

REPORT

# MarkMonitor Online Barometer

Global Business Survey 2018 – Brand Protection Challenges



## Overview

New research from MarkMonitor has revealed that 47 percent of brands lose revenue to counterfeit or pirated goods. What's more, about half believe that brand protection is undervalued in their organization and that keeping a brand safe will become increasingly difficult over the next five years. In this study, MarkMonitor explores the perceptions and challenges inherent in online protection programs and reveals the consequences of not having a strategy in place.

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## Executive Summary

Online brand protection has never been more important than it is today.

Business environments are fraught with risk from counterfeiting, cybersquatting, infringement and brand abuse. The scope and complexity of the problem has grown significantly over the last few years due to the global nature of business, an increased consumer appetite for shopping online and an expanding marketplace, driven by the proliferation of social media channels.

To put the scope of consumer shopping into perspective, U.S. consumers spent \$394 billion (£352 billion) online in 2016, representing a 15.6 percent increase over the previous year<sup>1</sup>. In the U.K., during the same period, online shoppers spent more than £130 billion<sup>2</sup> (\$157 billion), up from £114 billion (\$137 billion) in 2015<sup>3</sup>.

This expansion of the online environment, websites, marketplaces and social media channels indicates that there are more opportunities than ever for cybercriminals to take advantage of brands. This could take form in a number of ways, from counterfeiting and piracy, to domain abuse, cybersquatting or outright fraud.

Consider the breadth of the counterfeiting problem: according to the Organisation for Economic Co-operation and Development (OECD), the global trade in counterfeits is expanding rapidly, accounting for 2.5 percent of world trade or \$461 billion<sup>4</sup> (£383 billion) in 2016. Counterfeiting also has wider-reaching implications that impact brands. In the U.K. alone, research by the Centre for Economic and Business Research showed counterfeit goods cost the region's economy \$20.8 billion (£17.3 billion). The report also revealed that 72,000 jobs were lost as a result<sup>5</sup>.

Brand protection is therefore not confined to just the business. Rather, an overriding objective is for the organization to protect its customers, safeguarding their trust and loyalty. Of course this is intrinsically tied to reputation, which ultimately impacts revenue. As a result, there are many facets to online brand protection and it is something that requires buy-in from all levels of the organization in order for it to be effective. There are, of course, barriers

<sup>1</sup> Zaroban, Stefany. "U.S. e-commerce grows 14.6% in 2015," Internet Retailer, February 17, 2017. <https://www.digitalcommerce360.com/2017/02/17/us-e-commerce-sales-grow-156-2016/>

<sup>2</sup> "UK online sales exceed £130 billion in 2016, fuelled by sales growth on smartphones," IMRG, January 17, 2017. <https://www.imrg.org/media-and-comment/press-releases/uk-online-sales-in-2016/>

<sup>3</sup> Sabharwal, Veebs. "£114bn spent online in 2015," Retail Gazette, January 15, 2016. <http://www.retailgazette.co.uk/blog/2016/01/ps114bn-spent-online-in-2015/>

<sup>4</sup> "Measuring the Magnitude of Global Counterfeiting," Global Intellectual Property Center, 2016. [http://www.theglobalipcenter.com/wp-content/themes/gipc/map-index/assets/pdf/2016/GlobalCounterfeiting\\_Report.pdf](http://www.theglobalipcenter.com/wp-content/themes/gipc/map-index/assets/pdf/2016/GlobalCounterfeiting_Report.pdf)

<sup>5</sup> Hannah, Felicity. "Counterfeit goods, tempting danger," The Independent, 2016. <http://www.independent.co.uk/money/counterfeit-goods-tempting-danger-a7473751.html>

to implementation, monitoring and management, but there is no disputing the value of an effective brand protection strategy.

With this in mind, MarkMonitor has explored attitudes towards brand protection, its importance, its value, the challenges inherent in designing and managing programs, as well as the consequences of not having a strategy in place. We commissioned Vitreous World, an independent survey organization, to conduct this research. The company surveyed 924 marketing decision makers from nine countries: U.K., U.S., Denmark, France, Germany, Italy, Netherlands, Spain and Sweden. Interviews were conducted online in November 2017.

*Note: While the terms “online brand protection” and “brand protection” are both used, for the purposes of this report they are interchangeable and always refer to online brand protection.*



## Key Findings

### 1. Online Brand Protection is becoming Increasingly Difficult

Fifty-eight percent of respondents say that brand protection will become more difficult over the next five years.

Despite this attitude, only 64 percent of those surveyed have an online brand protection plan in place. Reassuringly, the customer remains king, with safeguarding consumer well-being cited as the number one objective for brand protection (28 percent).

