China's 'Fake' Apple Store: Branded Space, Intellectual Property and the Global Culture Industry

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China's 'Fake' Apple Store: Branded Space, Intellectual Property and the Global Culture Industry

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Abstract

This essay deploys the joint lenses of branding and space to examine the hegemonic operation of the Apple brand in the global culture industry. It does so by analyzing China's 'fake Apple Store' event in 2011, which began with an American expat blogger's discovery and subsequently caught the attention of global news media. While copying the look of an official Apple Store, these retailers displayed and sold genuine products originally assembled in China. Probing the cultural logic that gave rise to the event, I argue that China's 'fake' Apple Store emblematizes the power relations and subject positions that emanate from Apple's global hegemony. The Apple Store, as a branded environment, is best seen as a heterotopia whose interpellating mechanism relies on the extensive-intensive character of the intellectual property rights (IPR) regime. While China's copycat Apple Store can be seen as an attempt at a production of sameness, the 'user-generated' charge of its 'fakery' stems from the 'distributed' power of the Apple brand, which operates through a production of difference. Even though the varied responses to the event (on the part of Chinese authorities and Apple, the brand owner) reveal the contradiction within Apple's extensive global reach, it more importantly points to a condition wherein consumer turned 'produser' subjects act as self-enlisted agents who work to perpetuate the brand's design-intensive value regime. While the spectacle of 'Chinese fakery' manifests the ideological work of IPR in naturalizing the distinction between the copy and the fake, the extensive-intensive operation of the brand, embodied by the Apple Store, also undermines the ability of consumer subjects to meaningfully engage the 'Chinese reality' that is manufacturing labor.

Keywords

brands, China, consumer, difference, global, hetorotopia, new media technology

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In the summer of 2011, an American expat discovered a 'fake' Apple Store while strolling in the southern Chinese city of Kunming. The interior design featured Apple's standard spiral staircase; the merchandise on display appeared to be actual Apple gadgets; even the employees wore blue T-shirts and nametags similar to those found in Apple Stores elsewhere. Soon enough, though, the defects in the stairs and walls, combined with the words 'Apple Store' next to the iconic apple sign in the storefront, led her to determine that it was 'a total Apple Store ripoff', albeit 'a brilliant one' (Angelson, 2011a). Apple's online listing of official Apple Stores in China, located only in Beijing and Shanghai, confirmed her suspicion. The blog post, complete with pictures of this and two other fake stores found in the same neighborhood, received '1,000,000 views in less than 72 hours' (Angelson, 2011b). In addition to its viral circulation online, the story was relayed by over a thousand major media outlets (Lee, 2011), including CNN, BBC, ABC and NBC, as well as numerous Chinese media.

The fake Apple Store thus entered China's long-standing intellectual property rights (IPR) infringement records as a 'new genre of copycats' (Bilton, 2011). No longer are the products the objects of imitation, but the store design and the mode of retail operation as well. The media frenzy generated around the act even made its way into the second presidential debate during the 2012 US election. Mitt Romney, the Republican candidate, cited the 'fake Apple Store' as an example of China's frequent 'thefts' of American intellectual property to support his proposed 'tough' stance on that nation. Little did he know that the items sold in these and several other 'fake' stores were confirmed to be genuine Apple products, purchased from the company's official resellers in the country (Mozur, 2012a). Upon being informed about the store's 'fake' identity, some local customers demanded proofs about the products' authenticity, but others cared less: 'If the products are real, why make a fuss about the décor?' (Li, 2011).

As an allegedly fake store that sells real products, Kunming's 'Apple Store' calls into question Jean Baudrillard's well-known account of the 'hyperreal' – 'a real without origin or reality' (1988: 166). Disneyland, according to this account, is a fantasy world constructed without references to real locales; it 'exists in order to hide that it is the "real" country' that is America, wherein media (e.g. the film industry of Los Angeles) and reality are indistinguishable from each other (Baudrillard, 1988: 172). What would Baudrillard say if he were told that there exists a 'fake Disneyland' in China, not far from the ruins of the Great Wall, just outside of Beijing? Standing in the midst of a cornfield are 'skeletal remains of a palace, a castle, and the steel beams of what could have been an indoor playground'. The construction stopped when developers and local farmers couldn't settle on the property prices. Now, crops are again

planted in what was once envisioned to be 'the largest amusement park in Asia' (Gray, 2011).

China's deserted Disneyland is a copy of an original – an original that is itself of a hyperreal order. In some ways, it epitomizes the many contradictions of a hyper-industrializing nation whose population had been predominantly rural until January 2012 (*Bloomberg News*, 2012). Yet architectural fakeries of this kind are less an anomaly than the norm. Numerous luxury residential developments near major cities have modeled themselves upon Euro-American urban features, self-proclaiming to be 'Cambridge' on the outskirts of Shanghai or 'Venice' outside of Beijing (Bosker, 2013). Western-style shopping malls and pedestrian commercial streets have also emerged in almost all major cities, sometimes replacing their more native, bazaar-like counterparts. Shortly after the 'fake Apple Store' incident, a furniture shop that copied many service features of the company IKEA was also found in Kunming (Lewis, 2011).

None of these 'faked' residential or commercial spaces in China, however, has caught the same amount of attention from global media as the Apple Store knockoff. After her blog post went viral, Angelson received numerous pictures of similar stores around the world. Among them were two stores in Queens, New York, that sold counterfeit items and were subsequently shut down, following a lawsuit filed by Apple (Dye, 2011). But the spotlight cast upon China's fake store was far more intense than that of the others. For Angelson, this is because the news sits at a 'perfect intersection of Americans' enormous affection for Apple as a company and their enormous dislike of China as a country' (Mozur, 2012a). Apple's Chinese connection, of course, extends beyond this intersection. The vast Chinese factory of Foxconn, sub-contracted by Apple and many other electronics producers, has frequently made headlines as a site of ongoing labor tensions and disputes (Duhigg and Barboza, 2012). Meanwhile, a transnationally organized grey market has emerged to unofficially distribute Apple products in China. Overseas Chinese and border-crossing tourists often smuggle newly released Apple products into China to be sold at a premium while evading tariffs imposed by the state (Bilton, 2010). The presence of this underground sales network had led some to speculate that the merchandise in the 'fake Apple Store' was also supplied in this manner, if not directly shipped out of the Chinese factories that had assembled it (Mozur, 2012a).

