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## REGIONAL CONFERENCE INTELLECTUAL PROPERTY AND SPORTS

Ljubljana, May 28 and 29

### IP Infringements Relating to Sporting Goods

DR. JOCHEN M. SCHAEFER,  
LEGAL COUNSEL OF THE WORLD FEDERATION OF THE SPORTING GOODS INDUSTRY (WFSGI )  
MUNICH, GERMANY

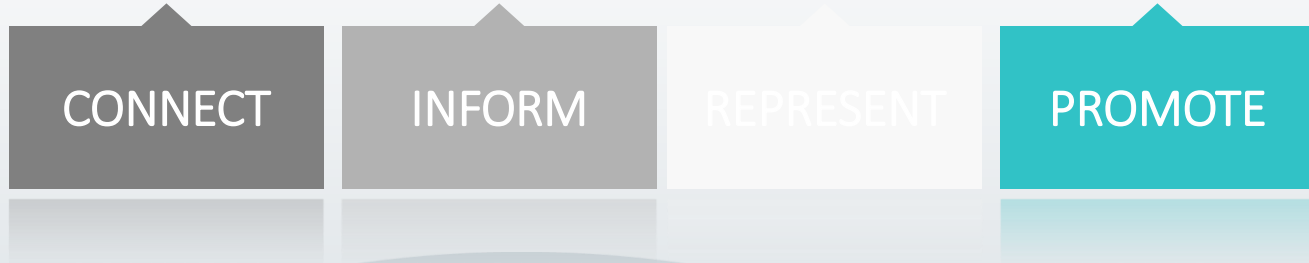


# OVERVIEW

- WFSGI = World Federation of the Sporting Goods Industry
- Independent association formed in 1978 by sports brands, manufacturers, suppliers, retailers, national organizations and all sporting goods industry related businesses
- World authoritative body for the sports industry recognized as the global voice of the sporting goods industry
- Non-profit organization and with no objective of economic character for its own gain
- Non-governmental association officially recognized by the IOC as the industry representative within the IOC family
- **The Federation exists to serve its members**



# THE WFSGI'S MISSION



## BRAND PORTFOLIO OF ADIDAS GROUP



## THE PREMIER LEAGUE OF IP RIGHTS OF MOST VALUABLE IP ASSETS\*<sup>)</sup>



No. 17



No. 50

\*<sup>)</sup>Source: Best Global Brands 2018 Interbrand <https://www.interbrand.com/best-brands/best-global-brands/2018/ranking/>

# THE PREMIER LEAGUE OF IP RIGHTS OF MOST VALUABLE IP ASSETS<sup>\*)</sup>



Interbrand

Search our work Q

17 NIKE +11% 30,120 \$m	18 LOUIS VUITTON +23% 26,152 \$m	19 ORACLE -5% 26,133 \$m	20 HONDA +4% 23,662 \$m	21 SAP +1% 22,865 \$m	22 PEPSICO +2% 20,796 \$m	23 CHANEL NEW 20,005 \$m	24 AMGEN +8% 19,139 \$m
25 ZARA -5% 17,712 \$m	26 JPMorgan +12% 17,267 \$m	27 IDEA -5% 17,438 \$m	28 Gillette -7% 16,864 \$m	29 UPS +3% 16,849 \$m	30 H&M -18% 16,829 \$m	31 Pampers +1% 16,617 \$m	32 HERMES +15% 16,372 \$m
33 Budweiser +2% 15,627 \$m	34 accenture +14% 14,214 \$m	35 Ford +3% 13,999 \$m	36 HYUNDAI +3% 13,530 \$m	37 NESCAFÉ +3% 13,053 \$m	38 ebay -2% 13,017 \$m	39 GUCCI +30% 12,942 \$m	40 NISSAN +6% 12,213 \$m
41 VW +6% 12,201 \$m	42 Audi +1% 12,167 \$m	43 Shell +5% 12,164 \$m	44 Caterpillar +8% 11,769 \$m	45 citi +9% 11,577 \$m	46 HSBC +6% 11,269 \$m	47 AXA 0% 11,118 \$m	48 L'OREAL +4% 11,102 \$m
49 Allianz +8% 10,821 \$m	50 adidas +17% 10,772 \$m	51 Adobe +19% 10,748 \$m	52 Porsche +6% 10,707 \$m	53 Kellogg's -3% 10,634 \$m	54 hp +9% 10,433 \$m	55 Canon +6% 10,360 \$m	56 SIEMENS +1% 10,132 \$m