Strategies that are in place cover a comprehensive range of channels, including:

- Websites (64 percent)
- Social media channels (57 percent)
- Ecommerce sites (48 percent)
- Mobile apps (46 percent)
- Marketplaces (43 percent)
- Messaging boards (37 percent)
- Partner/affiliate programs (36 percent)
- Augmented reality applications and experiences (22 percent)

While 88 percent of respondents believe their strategies are effective (37 percent report “very effective”; and 51 percent report “effective”), 57 percent of those surveyed still believe that brand protection policies will never be effective enough to counter all aspects of counterfeit and infringement activity.

### 2. Key Challenges — Implement, Monitor and Manage

Forty-six percent of respondents say that the value of brand protection is underestimated in their organization.

Forty-one percent of respondents say they have run into issues with

## About half

of respondents say that the value of brand protection is underestimated in their organization.



# 1 in 3

of all respondents reported that fakes impact up to 25 percent of sales.

quantifying the value lost to infringements, while 32 percent are hindered by a lack of knowledgeable staff. Other challenges include: too many infringements (30 percent), lack of resources (29 percent) and the inability to prioritize infringements (29 percent). A further challenge was identified by about half of respondents who say that the value of brand protection is underestimated in their organization.

It is also acknowledged that successful company brand protection requires a multi-disciplinary approach that starts from within an organization. However, research reveals that only 19 percent of respondents use a unified approach among departments when implementing and monitoring a brand protection initiative, drawing on the skills of staff from multiple departments.

Looking at those respondents with no plan in place, the number one barrier is cost (65 percent), followed by a lack of time and resources (64 percent).

### 3. Brand Infringement Impacts Bottom Line

Forty-seven percent of brands report having lost sales due to counterfeiting.

Research indicates that nearly half of brands report having lost sales to fakes. Of those impacted, 7 out of 10 brands report a loss of up to 25 percent in revenue. Other types of infringement have also proven costly to brands:

- Lost traffic due to cyber-squatted sites (46 percent)
- Increase cost of paid search advertisements (49 percent)
- Damage to brand reputation (50 percent)
- Counterfeit-sponsored advertisements on social media (45 percent)

Brands, however, do not remain complacent in the battle against infringement. Fifty-six percent of respondents have taken legal action, with 23 percent saying the action resulted in a takedown of infringing



# 21%

of respondents say that they will invest the greatest amount of their budget into new brand protection technology over the next five years.

content or products, while 24 percent say this resulted in financial compensation.

#### 4. Brand Abuse is Escalating

Twenty-one percent of respondents say that they will invest the greatest amount of their budget into new brand protection technology over the next five years.

Forty-one percent of respondents are experiencing an increase in the occurrences of counterfeiting and brand infringement. These changes are likely to originate from a variety of sources, including:

- Advances in social media (61 percent)
- Big data (52 percent)
- Chat/messaging (52 percent)
- Artificial intelligence (51 percent)
- Dark web (48 percent)
- Augmented reality (47 percent)

This is reflected in reported allocations of brand protection budgets. Twenty-one percent of respondents say that they will invest the greatest amount of their budget into new brand protection technology that over the next five years. Money will also be allocated to:

- Protecting domain names and company IP (17 percent)
- Hiring people with the right skills (17 percent)
- Educating customers (12 percent)
- Infiltrating the dark web (5 percent)
- Legal action against counterfeiters (12 percent)

In addition, the risks associated with not having a brand protection strategy in place are likely to rise — according to 45 percent of respondents.

## Corporate Environments Starving for Advocacy

Despite the importance of online brand protection, particularly in a landscape influenced by globalization, proliferation of social media channels and the popularity of ecommerce, research has revealed that just under two-thirds of respondents (64 percent) actually have a strategy in place to deal with instances of online brand abuse, counterfeiting and infringement.

This figure was higher among respondents in the U.K. (75 percent), Spain (79 percent) and France (82 percent). Only 15 percent of the Danish sample have an online brand protection in place, the lowest number across all countries surveyed.

One of the reasons for adoption figures being low could be explained by the following: 46 percent of those surveyed say the value of a brand protection plan is undervalued in their organization. Of that segment, 54 percent of respondents identified as having a brand protection strategy in place, while 32 percent said they did not.

When asked about the objectives of online brand protection, the most cited response was customer protection — 28 percent. This was higher with U.K. respondents (37 percent).

Other objectives include:

- Protecting the external perception of the brand — cited by 22 percent overall and 29 percent in the U.S.
- Maintaining the desirability of the brand or product — cited by 18 percent overall and 22 percent in Germany and Italy
- Consistent brand presence — cited by 16 percent of the sample overall, and by 25 percent of respondents in Italy
- Removing every brand infringement visible online — cited by 16 percent overall and 25 percent in the Netherlands

Underlining the importance of having a plan in place is the belief, by 87 percent of respondents (96 percent in Spain and 95 percent in the U.K.), that brand protection deserves board level consideration at their organization.