Kunming's 'fake Apple Store', then, is in some sense closer to 'the real' – that is, the real conditions of production – than its 'original' counterparts. What, then, makes up the 'original'? If Baudrillard's notion 'the territory no longer precedes the map' (1988: 166) suggests that geographical space is increasingly subsumed into the expansionary regime of signs, the Apple Store must be taken seriously both as a retail space and as a site of sign production – that is, an entity integral to

Apple's global branding strategy. For this reason, this essay deploys the joint lenses of branding and space to articulate the cultural logic that gave rise to China's 'fake Apple Store' phenomenon. Far from a randomly occurring, singular event, China's 'fake Apple Store' crystallizes the globally hegemonic operation of the Apple brand. This operation enacts the dynamics of what Lash and Lury (2007) call 'the global culture industry', wherein bio-power is no longer exercised within spaces of enclosure but on a continuous, limitless social field. This is because branding depends on the extensive-intensive working of the IPR discourse to subsume space into the body, time into the event, distance into senses. The Apple Store and its Chinese fake, as spatial manifestations of this extensive-intensivity, not only signal a new regime of capital accumulation but also reveal the internal contradiction that belies the brand's global reach.

The Apple Store as Heterotopia

How can a retail space be 'faked?' This question cannot be fully answered without a deeper understanding of the Apple Store's unique contribution to the making of the Apple brand. The idea of the Apple Store came to Steve Jobs in 1999, then the CEO of Apple. The 'conventional wisdom' at the time was that consumers were willing to drive further for such expensive purchases as a personal computer. Countering this belief, Jobs insisted that Apple Stores 'should be in malls and on Main Streets – in areas with a lot of foot traffic, no matter how expensive' (Isaacson, 2011: 369). His rationale was that Apple as a brand needed to 'move from a cult to something cool' among an audience still unfamiliar with its devices. Visiting an Apple Store should resemble shopping in a Gap store, where one can 'try out things' (Isaacson, 2011: 369–70). Ignoring the board's opposition, Jobs proceeded to build a prototype in Cupertino and recruited Ron Johnson (the former vice-president of Target) and Micky Drexler (the CEO of Gap) to the cause. When the first Apple Store opened in 2001, industry experts invariably shook off the idea as a mistake. Few had predicted that this and other subsequent stores were each to yield an average annual revenue of $34 million (Isaacson, 2011: 376). The 327 stores worldwide in 2011 generated more sales 'per square foot than any other United States retailer', amounting to twice that of Tiffany, the runner-up on the list (Segal, 2012).

With Apple's rise as the most valuable company in human history, Apple Stores have surfaced in urban centers around the world as architectural icons, if not tourist attractions in their own right. The flagship store on Fifth Avenue in New York City, featuring a giant glass cube, for example, has become 'the fifth most photographed landmark in the world's most photographed city' (Elmer-DeWitt, 2010). The storefronts have constantly made news appearances as the place for Apple fans to

line up, sometimes overnight, to celebrate grand openings or await new product releases.[1] Understandably, it is tempting for biographer Walter Isaacson to add 'retail stores' to the list of six industries that Jobs helped to revolutionize.[2] The kinds of tactics deployed in the Apple Store, however, weren't entirely new. At work is a strategy of 'experiential communications', previously seen in the NBC Experience Store in Rockefeller Center, one that aims to 'generate "an emotional moment between a consumer and a brand"' (Elliott, 2004). The point is not only to make the merchandise appeal to the eye, but also to stimulate in the audience a visceral reaction toward the products. The emphasis is placed less on the retail function and more on the embodied experience one could encounter within the store environment. As Jobs himself put it in an introductory video: 'you can go up to any computer and start surfing, go to your personal website, or do whatever you want to do on the Internet' (Apple – Steve Jobs introduces the first Apple Store Retail 2001, 2009). The ability of customers to touch and feel the products is what distinguished the Apple Store experience from many early tech stores where gadgets were often secured behind glass screens to avoid continuous contact with customers.

Given these spatial and experiential features of the Apple Store, it is useful to consider it as a heterotopia, a place linked with many other existing social sites 'but in such a way as to suspect, neutralize, or invent the set of relations that they happen to designate, mirror, or reflect' (Foucault, 1967). This consideration allows us to further discern what Apple Store means for the Apple brand, which in turn grounds the allegation of the Kunming store as a 'fake'. Grasped as a heterotopia, the Apple Store has a set of liminal characteristics, temporally and spatially. Temporally, the store operates less as a point of sales transaction than as an in-between space that connects trying and buying. Occupying the Apple Stores are already devout fans trying out the newest model, potential converts from PC, as well as first-time buyers who would like to feel for themselves before making a decision. It is through the encouraged human-machine interaction that the Apple Store interpellates its 'pre-consumer' subject. The actual consumption is often carried out *after* the fact, in Apple Stores Online, where shipping is free and transaction hassle minimum. Sometimes it does not even materialize in consumption, as those city-dwellers in-between jobs are also welcome to utilize the facility as a 'community center' to conduct activities related to their career advancement (Hafner, 2007). Spatially, the Apple Stores are liminal in that those who frequent them are often *between* destinations, whether tourists who are sightseeing in the city, passers-by looking to take advantage of a free wireless connection, or mall shoppers stopping to check their emails or maps. Many stores have thus become internet cafés where the machines on display allow the individual patron to connect with online publics beyond the confines of the stores themselves.