<sup>\*)</sup>Source: Best Global Brands 2018 Interbrand <https://www.interbrand.com/best-brands/best-global-brands/2018/ranking/>

## BUT REMEMBER !!!



The Sporting Goods Industry consists largely of SMEs small is Beautiful 

## WHAT ARE 'SPORTING GOODS' ??





# SOME TYPES OF IP RIGHTS INFRINGEMENTS IN SPORTS



PRODUCT COPIES



COPYRIGHT INFRINGEMENTS



FALSE TICKETS



AMBUSH MARKETING

# COUNTERFEIT LISTINGS ON THE MAJOR ONLINE MARKETPLACES – EXAMPLES: ARENA

High School popular Young Girl Models calssy Sexy Extreme Hot Micro Bikini Girl Arena Swimsuit

**US \$3.3-4.2 / Piece** 1 Piece/Pieces (Min. Order)

Supply Ability: 10000 Piece/Pieces per Week

Port: NINGBO

Contact Supplier

Professional women ladies arena swimsuit

**US \$4.8-6.5 / Set** 100 Set/Sets (Min. Order)

Supply Ability: 50000 Set/Sets per Week

Port: Xiamen

Contact Supplier

专业竞赛泳帽 国旗帽 Arena/阿瑞娜正品印花泳帽 现货

价格: ¥35.00 / ¥27.00

起订量: 50-99 个 / 2100 个

品牌: arena, speedo

立即订购

professional manufacturing arena swimming goggles

**US \$0.1-0.2 / Piece** 1000 Pair/Pairs negotiable (Min. Order)

Supply Ability: 1000 Pair/Pairs per Day adjustable

Port: shenzhen

Contact Supplier

# COUNTERFEIT LISTINGS ON THE MAJOR ONLINE MARKETPLACES – EXAMPLES: SPEEDO

1688 深圳市品升橡塑制品有限公司 4年 11% 18% 1% 20%

**PIN SHENG 品升** 品升品质冠军, 品升助力  
 深圳市品升橡塑制品有限公司  
 Shenzhen P.S Silicone & Plastic Co., Ltd 0755: 29501385 / 3316265200: 34  
 硅橡胶模具 塑胶模具 硅胶制品 塑胶制品 婴儿用品 体育用品 电子产品

首页 供应产品 公司档案 公司相册 联系方式 在线询价

速比涛儿童游泳镜speedo泳镜水上用品游泳用品儿童成人泳镜

价格	¥9.50	¥8.50
起批量	1000-4999 个	5000-9999 个
物流	广东 深圳	
成交评价	0个成交	0条评价
颜色	变色	9.50元 10203
	白绿	9.50元 10203
		9.50元 10203

加入进货单

交易资金 详情 免费

**Wholesale offering Price: 8,50 Yuan (1,08 Euro) if the buyer orders 5000 + Items**

EVERYCHINA Buy From China Factory

Home Products Suppliers Selling

speedo

Home > Sports & Entertainment > Sport Products > speedo

OEM New Design speedo prescription goggles competition swimming goggles

Brand Name : Freedoo  
 Model Number : AF-300  
 Place of Origin : China  
 ...PC Lenses Swimming Goggles , OEM New Design Speedo S Goggles For Adult This series ...

Add to Cart

aqua sphere kaiman womens swim goggles,sp swim goggles

Place of Origin : Guangdong  
 Brand Name : Mystyle  
 Model Number : AF-300  
 Brief introduction of ourselves Mystyle is the leading of manufac swim equipments. We ...

Add to Cart

Professional Swimming Pool Glasses , Silicone Speedo Goggles

Place of Origin : Wenzhou,China (Mainland)  
 Brand Name : Anti-fog Swimming goggles  
 Model Number : RH3000  
 ...Professional Swimming Pool Glasses , Silicone Speedo Gogg Detail: Lens: PC material...

