

WSN ACADEMY

-  Learn
-  Grow
-  Innovate

FIGHTING COUNTERFEITING IN FASHION EFFECTIVELY



01

STEP 1

02

STEP 2

03

STEP 3

04

STEP 4

05

STEP 5

06

STEP 6



01

STEP 1

Monitor in order to act upstream



①

Trademark and domain name monitoring

Tool for detecting trademark filings and domain name reservations identical or similar to your distinctive signs.

②

Act before the launch

When a risk is detected, a simple amicable approach (withdrawal letter) often makes it possible to block the competing project before it even launches.

OBJECTIVE :

Prevent copies and confusion before they take hold in the market.





③ If necessary, simple and quick procedures

When an amicable solution is insufficient, administrative procedures can be used to obtain the withdrawal:

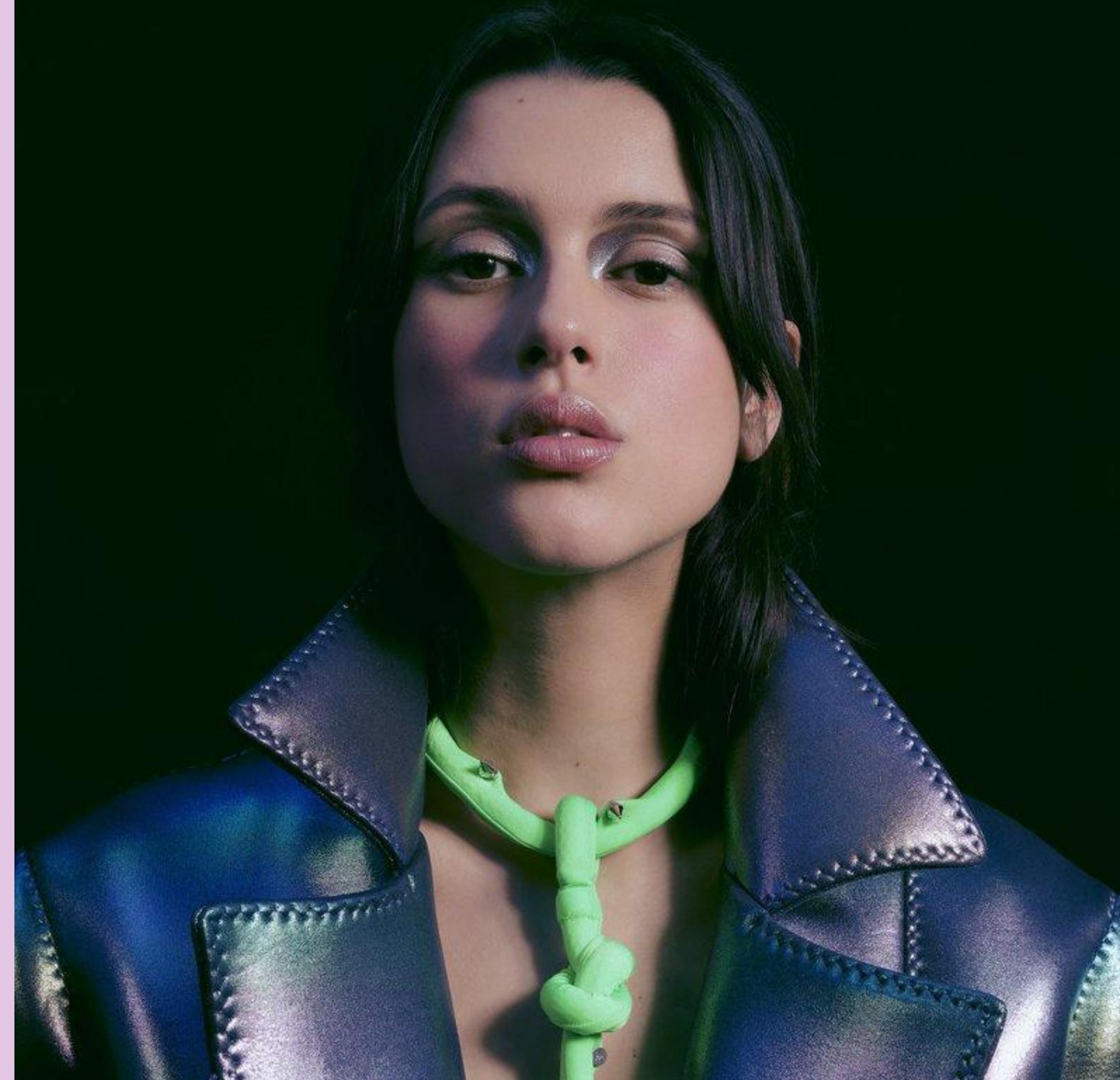
- Opposition to the INPI or EUIPO for trademarks
- UDRP or SYRELI procedures for domain names