To be sure, many of these liminal characteristics can also be found in other tech stores like the Samsung Experience showroom. But these stores receive significantly fewer visitors than the Apple Store on a daily basis (Hafner, 2007). This, again, has to do with Apple's integrative marketing campaign, of which the Apple Store is part. Indeed, the physical features of the store embody much of the brand's *intangible asset*, and in doing so, it serves 'a function in relation to all the space that remains' (Foucault, 1967). Apple's in-store sales figure is a rather small portion (less than 20%) of Apple's overall revenue, but it contributes 'value to the entire enterprise' by symbolically promoting the Apple brand (Wong, 2006). As 'an ad with walls', it now joins product design and packaging as new 'weapons in the marketing arsenal' on par with 'television commercials and print advertisements' (Elliott, 2004). While the tactic of displaying logos in public spaces to increase a brand's visibility is not new, what sets the Apple Store apart is its seamless enclosure of the public into the branded environment through a simultaneous embrace of transparency and control. The primarily glass-based design, in particular the see-through staircases and storefronts, aims to convey a message of 'openness', as if to invite 'free interactions' with the machines. This idea of openness is closely linked to the promotion of the Apple gadget as a consumer *and* a producer good. After all, it is the creative 'prod-user' (Bruns, 2008) that is continuously championed in Apple's brand campaigns as the ideal consumer-subject of its products. What may be witnessed here is perhaps a new kind of consumer revolution, different from the one observed by historian Rosalind Williams in fin-de-siècle Paris. For Williams, the *grands magasins* of the 1900s projected a 'dream world of the consumer' by transforming the social interaction of 'haggling' between people into a 'response of consumer to things', thereby allowing commodities to replace 'art and religion' as objects that promised to fulfill the desire for a 'finer, richer, more satisfying life' (Williams, 1982: 65–9). In contrast, the Apple Store conjures a 'dream world of the produser' wherein the bodily pleasure of feeling, touching, and playing with the commodities on display shores up the promise that one can unleash one's creative potential, even owning the fruits of one's own labor, by way of 'uniting' with the machine commodity.

The seemingly utopian promise of the creative 'produser', however, is subject to several spatial constraints of the Apple Store. To access the in-store environment, one must go through a single entrance – a design feature in line with Jobs' obsession with 'end-to-end control'; both the flow of the visitors and their visual fields are pre-arranged so that Jobs can *oversee* the final stage of the product-to-consumer process (Isaacson, 2011: 371). To ensure the efficiency in directing the crowds, the Apple Store pioneered the use of hand-held checkout devices. Even the placement of the gadgets was carefully thought out – rather than following the company's product categories, they are arranged according to user needs. These control features embedded in the stores, therefore, 'presuppose a

system of opening and closing that both isolates them and makes them penetrable' (Foucault, 1967).

The Apple Store's display of openness and control emblematizes the company's overall attitude toward – if not strategic reliance on – intellectual property rights. It is no surprise that the American blogger would invoke the 'winding staircases' as evidence of the Kunming Apple Store's fakery, for not only have they become iconic features immediately recognizable among Apple fans, their visual transparency is indeed achieved through complex engineering techniques that are patented under Jobs' name (Isaacson, 2011: 375). Nevertheless, the issue of IPR runs deeper than the stores' glassy surface. It is well known that Apple has a consistent bent of secrecy when it comes to matters of intellectual property. The release of product information is strictly prohibited before official launches, even though leaks do often take place, thanks in part to the uncertainties within Apple's global supply chain (Cheng, 2012). New hires are said to be 'kept out of the loop for a period of time' before being granted access to key information or work areas (Lashinsky, 2012: 42–3). The company's lawsuit against Samsung for copying its smart phone design, which resulted in a verdict of $1.05 billion in fines (Shih, 2012), is but the latest installment in the company's long-term effort to preserve its profit-generative regime of 'intangible value'.

It is precisely vis-à-vis the Apple Store's embodiment of the interplay between an artificial openness and IPR-related closure that Kunming's 'fake Apple Store' arises as a fascinating object. For a company known for its concerns over IP protection, Apple's response to the 'fake Apple Store' incident has been meager. Jobs did not respond to Angelson's email about her discovery, nor did the company comment publicly on the event upon its media outbreak. Apple's Shanghai branch did eventually issue a complaint, which led to the Kunming city government's investigation (Kunming establishes case to investigate 11 'unauthorized Apple Stores', 2011). But even so, the corporation itself did not act directly as an IPR police who clamps down on the 'Chinese pirate'. Rather, it was an Apple 'prod-user' – herself a participant in a multitude of global transportation and communications networks – who disclosed and publicized the 'faking' in the first place. If, for Foucault, the colonial ship was the 'heterotopia *par excellence*' that linked together the colonies with the metropole, what does this case of 'user-generated Chinese fakery' tell us about the *global* operation of the Apple brand in the age of aircrafts and fiber-optic cables?

The (Distributed) Power of the Apple Brand

Scott Lash and Celia Lury, in a timely update of Frankfurt School's critical theory, argue that the mid-1970s onset of globalization has 'given culture industry a fundamentally different mode of operation'

(2007: 3). In 'global culture industry' – as opposed to the national or classical culture industry that Horkheimer and Adorno spoke of – brands have come to replace commodities as the chief means through which power is exercised. Unlike commodities, which are characterized by their Fordism-rendered homogeneity, brands are better understood as 'singularities', as the relationship between the consumer and the brand is abstract and irreproducible. Manifesting itself through a spectrum of different products to achieve 'specialized' rather than standardized consumption, the brand's operation is more physiological than mechanistic; it is capable of multiplying itself while retaining a unique memory of its own (Lash and Lury, 2007: 6–13). Marked by 'the intensivity of a mediascape' rather than 'the extensity of a landscape', the 'global' aspect of the culture industry is to be examined less spatially, as 'distance travelled', than through the changing relation between time and space as they are animated by the branded objects and as they inflect the 'coordination of rationality at work' (Lash and Lury, 2007: 14–19).

As a corporation self-proclaimed to be design-centered, Apple enacts much of branding's *intensive* operation. Its Bauhaus-inspired aesthetic, one that endows the designer with the double duty of a 'truth-seeking' scientist and a 'truth-representing' artist, marks the incorporation of design into 'culture proper'. The design object, then, is recast 'as a distinctive "cultural good" possessing certain ethical qualities and even a spiritual essence' (Morozov, 2012).[3] In this sense, Apple products exemplify 'the thingification of culture' characteristic of the global culture industry, even appearing to have perfected its 'extension of intensity', the 'outering' of the human sensorium, in Marshall McLuhan's sense of the term (Lash and Lury, 2007: 14). While the Apple brand is no different from other prominent global brands (like Nike) in that it is an abstraction only actualized in a range of products (Lury, 2004), Apple products (and their owners) are themselves touted as active agents in the globally extensive network that McLuhan envisioned. Whether it is through touch screen or retina display, they promise to materialize or extend human sense itself in ways more superb and 'revolutionary' than its competitors in the consumer electronics market. As showcased so stylistically in its award-winning '1984' ad for Macintosh, the company has been keen on appealing to a generation who 'had missed all the important fights of their era' – be it for civil rights or over Vietnam – by allowing them to 'participate in a battle of their own – a battle for progress, humanity, innovation' and one 'that was to be won in the stores' (Morozov, 2012). The emphasis on purity and transparency in its design, to be contrasted with 'the suffocating and tasteless ethos of faceless corporations such as IBM and Microsoft', epitomizes Apple's long-standing 'campaign against capitalism by using capitalism's favorite weapon'; indeed, it has carried the 'art of retailing humanism' to another level (Morozov, 2012).