Add to Cart

淘宝网 Taobao.com 宝贝 speedo

送游泳装备 高清晰防雾专业泳镜

¥34.40 0人付款

speedo泳镜男女防水防雾高清晰泳镜 镜透明专业带有度数近视平光

抽虾鱼的喵喵5689 福建 厦门

黑雾

¥34.40 0人付款

speedo泳镜高清晰近视防雾游泳眼镜里 女专业成人儿童防水游泳装备

tb4152993\_99 北京

speedo

高清晰防雾 环保硅胶 防雾镀膜 可拆鱼鳍 潜水呼吸 潜水呼吸

¥34.50 0人付款

speedo泳镜 男女高清晰防水防雾电眼平 光专业度数近视泳镜 游泳眼镜

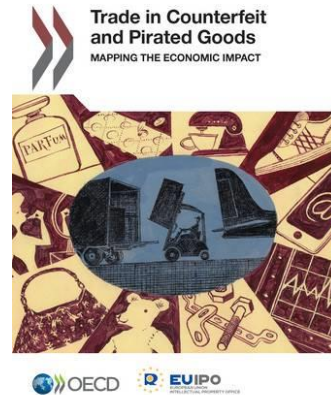
行霸哥Ty 上海

¥34.50 0人付款

speedo泳镜男女防水防雾高清晰泳镜 近视游泳眼镜女士度数电眼平光

1995志伟鹏 北京

# COUNTERFEITS – ONE OF THE MAJOR PLAGUES OF THE 21<sup>ST</sup> CENTURY



**OECD / EUIPO Study on the Economic Impact of the Trade in Counterfeit and Pirated Goods published on April 18, 2016**

## SOME KEY FACTS\*)

\*) *SOURCE: OECD EUIPO STUDY APRIL 2016*

- In 2013: trade in fakes represented up to **2.5 %** of world trade, i.e. as much as **461 Billion USD**;
- Counterfeit and Pirated Products amounted up to **5%** of all imports in 2013 in the EU, i.e. to **85 Billion EUR**;
- Given the fundamental importance of intellectual property (“IP”) in an innovation driven global economy, counterfeiting and piracy must be directly targeted as a **threat to sustainable IP-based business models**.
- **Nearly all kinds of products are counterfeited** from luxury and B2B products to common consumer products including the food sector.

## The Don Quijote Syndrom – ‘old school’ vs. ‘new school’ to fight IP Rights Infringements



**This 21st Century plague has also to be attacked with the technology tools of the 21st Century**

## SOME ADDITIONAL KEY FACTS

- To purchase Counterfeits is NOT a Petty Offense, ONE IS NOT THE 'SMART BUYER' AS MANY CONSUMERS PERCEIVE THEY ARE
- WHY is this the case???







## CONCRETE PROGRAMS TO PROTECT IP AT WFSGI LEVEL



**Fight Offline**  
physical  
stores/locations



**Fight Online**  
Internet

1

Trusted investigators &  
cooperation for enforcement  
operations: WFSGI IP  
contacts database

2

Authentication Project:  
bicycles + other brands

3

Customs Authorities:  
partnership with the WCO  
(IPM tool – free the 1st year)

4

Online abuses:  
Convey Srl.



## LIMITS OF THE TRADITIONAL APPROACH

### Method

The rights owner is approaching the infringer by:

- sending an Cease and Desist Letter and/or
- commencing court and/or administrative proceedings



**The Risk is:** Such way to attack is frequently doomed to failure

### Some reasons:

- IP rights Infringers (in particular in Far East) conceal their true identity and frequently operate with hundreds of alter egos;
- C& D letters are frequently nothing but a piece of (toilet) paper for criminal and notorious counterfeiters;
- Court proceedings take frequently (too) long with uncertain results;
- The internet is constantly changing, contents pop up and disappear within fractions of (nano-seconds).





