

# Inspiring ways in which India is beating back counterfeiters and smugglers

Expert Insight article by Anil Rajput Chairman



**As the Chairman of India's anti-counterfeiting committee FICCI CASCADE, Mr Anil Rajput has helped significantly increase national awareness surrounding the hazards of counterfeiting and smuggling. In this article, he shares some of the bold and unique measures that have seen success in India.**

Ever since India transitioned from a closed to an open economy in the 1990s, the demand for big-name brands has grown. Unfortunately, this popularity of brands has also created a growing market for counterfeits and pass-offs in the country.

Today, India faces a particularly tough challenge when it comes to the prevention of counterfeits entering the country. There are many forest borders which are hard to police, some of which offer direct connections to countries that produce large numbers of counterfeit products. And many of those products look so similar to the originals that consumers cannot tell the difference.

As a result, a system is needed that provides an organized way to communicate and engage with consumers and policy makers alike, sensitizing them to the dangers that counterfeits pose to public health and safety, while also exposing the economic damage that illicit products can cause society as a whole.

## India's answer to counterfeiting and smuggling

With these issues in mind, in 2011 I collaborated with the Federation of Indian Chambers of Commerce and Industry (FICCI) to establish the Committee Against Smuggling and Counterfeiting Activities Destroying the Economy (CASCADE), or FICCI CASCADE for short. Working with FICCI proved to be a decisive success factor, as legitimate businesses are highly impacted by the spread of illicit goods and it was very much in their own interest to join forces in fighting their proliferation.

To achieve our goals, we engage with various industry players, consumers, the media, legal experts, consumer organizations as well as enforcement agencies, just to name a few. Our vision is to win over as many people as possible and to make them our ambassadors, or "Cascaders" as we call them. Cascaders carry the message that buying legal products is much more beneficial, because many illicit products are hazardous to people's health and safety, as well as the economy.

As an organization, FICCI CASCADE continues to grow, learn and get stronger every year.

## Outreach measures in India

One of our key findings is that people will generally not pay much attention when you tell them that counterfeiting is a serious problem. It is vital to deliver arguments, motivation and also share some data with them.

Besides sharing data and international experience with businesses, India's judiciary sector and police departments, we also put a lot of focus on informing consumers themselves. One of our many public outreach measures is our video program. We have created many short films featuring everyday people, celebrities as well as government officials who all highlight the dangers of counterfeits. For the most part, they are not in English, but you can get an idea of what we are doing from our [video archive](#).

We have also generated a series of publications in order to raise awareness and help people understand the magnitude of the problem. Furthermore, we are cooperating with the Ministry of Higher Education to get our messaging into textbooks. Some of the more creative initiatives we have done were an art competition and an essay competition, in which mostly children participated and produced extraordinary works.

***"My vision going forward is to make the lives of counterfeiters and smugglers as difficult as possible."***

This kind of outreach is generally funded by the companies and industry organizations that support us, but many of our measures are jointly funded by the media channels, as well. Obviously, initiatives like the writing or art competitions are less expensive than a television commercial, for example, but in my opinion they create more of an emotional connection that leaves a lasting impression. So I consider all of our measure equally important and effective in their own way.

### Overview of outreach measures in India

- Radio messaging
- Television advertising
- Cinema advertising
- Adaptation for multiple local languages
- Facebook & Twitter outreach
- Roadside billboards
- Creative art & writing competitions

### Counterfeiting in India during COVID-19

As one might suspect, illicit operators are always looking for new opportunities, and the pandemic provided them with many. For instance, when there was a shortage of products such as drugs, oximeters and personal protective equipment, counterfeiters took advantage of the situation and began creating and selling dangerous alternatives, from ineffective sanitizers to spurious medicines.

Fortunately, India's enforcement agencies were equally alert during this period, and they did a marvelous job in catching many of the perpetrators. At FICCI CASCADE we did our part to sensitize consumers that when they buy anything in such a state of crisis, they have to be extra careful. We got the message out that unscrupulous people were trying to sell dangerous counterfeits that can really harm consumer health and safety. So, considering the enormity of the problem at the time, India's prevention and enforcement mechanisms worked quite well.

### Bringing an underground menace out into the open

In a country as large as India, it is very difficult to get an overview of the volume of illicit trade, because there are so many products and every sector of the economy is affected differently. Our experts are constantly observing the market and we publish regular reports, revealing how, for instance, sectors such as FMCG, computer hardware, auto parts, cigarettes or the motion picture industry are impacted.

When we share this data with consumers and policy makers, they truly come to understand how big of a menace we are faced with, because the depth of this issue is normally not visible. Without data, nobody realizes the depth of economic loss that the state experiences. And when we bring up the health hazards of counterfeit products – such as medicines that can kill, rather than cure you – people quickly wake up and listen.

Over the years, our awareness-raising efforts have won FICCI CASCADE increased support and funding, which enables us to make much more noise and continually increase the pressure on illicit trade. Compared to the year 2011, when we first began, we feel that there is now a much greater understanding and appreciation of the menace of illicit goods at all levels of society. However, no matter what we do, it is never enough given the enormity of the task. The fight against counterfeiting requires a sustained effort.

Besides our work for consumers, I am personally engaging with government leadership to shape policy in a way that makes the lives of counterfeiters and smugglers as difficult as possible. For instance, by encouraging the allocation of funding to educate law enforcement as well as equip them with technologically sophisticated means to subvert the inflow of illicit goods.

## Aims of FICCI CASCADE

- Generating awareness on the hazardous impact of smuggled, contraband and counterfeit products amongst consumers and citizens
- Capacity building of law enforcement agencies including judges, police and customs officers
- Research and proposing law reforms
- Interaction with law enforcement to emphasize the importance of continued awareness and the seriousness of the impact of counterfeit goods
- Enforcement of IP-related laws
- Systematic dissemination of enforcement techniques, procedures and strategies through regular workshops
- Sharing the best practices followed globally for combating contraband, smuggled and counterfeit products
- Provide knowledge support to industry members

## Differentiating between counterfeits, pass-offs and smuggled goods

Many people have trouble understanding the differences between counterfeits, pass-offs and smuggled goods. More important than their differences though is to understand that they all pose safety risks. Here are the differences, just to clarify:

- **Counterfeits** can be defined as illicit products that try to copy a brand as much as possible, in order to trick people.
- **Pass-offs** are products that make a small change to the original (e.g. changing a letter in the brand name) in a thinly veiled attempt to avoid some legal troubles, yet still trick the consumer.
- **Smuggled goods** are goods which actually come from an authentic source, but instead of passing through customs legally, they are smuggled across the border to avoid taxes, regulations and safety requirements.

[You can learn more here](#) about our work at FICCI CASCADE and what we are doing to combat counterfeiting and raise awareness among consumers and policy makers.

Thank you for reading.