The Apple Store, then, stands prominently in Apple's marketing mix. If marketing is the 'soul' of the corporation in a 'society of control' (Deleuze, 1992), the Apple Store as a space of distribution also signals a new mode of control. This control corresponds to the 'dispersive' mode of capitalism, wherein the significance of selling products comes to outshine that of production (Deleuze, 1992). In the Apple Store, the temporality of the brand conjoins with its spatiality to produce *difference*, as opposed to a mere reproduction of sameness in the classical culture industry (Lash and Lury, 2007: 5). Constructed as an environment of 'multimodal experience' (Lash and Lury, 2007: 15), it is prime for generating 'object-events', particularly at moments of new product launches. Here, the technological commodity, much more so than its counterparts in, say, sporting goods, is capable of naturalizing the 'time pressure' that conditions the accessibility of its newest release. To be sure, brands like Adidas, Reebok, and Nike often issue limited numbers of certain products to pique consumer interest, producing events no less spectacular than the ones staged in front of the Apple Stores. But more often than not, these goods have to attach themselves to 'openings, competitions, launches, visits and performances' to present the brand name through object-events (Lash and Lury, 2007: 145). Apple, however, has embedded the temporality of 'distinctiveness' into its design cycle; each iPhone, for instance, is supposed to be faster, thinner, and smarter than the last. Constant upgrade 'would guarantee regular press coverage and produce an even stronger association of its brand with progress and innovation', even if it might come at the expense of cutting into the sales of already popular gadgets (Morozov, 2012). Rather than relying on external 'special events' to promote the brand, it is Apple's inherent time-specificity of upgrades that engenders the object-events. The 'transformation of the product', via 'short-term and… rapid rates of turnover', trumps the 'specialization of production' as the chief means to secure the brand's loyal following (Deleuze, 1992).[4]

As such, the branded heterotopia of the Apple Store also constitutes a site where the exercise of power is 'continuous and without limit', producing not 'man enclosed' but 'man in debt' (Deleuze, 1992). One reflection of this characteristic is the condition of the 30,000 Apple Store employees who make up the majority of Apple's 43,000 employees in the United States. Paid roughly $25,000 a year, these tech 'specialists' or 'customer representatives' – dubbed 'the Apple Store's Army' by the *New York Times* – are subject to a set of structural controls quite different from the manufacturing workers in the Fordist factory. The majority of them are 20-somethings, newly graduated from college, many of whom are already devoted Apple fans when applying for the job. While the modest salary with no commission will unlikely allow a speedy payment of their college debts, what attracts them, in the words of a former employee, is the prospect of 'working for this greater good'. One

former sales person described the rationale as: 'You've always been an evangelist for Apple and now you can get paid for it.' Even when non-fans are hired, the training sessions would ensure that they would be joining the business of 'enriching people's lives', not 'just selling or fixing products'. For this reason, despite the average turn-over rate of 'two and a half years' and the lack of career advancements implied therein, the standing reserve of job applicants seems ever expanding and the competition ever more fierce (Segal, 2012).

What the Apple Store interpellates is thus more than the brand's consumer subjects but also an affective labor force as well. In the global culture industry, distribution itself is a meaning-generative process, for brands as performative objects are produced in circulation and not only transmitted by it (Lury, 2004). The Apple Store lures brand loyalists into its service network and turns them into even more devout spokespersons for the brand. The rapid personnel turnover also perpetuates the cycle continuously before and after the employment and extends word-of-mouth marketing beyond the institutional confines of the workplace. The space of distribution, then, also becomes a site where the 'distributed' power of the control society is further entrenched.

The employees of the 'real' Apple Stores are clearly not the only 'army' of distribution 'recruited' by the corporate brand empire. As the blogger Angelson tells us, the blue-shirted employees of the Kunming Apple Store 'all genuinely think they work for Apple' (2011a). This statement is not far from the truth. Even though Apple has been engaged in a 'battle' with its 'pirates' in China since at least 2008 (Milian, 2011), it cannot deny the latter's distribution effect in places unreached by official outlets. In fact, the lack of resellers in China's lower-tier cities like Kunming is widely noted as the chief reason for local entrepreneurs to jump on Apple's 'brand-wagon', even without official endorsement from the corporation itself. While the proper way to do so is to become an authorized Apple reseller by going through a formal process of application and approval, many retailers of lesser capacity worry that the legal and logistical costs involved would cut into the profit margins already kept low by Apple when granting such licenses (Zeng, 2011).[5] Given these circumstances, the investors of Kunming's 'fake' Apple Stores have arguably made a rational choice to bypass Apple's control and produced their own, more affordable copies of the Apple Store.

While it is of anthropological value to inquire how the owners of the Kunming stores might describe their motivations for 'copying', a question more pertinent to our present investigation is: why are these copies charged to be fakes, and how does this allegation reflect the conditions of a society of control, under Apple's global hegemony? This question leads us back to the issue of IPR and its workings in the global culture industry. As Kavita Philip points out, 'the ideological work involved in naming the original as "real" and the copy as "fake" is that of

world-shaping: the work of policing the new parameters of piracy' (2005: 208). China, where most of the world's consumer electronics are assembled, has also become a prominent figure within the globally circulated trope of 'third-world pirates'. When Deleuze wrote off the 'Third World' as a destination to which capitalism proper has relegated its production, he acknowledged almost as a side note 'the extreme poverty of three-quarters of humanity, too poor for debt, too numerous for confinement' (1992). But the dichotomous conception of First versus Third Worlds is perhaps under more pressure now to account for the deterritorialized linkages between production, distribution, and consumption. China, perhaps more so than any other 'Third World' country, happens to be a site where 'labor-intensive' production is more intricately entangled with the 'design-intensive' operation of companies like Apple. Whether as a rebel against global trade rules (by infringing upon intellectual property rights), an outsourcing destination for low-cost consumer goods now threatening to take America's middle-class jobs, or a frontier for market expansion to absorb the excess of overproduction, China's presence is too integral to global capitalism's regime of value to be taken for granted. The picture of Apple's globally dispersive control therefore cannot be complete until we re-insert the blind spot of that 'Third World' nation back into our cognitive mapping.

