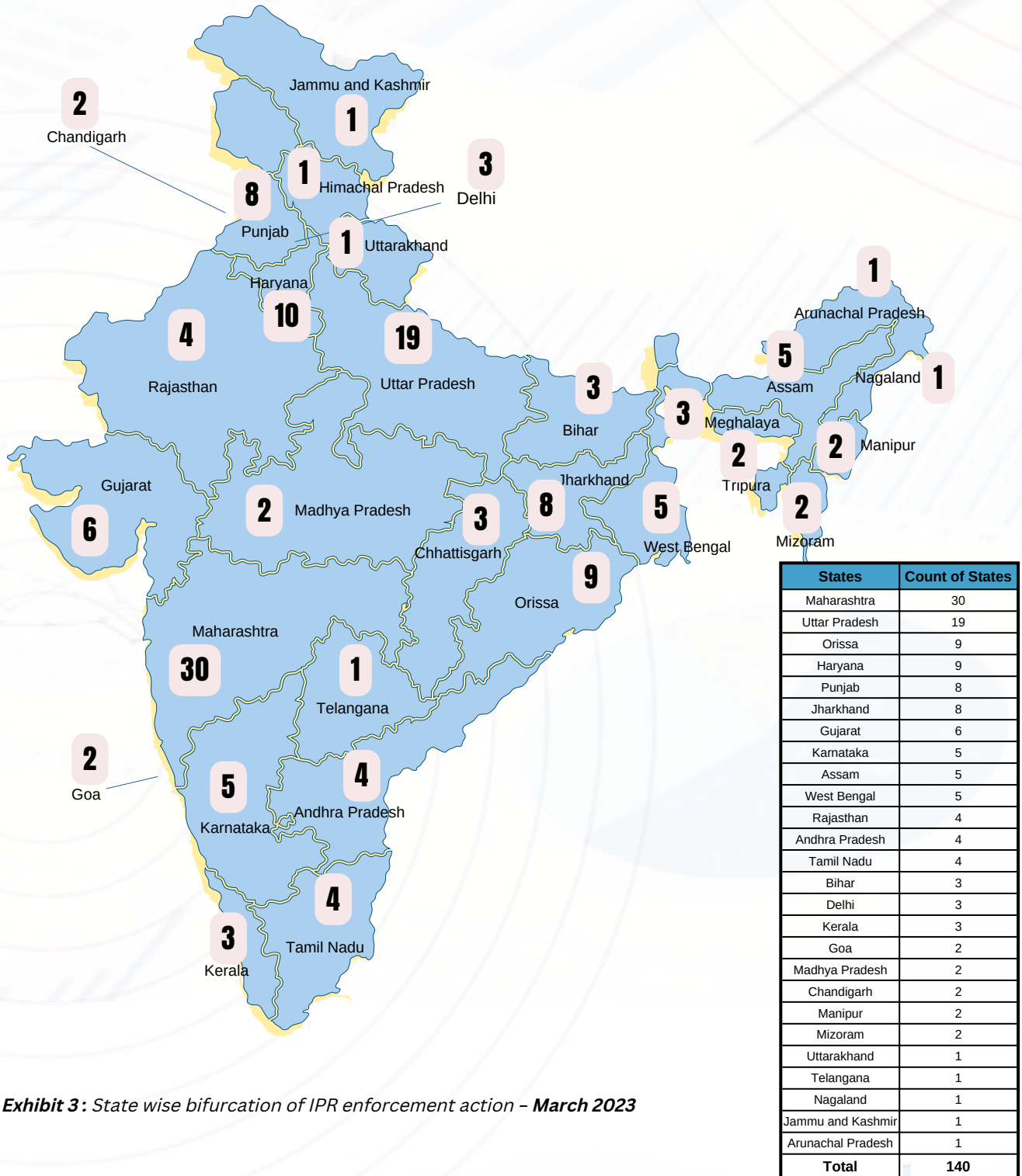
