

# Training for Brand Protection: What Your Team Needs to Know

By Jeremy M. Wilson and Rodney Kinghorn

**Executive Briefing:** Brand Protection is a growing concern among corporate executives, particularly those who operate in the global marketplace. Training for those tasked with this function is critical, yet existing resources and knowledge about needs are few. Based on extensive industry interaction, this article identifies the areas in which staff needs training and highlights some opportunities available through the Michigan State University Center for Anti-Counterfeiting and Product Protection



As corporate leaders look to establish or make stronger their brand protection programs they routinely lament the fact that there are few opportunities for their staff to receive formal training and education on this critical function. Many employees transfer into this area from some unrelated part of the organization or they are hired from another company or right from college. In most instances, they have very little or no training and experience with regard to brand protection. This requires significant time and resources on the part of the organization to provide on the job training to new employees; assuming there are others who can provide effective mentoring.

At the Michigan State University Center for Anti-Counterfeiting and Product Protection (<http://a-capp.msu.edu/>), one of our principle aims is to develop resources to strengthen industry's capacity to combat product counterfeits through evidence-based research, education and outreach. Many of our brand-owner partners shared with us their frustration in finding brand protection training and education opportunities for their current and future workforce. To help meet this need, the A-CAPP Center has developed an executive development series, online undergraduate and graduate courses, an online graduate certificate in anti-counterfeiting and product protection, and a virtual library of resources on critical brand protection topics. Importantly, we are also developing a professional certification in brand protection. While the substance and format of these offerings vary, they all began with a common core—a call from industry to develop a platform of learning opportunities that can provide basic and advanced training and education on brand protection, with an emphasis on product counterfeiting. This of course leads to a fundamental question that is the basis of our curriculum and the focus of this article—*What*

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*exactly does a brand protection professional need to know?* In what follows we describe our approach to answer this question along with what we learned.

## Experts Identify 17 Pillars that Are Critical for Brand Protection Staff

We consulted numerous experts to learn the key areas of which brand protection professionals must be knowledgeable. We began by developing a diverse sample of 14 experts from 9 multi-national brand-owning corporations. Collectively, they represented the pharmaceutical, chemical, energy, consumer electronics, telecommunications, auto, and standards industries as well as academia. Using a grounded-theory approach whereby we loosely structured discussions to allow themes to emerge, we hosted three in-person focus groups, administered two online surveys, and held multiple conference calls. Analysis of the information provided by the brand protection experts reveals 17

pillars, or subject areas, with which brand protection staff must be aware. These can be categorized into six broad areas of awareness. Discussion also led into the core competencies associated with each pillar,

but a full discussion of those is beyond the scope of this strategic overview. Below we briefly identify and discuss each pillar along with its corresponding awareness area.

### Area 1: Product Counterfeiting Overview

#### *Pillar 1: Defining Intellectual Property Violations*

This overview pillar concerns knowing the different types of intellectual property violations relating to US federal law, and how such violations are treated differently by state and international laws. Also important here is

awareness of the multidimensional effects of product counterfeiting on the company, consumers and society.

*Pillar 2: Culture of Product Counterfeiting*

Key to this pillar is understanding the various cultural, economic, personal and business factors that create opportunity and incentives for product counterfeiting.

*Pillar 3: Key Organizations and Support Resources*

The focus on this pillar is recognizing the roles and responsibilities of law enforcement and other regulatory, industry, academic, and professional organizations that support brand protection.

**Area 2: Enforcement Strategies**

*Pillar 4: Legal Aspects of Global Counterfeiting*

Key to this pillar is being able to assess whether or not you have a violation based on location of the incident, being aware of differences in the application of law, and understanding what corrective actions are available to the brand owner.

*Pillar 5: Working with Law Enforcement and Customs Agencies*

This law enforcement pillar centers on knowing the legal ramifications of working with Customs agencies, and the importance and ways of partnering and raising awareness with law enforcement agencies.

*Pillar 6: Investigation*

Investigation concerns knowing the fundamentals of conducting covert and overt investigation processes, the importance of identifying internal and external investigators, generating leads, and how data systems support the investigation process.

**Area 3: Supply Chain Management**

*Pillar 7: Legitimate Versus Illegitimate Supply Chains*

Important here is defining segments of the legitimate supply chain and how diversion, unauthorized production, theft, tampering, return fraud, repackaging, logistic fraud (comingling, hijacking) contribute to illicit supply chains.

*Pillar 8: Managing Partnerships*

This pillar focuses on understanding the purpose for auditing internal processes and 3<sup>rd</sup> party partners, such as suppliers, contractors, providers, distributors, and customers.

**Area 4: Anti-Counterfeiting Strategies**

*Pillar 9: Identification of a Brand Protection Team*

Critical to this pillar is understanding the roles, responsibilities and structure for a brand protection team based on various business models, and the value of developing support within an organization.

*Pillar 10: Managing Tactics and Technologies*

The essence of this pillar is knowing the importance of matching specific anti-counterfeiting tactics and technologies to specific products and problems, and how to successfully do so.

*Pillar 11: Developing Networks and Counter-Intelligence*

This pillar identifies the strategies required for identifying country specific risks and using counter-intelligence to mitigate these risks.

*Pillar 12: Internal and External Market Monitoring (including Internet)*

Internal and external tactics for gathering and evaluating market data of potential counterfeit products is the focus of this pillar.

*Pillar 13: Intellectual Property Management*

The foundation of this pillar centers on strong emphasis on the knowledge required to manage and legally protect trademarks on a global basis.

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**Area 5: Communication and Education**

*Pillar 14: Managing Internal and External Communications*

Concentrating on the strategic involvement of employees, consumers, media and law enforcement in relating the positive aspects of resolving counterfeit product issues, this pillar concerns the development and implementation of professional communication plans.

**Area 6: Risk Assessment**

*Pillar 15: Applicable Standards (ISO, SAE, and others)*

Understanding the global standards and regulations related to counterfeit products that impact a company's compliance program is the basis of this pillar.

*Pillar 16: Analytics (Economic Impact, ROI, Business Strategy, Metrics)*

The essence of this pillar is on developing risk models for counterfeit product that are specific to the industry and region affected, and on understanding how practices within the business model increase or decrease risk for having product counterfeited.

### *Pillar 17: Managing Information*

Develop and implement a comprehensive communication plan that properly protects information about a company's product counterfeiting issues until it is appropriate to share with predetermined internal and external sources.

## **Conclusion**

Stronger brand protection starts with a company's most precious asset—its human resources. Most brand protection staff comes to the job with little or no previous knowledge of brand protection, let alone formal experience or training. As we learned from our study with leading brand protection professionals across a wide array of industries, there are many areas with which brand protection staff must be familiar. Corporate security leaders can help improve the effectiveness of their brand protection programs by ensuring their staff is knowledgeable about these dimensions.

## **About the Authors**

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