Chinese 'Reality' versus Chinese 'Fakery'

The *rapid* opening of Apple Stores in China is illustrative of Apple's aggressive march in a market that now claims the world's largest (and fastest growing) population of internet and cell phone users.[6] The first Apple Store came to China in 2008, in the capital city of Beijing. Within three years, five others opened in Shanghai, Beijing, and Hong Kong. Plans are underway to launch another 25 all over the country by the end of 2012 (S. Chen, 2011). Even the world's biggest Apple Store is said to be opening in Dalian, a coastal city of lesser global visibility (Shane, 2012). The flagship stores in Beijing and Shanghai are 'some of the busiest and most profitable Apple stores in the world' (Pierson, 2012). As such, they have also become sites of intense object-events if not conflicts. On Friday, 13 January 2012, for instance, an estimated 2000 people gathered overnight in front of Beijing's Sanlitun Apple Store to await the release of iPhone 4S. When the staff announced the delay of the opening due to security reasons, crowds threw eggs at the store out of anger, causing Apple to halt the sales of iPhones in the entire country (Agencies, 2012). Among the participants were migrant workers paid to stand in line for upper-middle-class clients and scalpers looking at a premium of up to $160 in re-sales (Jones and Hornby, 2012). One journalist sarcastically noted that the 'good news' was 'there were no reports of rioting anywhere in China over Blackberry, Android or Windows

phones' (Savitz, 2012). When iPhone 5 went on sale in China on 14 December, two million handsets were sold within the first weekend without reports of disturbance, thanks in part to a newly implemented 'lottery system that gave customers appointments for purchases' at the Stores (Mozur, 2012b). iPad Mini, released a few weeks earlier, also led to 'stock-out' situations in mainland cities and Hong Kong (Hughes, 2012).

Events like these may be understood as resulting from the company's 'inability' to meet China's insatiable demand (Pierson, 2012) or, as some Chinese commentators suggest, from Apple's strategically deployed 'hunger marketing', one that keeps inventory intentionally low to create the illusion of high demand (Liu, 2011; Mao, 2011). But the presence of an Apple brand cult among the rising Chinese middle class is more than apparent. Urban Chinese Apple fans (*pingguo fensi*, 苹果粉丝), now nicknamed *guofen* (果粉), would go so far as to ask their friends traveling to America to smuggle back the newest Apple gadgets that are due to be released in China in just a few months (W. Chen, 2010). The effort in conjuring a 'space of synchronicity' is also reflected in the spontaneous transformation of Apple Stores around the world into mourning sites upon Steve Jobs' death on 5 October 2011. Fans in the (colonial) city of Shanghai brought flowers and photos to the newest Apple Store there as tributes to their 'iGod' no later than their counterparts in metropoles like London. The space designated for consumption, once reconfigured as a shrine of worship, assumes a similar heterotopian status as the 17th-century Puritan-founded villages in America that Foucault observes (1967). If the architectural layout of the American colony displayed the regulatory influence of Christianity more faithfully than their European counterparts, now, the globally dispersed power of the Apple brand has in some sense rivaled the reign of Christianity in shaping the space of sociality outside the West. In this light, it is not unreasonable for a Chinese IPR lawyer to see Apple as 'the biggest winner' in Kunming's 'fake Store' incident, since 'many Chinese companies [are] willing to help it sell products and increase the popularity of its brand for free' (S. Chen, 2011). Seen from this perspective, the copycat store is no more than a variation of 'consumer-to-consumer' marketing, long deemed to be more effective a brand-promoting instrument than conventional advertising in the age of new media (Moor, 2003). Akin to the workings of 'convergence culture' that Henry Jenkins discusses in the context of the *Star Wars* franchise (2004), Apple fans (as well as their 'smuggler' friends) actively engage in the circulation of Apple-related news and updates, both through the physical network of the underground trade route and the intangible network of the internet. As such, they help to produce meanings about the brand and collectively contribute to its name recognition in the process.

What complicates the matter, however, is the accusation against the Apple Store replicas as 'illicit' copies. Upon further scrutiny, what legitimizes Angelson's recognition of the Kunming store as a 'knockoff' is a number of conditions both material and epistemological. To identify the distinct design features of the Kunming store, she had to have drawn on her experience and knowledge gained from previous visits to official Apple Stores. In order to establish the status of the Kunming store as a 'fake', she would need to speak the language already prescribed by a symbolic system, made up by the legal lexicon of IPR. This system is what sanctions the distinction between the real and the fake, the authorized and the unauthorized, 'the [proper] copy and theft' – all of which, as anthropologist Cori Hayden argues, constitute a central ideological force embedded in the IPR regime (2010: 92). Here, the perception of an 'ontological difference' between the Apple Store and its Kunming 'fake' is not a material but a metaphysical one, informed by the 'ontology of difference' prescribed by the IPR discourse (Lash and Lury, 2007: 15). The fact that this perception of the Kunming copy as an act of 'fakery' is unanimously shared by follow-up English-based media coverage speaks directly to the regime's diffused mode of control.

