

Social Media & Counterfeits

Interview with Jay Kennedy of Michigan State University



Jay Kennedy is Assistant Director of Research and Assistant Professor at the Center for Anti-Counterfeiting and Product Protection (A-CAPP Center) and School of Criminal Justice at Michigan State University. Among other topics, he researches the sale of counterfeit goods on the internet and the structure of occupational pharma-ceutical counterfeiting schemes. UL's BeSafeBuyReal (BSBR) met with him to discuss his recent publication 'The Sociotechnical Evolution of Product Counterfeiting: How Social Media, Social Networks, and Social Commerce are "E-Socializing" Product Counterfeiting.'

BSBR: Thanks for finding time to speak with us today. To get started could you tell us a little bit about the A-CAPP Center and what you do?

Jay Kennedy: Sure! The Center for Anti-Counterfeiting and Product Protection is a unit within Michigan State University that's been around for about twelve years now. In a nutshell, we engage in a threefold mission of research, education and outreach in the areas of brand protection and anti-counterfeiting. Our goal is to conduct research and then translate that research into educational products for students, professionals, law enforcement and the wider community, and then engage in outreach activities that make those research products widely disseminated and available to the broadest number of people.

BSBR: So is anti-counterfeiting a department of its own, or is it part of Criminal Justice?

BSBR: That's a good question. Anti-counterfeiting is not actually an academic discipline, but rather a function of many cooperations. We're currently located in the College of Social Science, but we are interdisciplinary, meaning that we touch a number of different academic disciplines across the university,

including Criminal Justice, Law, Engineering and even Marketing. We really make a point of reaching out to students across many disciplines. For instance, our internship opportunities give under-graduate, graduate and law students a really good experiential dive into the world of product counterfeiting. So students can acquire skills relevant to a number of different careers. At the same time, this cooperation with students also benefits us as researchers. It was the students that ultimately helped us hone in on the increasing role of social media in the proliferation of counterfeits.

BSBR: Can you explain a bit more how that came about?

Jay Kennedy: Of course. Obviously, we've always been researching into consumer complicity or the reasons why a consumer would willingly buy a counterfeit product. As we were studying the effects of the internet and the growth of e-commerce and social commerce, some of my students suggested that we needed to look into so-called "dupes" (duplicates) and "reps" (replicas) on social media. They were being used in a way that made them sound more acceptable and less criminal than a counterfeit.

So we decided to apply criminological theory to understand why this phenomenon would be expected to occur. One aspect of this was how social media could affect the way consumers interact with and perceive counterfeit products. But to do this, I needed an education myself: my students explained a lot about TikTok and Instagram and the role of dupes and reps. And as they were explaining all this, I realized that it meshed with a theory that explains how people learn to engage in and rationalize their criminal or deviant behavior.

BSBR: Is this what you describe as "e-socialization" in your paper? Could you describe what this term stands for?

Jay Kennedy: Absolutely. You can think of e-socialization as socialization that is specific to e-commerce and social media. It relates to a subset of criminological theory called social learning theory which states that criminal and deviant behavior

The rise of the “dupe” influencer

A hashtag that includes the word “dupe” helps people find sellers of counterfeit products

#dupe

As of spring 2021

Dupe influencers on Instagram:

over **39,000 posts** were found on Instagram with

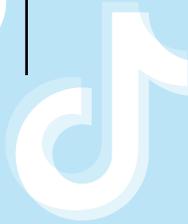


#designerdupes

or #designerdupe

Dupe influencers on TikTok:

over **6,517,000 views** were found on TikTok with



#designerdupefinds

or #dupedesigner

Source: https://www.aafaglobal.org/AAFA/Solutions_Pages/Dupe_Influencers_The_Concerning_Trend_of_Promoting_Counterfeits.aspx

are learned much the same way any other behavior is learned. You watch someone do something, you see them profit from it, then you repeat that behavior and you hope to gain the same things. And then, as you repeat this behavior over time, you learn techniques for being better at it. But you also learn rationalizations and justifications for why you do things that are deviant. You ultimately find arguments to “legitimate” your criminal behavior.

BSBR: And how is this process of rationalization different online?

Jay Kennedy: The processes are very much the same, but instead of your reference point being a family member, a friend or someone you know personally, it is often someone you don’t actually know. Influencers are a prime example. They have hundreds of thousands of “friends”, but how well does anyone really know them? Influencers have constructed an identity using filters, video editing techniques and carefully formulated sound bites to maximize their appeal. All they are after is more likes, more followers and ultimately money, even if this means being complicit to making counterfeits socially acceptable.

BSBR: And how do they do this? Everyone knows a counterfeit is a bad thing.

Jay Kennedy: Well, like I mentioned before, they change the words. They call them dupes or reps. After all, duplicates and replicas are harmless, right? They are words that imply nothing bad. The nuances used to talk about counterfeits can make it

difficult for people to understand what is being promoted.

BSBR: Isn’t there anyone calling them out?

Jay Kennedy: In our research looking at posts featuring counterfeit products, we have unfortunately seen that more comments will generally support the counterfeiting rather than condemn it. One of the reasons for that is the age-old “eat the rich” mentality. The younger generations see it as pushing back against a seemingly unjust establishment that holds control over the means of production and the means of control. And buying or supporting counterfeits is seen as a way to engage in a form of deviance that pushes back against the establishment to show that they are not beholden to the oligarchy. But dupe influencers are not promoting counterfeits for nothing – and it’s not a form of protest. They are very often making money either by selling the products directly or getting commissions as affiliate marketers.