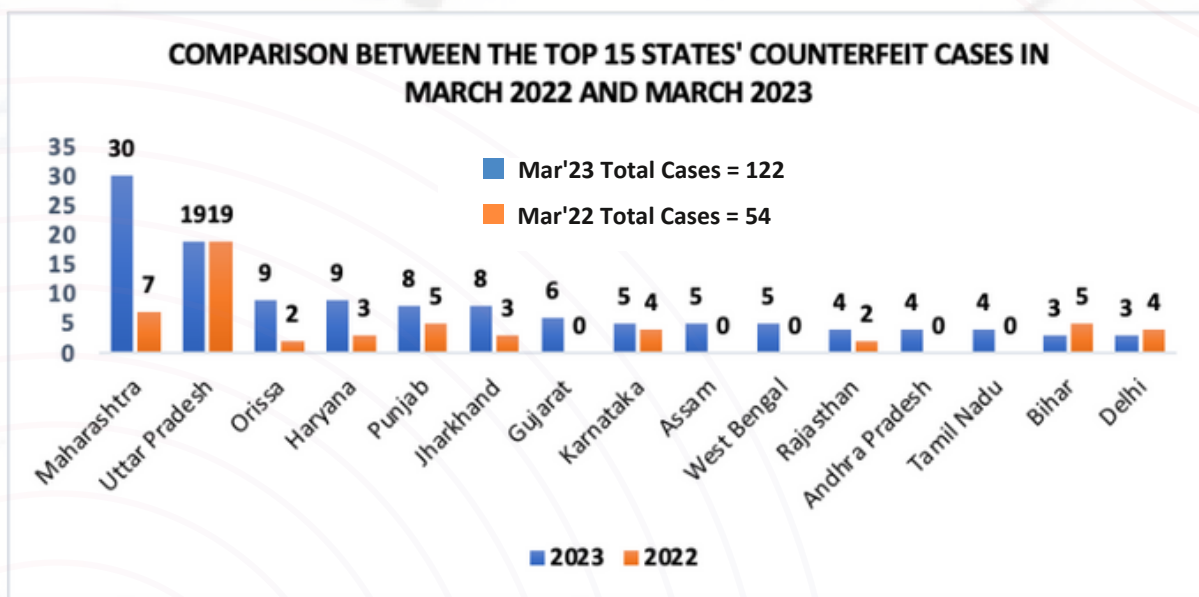