To be sure, the IPR-engendered taxonomy of 'fake versus real', however well propagated, is not unchallenged outside its First World origin. The pharmaceutical 'generics' in Mexico and 'copias' in Argentina that Hayden discusses (2011), for example, destabilize in no small way the signifying boundaries set up by IPR. In the Chinese context, this unsettling signification may also be seen in the municipal and provincial authorities' response to the Kunming incident. Upon witnessing the global media storm generated by the event, the Yunnan Administration for Industry and Commerce (AIC) was quick to launch a city-wide investigation that found 22 unauthorized Apple retailers, four of them imitating the looks of an Apple Store (2011). However, official accounts about the AIC investigation almost never used the term '*jia*' (假) – a more literal translation of 'fake' – to identify the stores. Instead, the retailers were referred to as '*shanzhai* Apple Stores' (*shanzhai pingguodian*, 山寨苹果店) with 'no "fake" Apples' (*meiyou jia pingguo*, 没有'假苹果') to be found (Zhou, 2011). Literally meaning 'mountain fortress' and connoting Robin Hood-like banditry, 'shanzhai' is a well-circulated signifier for 'counterfeits'. The term originated in Shenzhen, the Special Economics Zone in Guangdong province where electronics suppliers like Foxconn first set up their gigantic factories; it referred to no-brand cell phones produced by local/regional networks of entrepreneurs (Qiu, 2009; Wallis and Qiu, forthcoming). These phones often imitate the looks of global brands but also have many distinctive features of their own. Combining these features with affordability, shanzhai phones – among them, HiPhone and iOrgane (an intentional misspelling of iOrange) – became more popular among working-class migrants than

some of the state-supported nation brands, i.e. those that bore the mission to counter the influx of global brands into the Chinese market.[7] Given the complexity of this signifying chain, the choice of shanzhai as a descriptor of the Kunming Apple Stores therefore deserves closer examination.

Here, the Chinese state (represented by the AIC) can be said to perform simultaneously as an IPR police and a public relations manager for the Chinese nation that addresses the brand owner, the domestic constituency, and the global media audience all at once. The emphasis, then, is placed on the absence of '*fake* products' (*jiamao chanpin*, 假冒产品) within the '*shanzhai* stores'. While the signifier of 'fake', in conforming to the IPR lexicon, allows the state to secure its (relatively) new membership in the World Trade Organization, the use of 'shanzhai' references a nation-specific phenomenon that lies beyond the 'copy versus fake' distinction proffered by IPR. Even though the latter does not present a direct challenge to the IPR establishment, there is a subtle unwillingness to accept its rules as already fixed and always complete. This is notable in the officially cited reasons for penalty – violated are 'laws against unfair competition', not those within the realm of 'IPR proper', i.e. copyright, patent, or trademark laws (Zhou, 2011). Also questioned is the legal grounding for Apple's additional demand that the in-store display tables – those that copy the design of the 'original' Apple Stores – be removed. Since the 'designed appearance of commercial image', unlike the 'designed appearance of products', is still 'lacking direct IP protection', it is debatable whether it can be guarded as part of Apple's 'naming rights' or 'copyrights' (2011: 21). Therefore, the AIC recommended that Apple seek alternative judicial solutions, which lie beyond the administrative duties of the agency.

This (ostensibly face-saving) account on the part of the Chinese authority arguably also unveils an internal contradiction of intellectual property, one that most intricately straddles the relationship between intensivity and extensivity in Lash and Lury's account of the global culture industry. If intensivity refers to the working of the inner sphere of senses, thoughts, and ideas, intellectual property (trademark in particular) serves as its 'legal expression and regulation', a force to materialize the immaterial, to extend the intensive. Yet this materialization does not take the 'actual' form, but rather operates through 'ineffable virtuals'. Brands, like icons, 'need not be attached to objects at all'; they are imperceptible and cannot be 'owned' by their consumers, despite their existence in the public domain. Precisely because of this intangible, immaterial character of the brand, one's experience with a brand 'is a feeling' rather than 'a concrete perception' (Lash and Lury, 2007: 14–25). But this 'feeling' must be legally sutured so as to ensure its trademark-protected appearance in certain objects but not others. The intensivity of the brand, in this sense, can only manifest itself through a decidedly

extensive mechanism, that of IPR laws, even though such laws also operate through an intensive logic.

IPR's *extensive-intensivity*, then, helps us to better understand Apple's reaction to China's 'fake' Apple Store. While not directly protected by IPR laws as a physical space, the Apple Store is nonetheless subsumed under its regime by way of patents and licenses sanctioned to protect the company's intangible value. As such, the intensivity of the brand further encroaches upon its extensivity, since the Store has become 'the most powerful physical expression of the brand' (Ron Johnson, quoted in Isaacson, 2011: 370). In this sense, Kunming's Apple Store is indeed 'fake' in that it is lacking the official endorsement of Apple to extend this intensivity. This serves as the grounding for Apple to issue its complaint, hence the Yunnan AIC's investigation. However, after the AIC confirmed that the 'shanzhai Apple Stores' carried 'real products' (Zhou, 2011), it is worth noting that Apple did not take the AIC recommendation to pursue further legal measures to penalize the store owners. This stands in stark contrast with the company's decision to file a lawsuit against the two stores in Queens' Chinatown in New York. In the latter case, not only did Apple force one of the stores named 'Apple Story' to change its name, it also confiscated all the unauthorized (and hence 'improper') copies of iPhone and iPod accessories that bore the phrase 'Designed by Apple in California. Assembled in China' (Dye, 2011). Why hasn't Apple done the same to the Chinese 'fake stores', one of which, according to the subculture tech blog *M.I.C. (Made in China) Gadget*, later renamed itself as 'Smart Store', without changing much of its (copied) interior design at all (Chang, 2011)?

One plausible explanation is that, in this instance, the extensivity of the brand comes to haunt its intensivity. If Apple wants to further the spatial extension of its branded products *outside* the 'First World' proper, it would be in its interest to endorse store openings of this kind, for they serve as unpaid promoters of its products in regions where official Apple branches have not yet been established. But if Apple wants to protect the intangible value of the Apple Store, it would make sense for the corporation to sue the Kunming stores for violating its intellectual property rights. The first option would enforce the extensivity of the brand at the expense of the intangible value of the Apple Store, whereas the second would protect the spatialized intensivity of the Apple Store at the (temporary) expense of the corporation's market penetration into a 'Third World' locale. What is surfacing then is a complication of IPR's operation *outside* its 'First World' origin. As Pang Laikwan argues, there is something semiotically 'irrational' about counterfeits that marks their presence 'outside capitalist control' (2008: 131). In the case of Kunming's Apple Stores, this 'outside' is inflected in the corporate brand owner's difficulty in securing a stable stance vis-à-vis Kunming's unauthorized copy of the Apple Store.