BSBR: So they will actually sell counterfeits right out in the open on social media?

Jay Kennedy: Yes. Anybody can simply google a product name together with dupes or reps and find very open discussions about dupe and replica products – all of which are counterfeits. People go there to learn about counterfeits and the differences between “good” and “bad” fakes. Sellers of counterfeits are on the forums too, and they’ll tell consumers exactly how to get the products.

BSBR: Can’t this be stopped?

Jay Kennedy: It's not always that easy to prosecute these intermediaries. The most important thing we can do is to de-socialize counterfeiting. That is, to inform consumers about the dangers of counterfeits and how, by purchasing counterfeits, they are often hurting others, like when forced labor is used for production. The message that counterfeiting hurts others is often more effective than talking about personal dangers, because people are very susceptible to the idea of "that won't happen to me." But if they realize there are always others being exploited and harmed in the criminal supply chain of counterfeits, it is more likely to lead to a change in behavior.

BSBR: So education is essential, which is actually the whole spirit behind the BeSafeBuyReal website! Is there something else that can be done though? Maybe there are some technological solutions out there to help crack down on the spread of counterfeits?

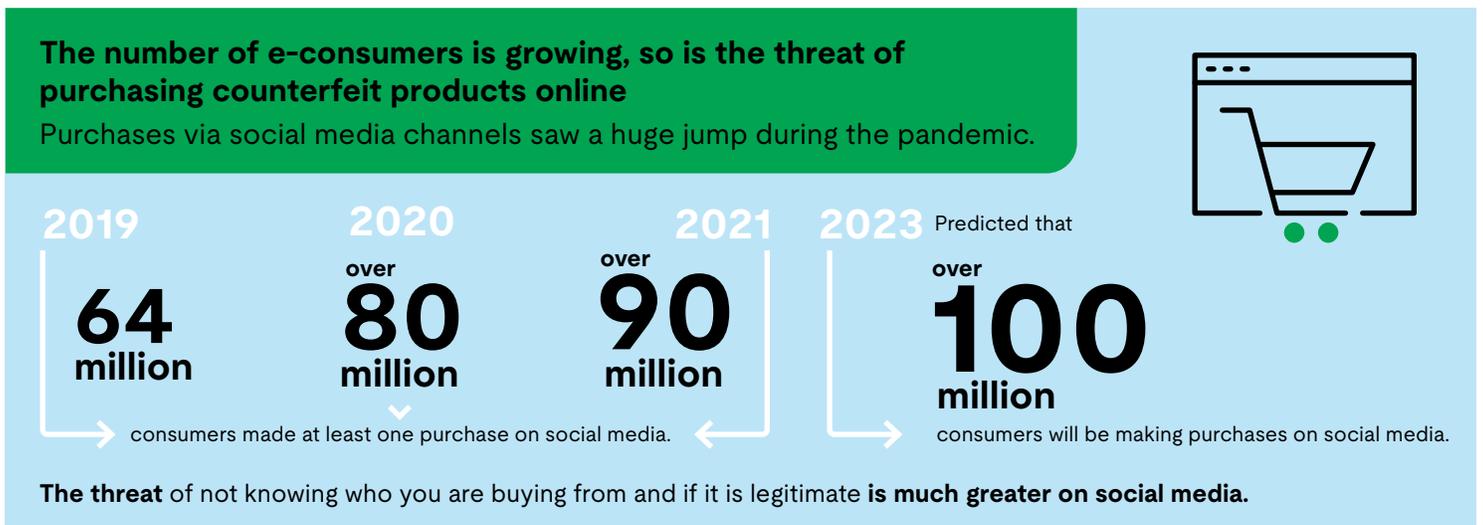
Jay Kennedy: I think we have to remain fluid about our thinking regarding these issues, not rely on a particular technology or a particular cultural situation. We need to stay on the same foot with the counterfeiters, who are always adapting and changing. We've also got to consider the next level of technological innovation. What is the next way in which technology is going to change and alter the way in which we live and conduct our lives? And when that happens, we know that social changes are going to come, as well. We know that interaction and engagement are going to change. And that changes to commerce are going to come. When we can anticipate such changes, we can make better plans.

BSBR: During the COVID-19 pandemic, there are reports of predicted shortages. Have you seen how counterfeiters are taking advantage of these disruptions?

Jay Kennedy: Yes, this is something we've been following as part of COVID-related trends. The counterfeiters are definitely going to take advantage of all these disruptions, and to the detriment of consumers. This is because the internet and e-commerce have pretty much told us – and some companies have advertised this openly as part of their marketing strategies – that if you can't find it anywhere else, you can find it here. The internet has taught us that we can get anything from anywhere, so when you hear about supply chain disruptions, the natural thing is to look online. There, consumers can find the products they are looking for and may not notice that they are buying a counterfeit if they find it on a nice-looking website or buy through a legitimate e-commerce platform.

BSBR: What tips could you give consumers when using social media, concerning how to shop safely and avoid counterfeits?

Jay Kennedy: Information is power. First, people need to understand that counterfeiting is criminal and that the criminals behind counterfeiting often use dubious means of production – such as forced labor or child labor – and that the products can be very dangerous to their health and safety. Second, they need to learn how to spot counterfeits.



Source: <https://www.emarketer.com/content/social-commerce-2021>.

Learn more about spotting counterfeits at

BeSafeBuyReal.ul.org

To learn more about Jay Kennedy's research,

[read his paper here](#)