Exhibit 3: State wise bifurcation of IPR enforcement action – March 2023

MARCH 2023 RAID ACTIONS – INDIA

Analyzing Counterfeit cases: March 2022 vis-à-vis March 2023

Counterfeiting is a growing menace in India, and the latest data on counterfeit cases for **March 2022 and March 2023** reveals a mixed trend across the **top 15 states**. While some states have maintained a stable situation, others have witnessed a significant increase in counterfeit cases. The state of Maharashtra, for instance, reported only **7 cases** in **March 2022**, but this number surge to **30** in **March 2023**. Similarly, states like Orissa, Haryana, Jharkhand, Gujarat, Assam, West Bengal, Rajasthan, Andhra Pradesh, and Tamil Nadu have all experienced a rise in counterfeit cases. On the other hand, Bihar and Delhi have reported a decline in counterfeit cases. The data highlights the need for a more comprehensive approach to tackle counterfeiting in the country. By taking proactive measures to combat counterfeiting, we can ensure a safe and secure environment for consumers, boost economic growth, and protect the interests of legitimate businesses.



States	Maharashtra	Uttar Pradesh	Orissa	Haryana	Punjab	Jharkhand	Gujarat	Karnataka	Assam	West Bengal	Rajasthan	Andhra Pradesh	Tamil Nadu	Bihar	Delhi
Feb-22	7	19	2	3	5	3	0	4	0	0	2	0	0	5	4
Feb-23	30	19	9	9	8	8	6	5	5	5	4	4	4	3	3

Exhibit 4: Pictorial depiction of comparison of total number of IP enforcement cases has been undertaken in Indian state in the month of **March 2022 and March 2023**

Disclaimer :

The report findings have been gathered, inter alia, using advanced research and methods using publicly available sources (that may or may not be pay-walled or accessible with reasonable technical acumen). Owing to such reliance, **IIRIS CONSULTING** cannot be held liable for any misrepresentation, fraud, theft, unethical practice, inaccuracies, or lacunae in the report that are attributable to sources that are not capable of further corroboration or supplementation.



IMPACT OF COVID-19 ON INDIAN ECONOMY VIS-À-VIS BRANDS

FROM EVERYDAY LIFE

The Covid-19 pandemic has had a significant impact on the Indian economy and overall impact on the world economy as a whole thus affecting businesses and brands in various sectors. The impact of the pandemic has been felt across the board, from large corporations to small businesses and individuals. The Indian government had to impose strict lockdowns and travel restrictions, causing a decline in economic activity and consumer spending. The pandemic has forced brands to adapt quickly to changing market conditions, as consumer behaviour and demand patterns have shifted dramatically. One of the most significant impacts of COVID-19 on brands in India has been the disruption of supply chains. With restrictions on movement and transportation, many brands have faced difficulties in sourcing raw materials and delivering finished products to customers.

The pandemic has also affected consumer demand, with many people prioritizing essential goods over non-essential items. Brands like luxury goods, such as fashion and jewellery, have been particularly hit hard, as the demand for these goods were reduced.

Similarly, the travel and hospitality industries have seen a significant drop in demand, leading to decreased revenue for brands in these sectors.

Due to the pandemic physical stores and showrooms were closed or operating with limitations. To reach customers, brands had to use digital technologies such as e-commerce platforms and online marketing. This shift towards digital advertising and e-commerce resulted in many brands experiencing a surge in online sales.

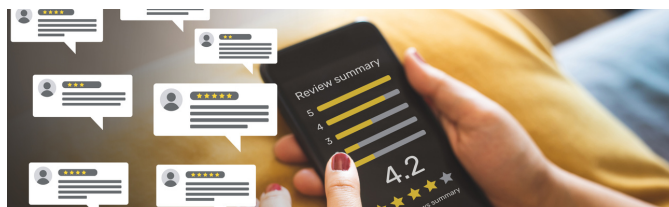


DIGITAL SALES AND COUNTERFEITING DURING COVID-19 PANDEMIC

The COVID-19 pandemic has brought about a significant change in consumer behaviour, with more people turning to e-commerce platforms for their shopping needs. This has resulted in a surge in digital sales, as many physical stores and showrooms were closed or operating at limited capacity. However, this shift towards digital sales has also led to an increase in counterfeit products being sold online. Most of the Industries were affected by surge in counterfeit cases across various industries, including Alcohol, FMCG (fast-moving consumer goods), currency and pharma.

Counterfeiting is the act of making or selling fake versions/look alike of genuine products, and it is a major problem in the e-commerce industry. Counterfeit products not only harm the original brand by damaging its reputation and sales, but they can also pose a risk to consumers health and environment. Thus, resulting into loss of government revenue. The COVID-19 pandemic has also led to a surge in the use of online sales of Counterfeit medicines, PPE kits, oxygen cylinders, masks and sanitizers have become a global concern. These counterfeit products may not meet the required safety and quality

standards and can pose a significant risk to public health. Consumers must be cautious and purchase products from reliable sources.



RESPONSE TO ONLINE COUNTERFEIT

To counter the rise of counterfeiting during the pandemic, brands and e-commerce platforms have invested in anti-counterfeiting measures. For example, Louis Vuitton, a luxury brand, has introduced a blockchain-based platform to track and authenticate its products.