However, as Pang cautions us, 'piracies' of this kind should not be too quickly celebrated as acts of subversion. For this spectacle of 'Chinese fakery' also reveals the global culture industry's new mode of subject production, now extended to encompass what was formerly 'outside'. If, in the classical cultural industry, 'mechanistic power' works through 'the fixity of being' by the reproduction of sameness, in the global culture industry 'bio-power' (in Foucault's sense of the term) operates 'through the production of difference by subjects' (Lash and Lury, 2007: 12–13). The meticulous reproduction of the Apple Store in Kunming, in some sense, was an attempt to produce 'sameness'. But this (re)production was deemed 'illicit', first by the blogger Angelson and later by the numerous Apple forum participants and media outlets that helped spread the 'fake Apple Store' news. While these Apple users and observers have no official affiliation with the company, they have willingly turned themselves into an army of 'fake detectives', already well-equipped to *differentiate* the features of a 'real' Apple Store from those of the 'knockoff'. In other words, they have acted as volunteers on behalf of the globalizing IPR regime to regulate and govern difference by way of 'authenticating sameness' (Philip, 2005: 208). Despite the often times sarcastic or cynical commentaries that accompany Angelson and other Apple users' online postings, their speech and actions are reflective of 'the becoming of self-organization' that characterizes the workings of bio-power (Lash and Lury, 2007: 13). The distributed power of the brand, then, is not just exercised inside the Apple Store, where Angelson and others first obtained the knowledge of the original. Rather, it permeates the communications network, itself composed of users who rely on their Apple gadgets for internet access.

Thanks to such self-enlisted detective work, the aspiration on the part of the 'Chinese pirates' to produce sameness is recast in a production of difference. Given this subsumption of sameness into difference, it becomes difficult to sustain an understanding of copying as a 'mechanism to empower and appropriate through the curation and imitation of an original', one that Bianca Bosker argues is the chief motivation behind the construction of Chinese 'simulacrascapes' (i.e. commercial and residential developments that feature reproductions of Western landmarks) (Bosker, 2013: 35). To be sure, an aesthetic of copying, traceable to philosophical traditions of dynastic China, may have informed many of these 'duplitecture' projects. But perhaps a more pertinent historical force behind them, one that Bosker identifies, is an intensified class antagonism, which prompted the 'haves' to move further away from the 'have-nots' and into isolated residential enclaves 'behind layers of security cameras, guards and gates' (Heller, 2013). This subsumption of the 'First World' within the 'Third World' into a replica of the 'First World proper' is emblematic of the enclosure of a previous 'outside' into the mode of subject production specific to the global

culture industry. We may recall that for the Yunnan AIC spokesperson, the 'foreign media' portrayal of Kunming's 'fakery' reflected 'the distrust among certain nations of our government's work in protecting IPR'; since no complaints about the products purchased at the stores had reached the AIC, these sensationalized accounts in no way 'matched up with reality' (Zhou, 2011). What is noteworthy here is that the 'Chinese reality' invoked to counter foreign media's 'false' claims is not any aestheticized notion of imitation, as Bosker has suggested, nor any alternative conception of copying as a creative act, as Lawrence Liang has argued (2011). Rather, it is consumer satisfaction that aids in the way of authenticating the copy. What else, then, may be precluded in this seemingly default appeal to the consumer?

Conclusion

There is little doubt that a 'social imaginary of the consumer' has permeated the landscape of the global culture industry (Lash and Lury 2007: 197). The Chinese official's failure to conjure a 'Chinese reality' based on real conditions of production is reflective of a general condition under which classed subjects are first and foremost positioned as consumer subjects. However, a narrative of Apple's Chinese workers has appeared not infrequently in the US context. The Pulitzer-winning *New York Times* series on the 'iEconomy' includes such segments as 'How the U.S. Lost Out on iPhone Work' and 'Apple's iPad and the Human Costs for Workers in China'. In addition, an animated online video takes the viewer for an inside look at the iPhone's globalized production. Departing from a standard story of America's loss of manufacturing jobs to China frequently invoked in election campaigns, it argues that outsourcing also affects employment in other sectors, resulting in a 'squeezed middle-class' between a small number of 'software engineer' types at the top and a large group of service workers at the bottom, with little to no chance of upward mobility (*The iPhone Economy*, 2012). Replacing a 'flat world' narrative of globalization – wherein information technologies have supposedly smoothened the space of competition – is a gloomier outlook that foreshadows the crumbling of the divide that separates the previously known 'First' and 'Third' Worlds.

This attempt – to represent the two 'worlds' in one – can also be discerned in a recent 'Tech Talk' skit aired on *Saturday Night Live* (SNL), where three 'American users' are invited to share their reviews of the newly released iPhone 5. After a round of complaints over such features as the map and the thinness of the phone, they find themselves in the presence of three 'Chinese workers'. Speaking in a stereotypical 'Asian' accent, these 'workers' launch into a series of responses to their 'American friends'. A female worker points out that 'we're just lucky we don't need nap, because we sleep where we work'. A male worker next to

her then tells the audience that the first speaker had to wait 21 days to get baby formula, an experience 'very similar' to that of an American formerly quoted to have exclaimed 'I can't believe I waited six hours for this piece of crap!' ('Tech Talk: iPhone 5', 2012).

SNL's staging of 'First World problems' in the presence of 'Third World' workers echoes the over-dramatization of Chinese Apple worker conditions in Mike Daisey's *The Agony and Ecstasy of Steve Jobs*, a play featured on *This American Life* on National Public Radio. The fabrication of certain details in Daisey's account later led to a retraction of the program, though the event itself, much like the SNL skit, also arguably spurred more media attention to Apple's labor practices in China. To be sure, these discourses surrounding Apple are noteworthy for their effort in bringing the question of 'human cost' in front of a First World public overly obsessed with the brand. Yet to uncritically embrace these events as effective protests against Apple's global operation is to fall into the metaphysical trappings of 'production fetishism' and 'the fetishism of the consumer' (Appadurai, 1996: 41). Apple's CEO Tim Cook already announced that a line of Apple computers would be produced in the United States in 2013, as part of the company's plan to contribute to America's job creation (Polidoro, 2012). In the most recent Apple Keynote at the World Wide Developers Conference, the product – emphatically labeled 'assembled in America' – was revealed to be the newly redesigned Mac Pro (Apple, 2013). The locality of production signified herein promises to remedy the problem of outsourced labor, which has become a sort of public relations hassle for Apple. What these seeming 'acts of conscience' obscure, however, are the 'globally dispersed forces that actually drive the production process' (Appadurai, 1996: 42). A confluence of these forces, as this essay has argued, lies in the intensive character of the brand, whose intangible value is shored up by the IPR regime to ensure the brand's extensive reach. This extensive-intensivity plays a far more significant role in perpetuating the brand's global hegemony than any forms of labor issue cover-ups. For the (metaphysical) distance between the corporation's labor-intensive end and its design-intensive one is unlikely to be shortened by the 'reterritorialization' of production within the First World proper. The 'networked' production (Duhigg and Bradsher, 2012) of intangible value, naturalized to an unprecedented level by a technological company proclaiming to 'enhance… nothing less than human life' (Morozov, 2012), inevitably trumps the production of surplus value created by manual labor. The intensive operation of the brand, then, obliterates the extensivity associated with production in the realm of value accumulation.

