

text it **EASY**



Co-funded by
the European Union



ОРГАНИЗАЦИЈА НА ПОТРОШУВАЧИТЕ
НА МАКЕДОНИЈА



МИНИСТЕРСТВО ЗА ЕКОНОМИЈА
РЕПУБЛИКА МАКЕДОНИЈА

PIRACY AND COUNTERFEITING



Piracy and counterfeit products

Pirate and counterfeit products violate the rights of individuals who have intellectual property, such as authors, performers, inventors, designers, and trademark holders. These products harm the economy of the country and the global economy, and they are also dangerous for consumers. Although pirate and counterfeit products are sometimes cheaper, in the long run, it might be more worthwhile to pay for an original product. For example, counterfeit clothing, sneakers, perfumes, electronic devices, and pirate CDs that are cheap tend to wear out quickly and need to be replaced. This means that you will spend more money in the long term. The ultimate victims of counterfeiting and piracy are the consumers themselves. Why? When you buy counterfeit products, you get products with poor or unverified quality, which can be dangerous to health and safety. The prices of counterfeit products do not reflect their quality because they are made based on the originals, which are produced according to quality and safety standards. This means that for your money, you get less than what you expect. If you buy a counterfeit product, you cannot return it or receive compensation if it does not work as it should. Also, when you buy pirated software, you do not get user support or other services available for legal products. Often, consumers consciously buy counterfeit and pirated products (at green markets, CDs displayed in cars outside stores or markets) due to lower prices, without considering the associated risks of such purchases. However, the biggest victims of counterfeit products are consumers who buy counterfeit goods, believing they are buying original products! To protect against this, there are bodies for intellectual property rights protection. In our country, these are the Coordinating Body for the Protection of Intellectual Property Rights, Customs, inspectorates, especially the Market Inspectorate and consumer protection associations, the police, and judicial authorities. Widespread piracy – software, music, film – exposes consumers to high risks. With today's internet development, software piracy may seem logical and attractive to someone who is not familiar with the risks – why should I pay if I can get it for free? But free is not always the cheapest or most convenient. Individuals who engage in buying pirated products on online networks, internet ads, or transferring

pirated content in peer-to-peer networks expose themselves to high and costly risks: identity theft, risks from spyware, and even the possibility of receiving a criminal charge. What is counterfeiting and what is piracy? Counterfeiting, in the context of intellectual property law, refers to the production of goods that imitate the original branded product in such a way that it creates the impression of being an original product. The reason for counterfeiting is to illegally gain profit from the reputation and popularity enjoyed by the original product, trademark, or trademark holder. In this case, the counterfeit product is usually of inferior or unverified quality compared to the original.

Products

With false labeling, the reputation of the trademark holder as well as the manufacturer is harmed, and market competition is disrupted because achieving popularity requires significant investments in research, development, and marketing, which someone exploits without spending any money! Piracy and counterfeiting are related in that both involve unauthorized use of intellectual property rights. They can overlap! For example, this is the case when a pirated product fully imitates the original product in terms of external design, packaging, and trademark, which is protected by copyright and related rights.

Piracy, in the context of intellectual property law, refers to any unauthorized use of a copyrighted work or related rights. Unauthorized use of copyrighted works, music, and audiovisual works (films, music videos, video content, etc.) in public (for example, in business spaces, concerts, etc.) for material or other gain without the approval of the author or collective rights management organizations is referred to as grey piracy. Unauthorized duplication, copying, and distribution for sale of audio and audiovisual recordings is called black piracy. Unauthorized use (leasing, downloading, and distributing) of audio and audiovisual works is referred to as internet piracy, and the same term is used for software piracy on the internet.

While ten years ago counterfeit and pirated products were present in some industries of luxury and modern products, today they are present in a wide range of industries, especially in:

- Food products
- Medicines and medical products
- Machines and electrical appliances
- Electrical and electronic devices
- Luxury fashion products and fashion accessories
- Entertainment content and software
- Toys

How to distinguish counterfeit and pirated products from originals?

Here are some things that can help you recognize counterfeit products:

- The price may be much lower.
- The packaging quality is not the same as the original.
- The text may contain language errors.
- There are often no recognition and safety labels.

However, counterfeit products are becoming more and more similar to originals, so only experts can distinguish them. Counterfeit food products, drinks, and medicines are among the most dangerous. Consumers should be especially cautious with these products! They are often made from raw materials that are unsafe for health. Counterfeits may look similar to the original products (in form, color, smell, and taste), but they are made from cheap materials that can be hazardous.

Counterfeiters do not care about the quality of products, whether they are health-safe, or whether they pose a risk to the health of consumers. They mainly focus on how to make a profit without considering the consequences. Consumers should be cautious and avoid buying medicines, medical aids, or food products from places that are not regular sales outlets, such as street vendors or makeshift markets, because it is very difficult to verify the origin and quality of products in such places.

Counterfeit appliances do not come with a warranty and can be dangerous to use. One of the greatest dangers is counterfeit car spare parts, such as brake discs or belts. These are sold on gray markets and can reduce the safety of cars, which poses a serious risk to the lives of drivers and passengers.

Counterfeit mobile phones and batteries can explode during charging and cause serious injuries. Counterfeit perfumes contain dangerous chemicals that can cause allergies. In the toy industry, high standards for quality and safety are set, but counterfeit toys often do not meet these standards and pose a danger to children.

When consumers knowingly buy counterfeit products, such as clothing and fashion accessories, they should be aware of several things. First, they are exposed to the risk of poor quality, which can lead to health problems, such as allergies and other reactions caused by the use of dangerous chemicals (such as azo dyes or phthalates) often used in counterfeits. Additionally, counterfeit products are not made according to quality and safety standards, meaning they do not guarantee the same experience and safety as original products.

In such situations, consumers should be aware that buying counterfeit products can have consequences not only for their health but also for the economy, as it encourages the illegal market and affects legitimate businesses that invest in quality and safety. Furthermore, counterfeit products often come with no warranty or possibility of a refund, so consumers have no protection if the product does not work as expected.

Counterfeiting causes a lot of damage:

First, the country where the counterfeits are made loses money. The same applies to the country where the counterfeits are sold. Counterfeiting can lead to an increase in unemployment. Consumers are harmed because they receive poor and dangerous products.

Legal businesses that hold intellectual property rights also lose money. Sometimes, the revenue from counterfeit products and piracy ends up in the hands of terrorist organizations.

Consumer Organizations in Macedonia:

- **Organization of Consumers of Macedonia**

Address: Vodnjanska bb, 1000 Skopje

Phone/Fax: 3179-592; 3212-440

Website: www.opm.org.mk

Email: opm@opm.org.mk

- **Organization of Consumers Bitola**

Address: Braka Mingovi, No. 5, 7000 Bitola

Phone/Fax: 047/228 246

- **Organization of Consumers Shtip**

Address: Vasil Glavinov bb, 2000 Shtip

Phone/Fax: 032/529-745, Mobile: 075 306 605

- **Organization of Consumers Ohrid**

Address: Gjorche Petrov, Granit Building, Lamela 2, Local 1, Ohrid

Phone/Fax: 046/523 348

- **Organization of Consumers Kochani**

Address: Rade Kratovche No. 1, 2300 Kochani

Phone/Fax: 033/274 013, Ext. 104

- **Organization of Consumers Tetovo**

Address: JNA, Municipality of Tetovo, 1200 Tetovo

Phone/Fax: 044/356 630