Consumers can also protect themselves by shopping from trusted and verified e-commerce platforms and retailers. For instance, Amazon has a program called Amazon Brand Registry, which helps brands protect their intellectual property and provides tools to identify and report counterfeit products. Consumers should also be alert and look out for signs of counterfeit products, such as suspiciously low prices and poor product quality.

ADVANTAGES OF THE COVID-19 PANDEMIC

- **Environmental Benefits:** The pandemic has led to a decrease in air pollution and carbon emissions, as there has been a reduction in travel and industrial activity.
- **Healthcare:** During the pandemic, many people started doing other forms of exercises, yoga, and mindfulness practices as a way to improve their physical and mental health. With gyms and other fitness centres closed, people turned to online yoga and exercise classes, as well as meditation to help reduce stress and anxiety.
- **Pharma Sector:** Indian pharma sector rose to the occasion and was able to produce anti-covid vaccine for large Indian population and besides this the vaccine was exported to more than 90 countries.
- **Increased use of Technology:** The pandemic has led to the increased use of technology, such as video conferencing, online learning, and online consultation, which has made many services more accessible.
- **Remote work:** Many people have shifted to remote work, which has allowed them to work from home and save time and money on commuting.
- **Increased Awareness of Hygiene:** People have become more aware about keeping general hygiene and maintaining social distance.
- **Development of Vaccines:** A good amount of money was invested in research and development.

DRAWBACKS OF THE COVID-19 PANDEMIC

While it is important to acknowledge the advantages, it is crucial to remember the overall negative impact of the pandemic. The loss of lives, economic hardships, and social disruptions caused by COVID-19 should not be overlooked for people and businesses globally as well as in India. Here are some of the significant ones:

- **Economic Downturn:** The Pandemic has led to an economic downturn, with many businesses experiencing a drop in revenue and profits. This has resulted in job losses, pay cuts, and financial stress for individuals and families.
- **Health concerns:** The Pandemic has also raised serious health concerns, with many people falling ill or losing loved ones to the virus. The fear of infection has led to anxiety and stress for many individuals.
- **Disruption of education:** With schools and colleges closed or operating with limitations, students have faced disruptions to their education. Many have had to rely on online learning, which may not be accessible to all.
- **Social Isolation:** The Pandemic has led to social isolation, with many people unable to visit friends and family or participate in social events. This has resulted in loneliness and mental health issues for some individuals.
- **Strain on Healthcare system:** The Pandemic has put a significant strain on the healthcare system, with hospitals and healthcare workers facing shortages of resources and personnel. This has made it difficult for people to access healthcare services, especially in rural areas.



OXYGEN CYLINDER SALES IN THE CHAOTIC UNREST: A CASE STUDY

Before the pandemic, oxygen cylinders were not commonly seen in the general market. But when COVID-19 hit and patients struggled to breathe, the demand for oxygen cylinders skyrocketed, leading to chaotic scenes and frantic searches for cylinders. Sadly, some people took advantage of the situation and began selling oxygen cylinders on the black market at huge prices. The black market for oxygen cylinders has been a disturbing aspect of the pandemic. People who have been struggling to breathe or have loved ones who need oxygen have been forced to pay huge prices for cylinders. Some people have even started hoarding two or three cylinders at their homes, which has made it harder for those in need to access them. Now that the worst of the pandemic is over the demand for oxygen cylinders has gone down. The situation with oxygen cylinders is a reminder of how vulnerable we can be in times of crisis and the importance of having a robust and equitable healthcare system.



SEVERAL NEWS CAUGHT VIRAL DURING THE COVID-19 OUTBREAK

During the COVID-19 outbreak, numerous news stories managed to capture the public's attention and spread rapidly across various platforms. As the pandemic swept across the globe, people's hunger for information intensified, leading to the rapid dissemination of news through social media and other digital channels. Few snapshots are here :

Hyderabad police bust fake COVID-19 medicine racket

Hyderabad police have busted a fake COVID-19 medicine racket in the city.