For this reason, the glimpse into 'a little "confessed" evil' that is Apple's Chinese manufacturers offered by SNL or Mike Daisey, among others, works as a dose of vaccine to cultivate a kind of immunity

against 'a lot of hidden evil' (Barthes, 1972: 42). That 'hidden evil' is none other than the IPR-sanctioned value ascribed to the corporation's design intensivity of the corporation, embodied by the Apple Store as a branded space. It is no surprise that the majority of Apple brand loyalists 'couldn't think of anything negative about Apple'; those pointing to 'overseas labor practices' constituted a mere two percent, while over one-tenth 'said the worst thing about the company was that its products were too expensive' (Duhigg and Barboza, 2012). What the consumers seem oblivious of, and what sociologist-turned-labor-activists like Pun Ngai (2005, 2012) are painstakingly working to bring to public attention, is that the demand for the newest gadget invariably results in worsened working conditions for Chinese workers. Most recently, in conjunction with iPhone 5's US release, two large-scale strikes broke out in Foxconn factories in Taiyuan and Zhengzhou over issues of 'excessive overtime' during such product launchings (Beech, 2012). Nothing demonstrates the workings of a 'fetishism of the consumer' better than the synchronization of these workers' riots and the consumer 'uprisings' routinely staged outside the Apple Stores. Inside that 'space of illusion' and 'of compensation' (Foucault, 1967), the encouraged bodily interaction with the latest technological commodity 'perpetually cheats its consumers of what it perpetually promises' (Horkheimer and Adorno, 2002: 111), as the planned obsolescence of the product cycle will soon pronounce the old model outdated and un-hip. The 'produser' agency promised within and beyond the heterotopian space at best conjures up a simulacrum of 'a real social agent' (Appadurai, 1996: 42) who would readily justify, as an 'Apple executive' has done, the 'harsh' working conditions required for ensuring the products' faster turnover and sped up delivery (Duhigg and Barboza, 2012). The brand's time-specific intensivity, infused in the technological commodity inside the Apple Stores and made spectacular through object-events outside them, is arguably blurring the vision of class struggle as a route toward globally extensive social change.

In this sense, China's 'fake Apple Store' event is an important signpost toward a more critical understanding of Apple's hegemonic global operation. While the Apple Store as a manifestation of the extensive-intensivity of IPR reveals the control mechanism of the global culture industry, the identification of Kunming's copy as illicit has enabled us to discern the manner in which bio-power is exercised on a globally diffused social plane. Together, they remind us that capital accumulation in the age of networks, signs and flows still quite literally takes *place* – that is, in real (and branded) spaces and by producing particular kinds of subjects within (and outside) them. If the accented 'Chinese workers' on SNL are 'hyperreal' characters that signify the real workers who cannot represent themselves but must be represented, we may be better served by paying attention to not only the complexity of 'Chinese reality' but also the intricacies of 'Chinese fakery', as well as the subject positions that

emanate from the tensions in-between. The reign of IPR remains one of the most mystified domains of global capitalism (Pang, 2008). China's presence within the discourse, both as an ideologically charged trope (Philip, 2005) and as a sign of disruptive potentiality (Frow, 2002), must be of continuous concern for a politically engaged critique of the global culture industry.

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Notes

1. The image of crowds in front of Apple Stores has become so widely spread that it has been appropriated by a Samsung commercial to promote one of Apple's chief competitors in the mobile phone sector (Samsung Slams Apple Commercial – Galaxy S3, 2012). Gary Allen, a devout Apple user who has visited over 110 Apple Stores in six nations, even started a non-profit website, ifoapplestore.com, to support his fellow overnighters and document events 'in front of' Apple Stores worldwide (Allen, 2012).
2. These six industries include 'personal computers, animated movies, music, phones, tablet computing, and digital publishing' (Isaacson, 2011: xxi).
3. Just as postwar Western Germany (the place of origin for Bauhaus) turned to 'simple, practical, and long-lasting design' as a conduit toward 'more humane existence on earth', post-September-11 America has found in Apple a therapeutic solution when technologies appeared to be most menacing, if not destructive. Both are responses to the aestheticization of politics – 'the grotesque political rallies and grandiose architecture' in Nazi Germany and the (mediatized) attack on the World Trade Center – by way of aestheticizing the everyday, through 'sleek and efficient consumer electronics' (Morozov, 2012).
4. Having turned out five versions of iPhones in the past four years, Apple's speed of 'product transformation' has far exceeded its Fordist counterparts like General Motors, whose redesign in-between models took the span of five years (Duhigg and Bradsher, 2012). As a major player in the electronics

sector, Apple has arguably contributed to the rising expectation for speedier product cycles among other industries as well, while supplying them (at least partially) with the tools that make the upgrades easier and faster (Fishman, 2012).

5. An approved reseller in Hangzhou, for instance, reportedly spent the equivalent of over US$300,000 renovating his medium-sized store in order to meet Apple's strict requirements for materials and layout (He, 2011).
6. The company has also been hard at work in catering its products to Chinese consumers, integrating such system-wide features as character input and the search engine of Baidu, a homegrown equivalent of Google (Taylor, 2012).
7. The term 'shanzhai' since 2008 has also taken on more diffused meanings as to signify a range of imitation activities, from copycat TV shows to online mimicries. Its rise as a 'brand for the people' amidst the widespread adoption of cell phones and the internet has led state media to launch an ideological reworking of the discourse, such that the energy generated therein may be re-directed toward building IPR-eligible 'brands for the nation', en route to compete in the design-intensive global market. For a detailed analysis of the discursive struggles surrounding the 'shanzhai' brand see Yang (forthcoming).

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