④ Risk-free operation

Monitoring is free.
You only pay if action is actually taken.

OBJECTIVE :

Prevent copies and confusion before they take hold in the market.





02

STEP 2

Counterfeiting on the internet

1- IDENTIFY THE ILLICIT CONTENT

Imitations of brands and/or
creations

3- FAST AND INEXPENSIVE WITHDRAWAL

Content is usually removed
within 48 hours, without legal
action.

2- AMICABLE WITHDRAWAL PROCEDURE

Requests addressed directly to hosting
providers and intermediaries
(online sales platforms, e-commerce
sites, social networks: Shein, Amazon,
Etsy, AliExpress, Instagram, etc.)

4- SECURE PROCESS

Risk of “counter-attack” if claim is
unfounded: prior validation by a
lawyer is recommended.

OBJECTIVE :

Stop the spread of counterfeit
goods before they become
widespread.

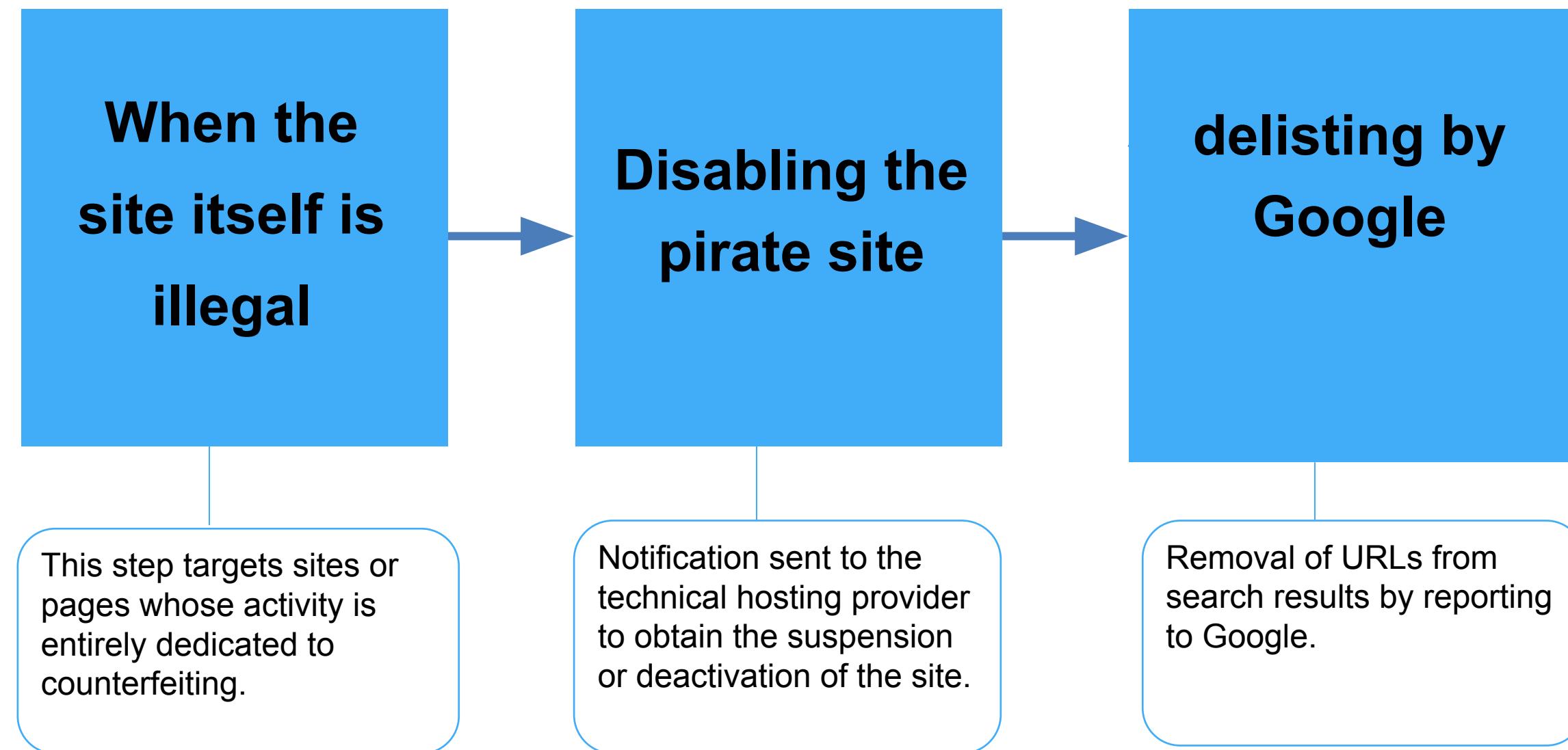


03

STEP 3

Pirate sites & pages

Pirate sites & pages



Principle common to all actions



Fast and efficient amicable and administrative procedures, generally implemented within a few days.

OBJECTIVE :

Eliminate pirate sites by cutting off their access and visibility.



04

STEP 4

Customs detention

OBJECTIVE :

To prevent the entry and marketing of counterfeit products in France.

Simplified product destruction

An administrative procedure allowing the destruction of goods without legal action, in a quick and efficient manner.



Customs detention allows counterfeit products to be blocked before they are placed on the market.

Intervene at the border



National demand

Control of goods on French territory (ports, airports, logistics warehouses).



Simple application process:
Copyright certificates,
product images,
brand contact
information.



European demand for cross-border flows.



05