[READ MORE](#)

What is Amikacin, the fake 'Covid vaccine' used in Kolkata scam

The mastermind of the scam, Debanjan Deb, 28, was arrested by the Kolkata Police last week for allegedly posing as an IAS officer and organising the fake vaccination drive.

Fraudsters used Amikacin antibiotic as a substitute for the COVID-19 vaccine in a scam that targeted unsuspecting individuals in the city.

[READ MORE](#)

CBI Alerts Police In All States About Racketeers Selling Fake Hand Sanitisers

Agency sources said some criminals are approaching hospitals and health authorities posing as representatives of manufacturers of PPE kits and other COVID-19 related protective gear.

The CBI has issued an alert to police in all states of India regarding a racket selling fake hand sanitizers.

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Two Doctors, 8 Others Held In Delhi For Manufacturing Fake Drugs Meant For Covid, Black Fungus Patients

The medicines were being black marketed through WhatsApp

The medicines were being black marketed through WhatsApp.

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UPCOMING EVENTS


INDIA AND THE WORLD


Global awareness is taking place as several knowledge sharing & best practises are becoming part of new age brand protection & management.


A unique and exclusive business event, 'India enabling the business of future' was organized by **IIRIS Consulting Pvt. Ltd.** and **Veracity** on **27 April 2023** at **Le Meridien, New Delhi** that brought together experienced international leaders and unsung heroes from the police and law industry in India. It showcased some of the challenges faced by businesses in India when it comes to security and compliance. The speakers discussed the need for businesses to work closely with law enforcement agencies and adopt best practices to ensure the security of their operations. Various high-profile lawyers, members of Competition Commission of India, Government Officials, Business Leaders, and Security Professionals in India attended the symposium.

The **7th European Intellectual Property Forum**, which took place in **Berlin, Germany**, on **April 27-28, 2023**, was also an important event that brought together business leaders and legal experts to talk about the newest developments in intellectual property rights (IPR). The forum featured keynote addresses, panel discussions, workshops, and case studies on topics such as patent strategies, trademark protection, copyright enforcement, and emerging challenges in the digital age. In addition to learning how to use blockchain and artificial intelligence for IP management, attendees also studied legal developments, policy debates, and networking opportunities. The forum offered a venue for information sharing, teamwork, and equipping attendees with practical skills to successfully traverse the ever evolving IP management landscape.


INDIA


 5th Annual IPR India Summit 2023
Mumbai, India
27th - 28th June 2023


 Traceability and Authentication Forum
Delhi, India
06th - 07th Jul 2023

 5th Annual Pharma Packaging, Labelling,
Track & Trace 2023 | Mumbai, India
10th August 2023


INTERNATIONAL


 7th European IP Forum
Berlin, Germany
27th & 28th April 2023

 AAFA's Brand Protection Seminar
New York, NY
21st June , 2023

 11th Brand Protection Excellence Forum
Boston, Massachusetts
1st & 2nd June 2023

 The Global IP ConfEx
London, UK
20st September 2023

 The Global IP ConfEx
New York, USA
21st June 2023

 12th Brand Protection | Excellence
Forum | Singapore
2nd November 2023

ABOUT IIRIS CONSULTING

IIRIS Consulting aka **Indus IntelliRisk & IntelliSense Services Pvt. Ltd.** stands committed as a value catalyst to corporates bringing in innovative, cutting edge technology aided, risk advisory and intelligence management solutions that help clients not only mitigate risks but also enable better business decisions.



IIRIS is an India born solutions and consulting firm, with wide operations across South Asia, Far East, USA, UK and Middle East. We operates in the fields of advisory, risk management, intelligence, digitization, and forensics.

Each of our services is delivered by experienced leaders using advanced methodologies that combine legally acceptable technological resources, on-the-ground intelligence collection, and data analytics.

Apart from helping clients make better business decisions, IIRIS also acts as an industry mentor that provide certification and skill building to help professionals be better future leaders.

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MARKET RESEARCH

SUPPLY CHAIN AUDITS