## CONCRETE PROGRAMS TO PROTECT IP AT WFSGI LEVEL



### Fight against Online IP Infringements

Since 2014:

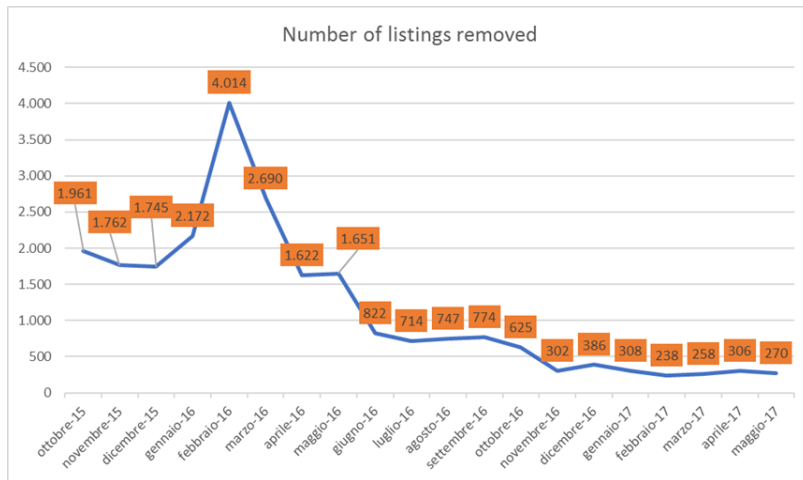
- 30 + brands participating;
- 200 + market places are covered;
- 550,000 + take downs of illegal offerings;
- 1.2 Million blockings of illegal transactions with a estimated commercial value of USD 40 Million;
- 110,000 + illegal accounts and/or web shops operated by IP infringers have been closed;
- 11,000 + counterfeit shops were closed hosted on privately owed web sites and domain names.



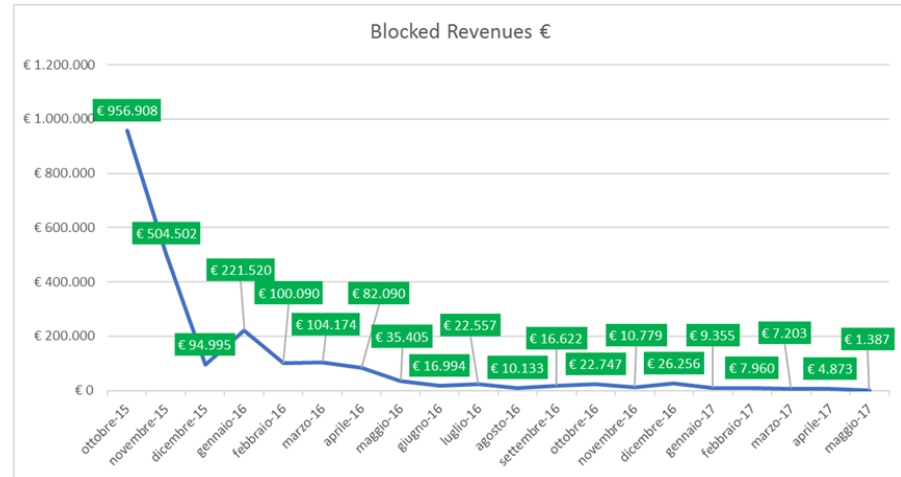
# NOTHING AS CONVINCING BUT FIGURES:



Decrease of counterfeit sales with focus on a real case after one year of activities



Even in the first year of activities the accomplishments are substantial.



Monthly counterfeit turnover has **decreased from 956.908 € (OCT-15) to 1.387 € (JUN-17)**



**DR. JOCHEN M. SCHAEFER**  
 ATTORNEY-AT-LAW (GERMANY)/LEGAL COUNSEL WORLD  
 FEDERATION OF THE SPORTING GOODS INDUSTRY

AM KAPELLENBERG 21  
 D-85604 ZORNEDING (MUNICH REGION) GERMANY  
 TEL.: +49-(0)8106-37 72 3-41 • FAX: +49-(0)8106-37 72 3-59  
 MOBILE.: +49-(0)151-16 40 79 32 • E-MAIL: SJ@SJLEGAL.DE