STEP 5

Contractual clauses

OBJECTIVE :

Prevent the risks of parallel production and provide lasting protection for creations.



Contractual framework of relations

Integration of specific clauses into contracts to secure the production chain.



Protection of intellectual property rights

Clauses recalling the intellectual property rights of the trademark and the ownership of the creations.

Enhanced confidentiality

Confidentiality clauses relating in particular to patterns, models, prototypes and know-how.

Liability and penalties

Liability and penalty clauses in the event of the manufacture or marketing of similar or competing products.



06

STEP 6

Formal notice before legal action

Formal notice letter



Seeking an amicable agreement

Sending a formal letter to the counterfeiter in order to stop the illegal activities (manufacturing, marketing, distribution).

The formal notice opens the way to a negotiated solution: cessation of actions, withdrawal of products, written commitment, possible compensation.



One step is often enough



In many cases, this approach allows the dispute to be resolved quickly, without going to trial.



In case of failure: legal action

If no amicable solution is reached, legal action can be taken to have rights recognized, to obtain an injunction against the violations, and to obtain financial compensation.

OBJECTIVE :

The priority is to stop the attacks, while reserving the right to take legal action.



Agathe ZAJDELA

ASSOCIATED

zajdela@dtmv.com

01 56 69 31 00

Contact us

164, Rue du Faubourg Saint-Honoré, 75008 Paris, France

T. +33 (0)1 56 69 31 00

F. +33 (0)1 56 69 31 01

WSN ACADEMY

Learn
Grow
Innovate

THANK YOU!

wsn-academy@wsn.community

We'd love to hear your opinion!