### Broad Coverage is Key

Those who identify as having an online brand protection strategy in place cover a broad range of digital channels. Traditional websites receive the most coverage, as cited by 64 percent of respondents. The figure is far higher among U.S. (84 percent) and U.K. respondents (67 percent). This is followed by social media channels (57 percent), perhaps demonstrating a trend toward newer marketing platforms. Again, respondents in the U.K. (67 percent) and U.S. (77 percent) demonstrated a far higher inclination towards monitoring than the average.

Eighty-seven percent of the overall sample also say they believe social media companies should be doing more to remove counterfeit goods or infringing activity from their platforms, an attitude most prevalent in Spain (94 percent).

Social media organizations have taken this trend seriously, especially as evidenced in Facebook's recent partnership with three companies, including MarkMonitor, to deliver better experiences for content managers and rights holders. By integrating solutions with the platform's Rights Manager suite, the platform can now automate copyrighted content protection<sup>6</sup>.

<sup>6</sup> Brachmann, Steve. "Facebook announces three firms will integrate with Rights Manager for automated protection of copyrighted content," IPWatchdog, 2017. <http://www.ipwatchdog.com/2017/10/12/facebook-announces-three-firms-will-integrate-rights-manager-automated-protection-copyrighted-content/id=88950/>



# 87%

believe social media companies should be doing more to remove counterfeit goods or infringing activity from their platforms.

Other channels included in brand protection plans include:

- Marketplaces (43 percent) — higher in the U.S. (46 percent) and Germany (52 percent)
- Mobile apps (46 percent) — higher in the U.S. (57 percent) and U.K. (56 percent)
- Ecommerce sites (48 percent) — higher in Germany (53 percent) and Italy (58 percent)
- Messaging boards (37 percent) — higher in Italy (42 percent) and Germany (41 percent)
- Augmented reality applications and experiences (22 percent) — higher in the U.K. (27 percent) and Netherlands (27 percent)
- Partner/affiliate programs (36 percent) — U.S. (46 percent) and Germany (50 percent)

These channels also align with the top three channels respondents say are likely to be affected by brand infringement, namely websites (60 percent), ecommerce sites (52 percent) and social media channels (51 percent).

### Effectiveness in Question

Despite the broad coverage of these programs, when asked about the effectiveness of online brand protection strategies, responses varied. While overall, 88 percent of those with a strategy believe it was effective, only 37 percent of those same respondents believe they have a comprehensive strategy that delivers clear results and protects their business from all known brand infringements.

This contrasts starkly with 57 percent of the entire sample saying that brand protection policies will never be effective enough to counter all aspects of counterfeiting and brand infringement activity.

## Strategies Lack Unified Effort

The ideal online brand protection strategy is one that addresses all areas where abuse is likely (in terms of both region and channel), evolves in line with a changing environment, is constantly monitored and includes affiliate and partner compliance. Eighty-two percent of the sample says the latter already forms part of their online brand protection strategy.

This plan, they say, should also be developed and maintained with input from all areas of the business, not just marketing.

We asked respondents to share who was involved in implementing and managing their online brand protection program, and the results were surprising. Just 19 percent say it is a team effort or a unified approach that incorporates staff from a number of departments, such as legal, marketing and IT. The team work approach is highest in the Netherlands (25 percent) and France (22 percent).

Respondents also identified the following departments as being involved:

- IT — cited by 56 percent overall, highest in U.K. (60 percent) and Sweden (71 percent)
- Marketing — cited by 49 percent, highest in U.K. (63 percent)
- Legal — cited by 42 percent, highest in Spain (57 percent)
- Board — cited by 35 percent, highest in Sweden (50 percent)
- Brand communications — cited by 35 percent, highest in U.K. (44 percent)

### Other Barriers to Effectiveness

When it comes to the monitoring and enforcement of an online brand protection strategy, there are a number of inherent challenges that these

multi-disciplinary teams and individuals face. At the top of the list for respondents in the survey who have a plan in place is the difficulty involved in quantifying the value of infringements (42 percent).

Without the right tools, software or relationship with third-party brand protection experts, identifying and then quantifying these infringements can be difficult. This is also evident in the fact that 29 percent of the sample indicates that an inability to prioritize infringements causes issues, and 61 percent state brand protection is difficult to achieve using in-house resources alone.

Where the main challenges lie:

- Quantifying the value of infringements — cited by 41 percent, highest in Netherlands (50 percent)
- Lack of knowledgeable staff — cited by 32 percent, highest in Germany (41 percent)
- Too many infringements — cited by 30 percent, highest in Italy (40 percent)
- Lack of resources — cited by 29 percent, highest in Sweden (50 percent)



# 19%

say brand protection is a team effort among departments.

- Inability to prioritize infringements — cited by 29 percent, highest in Spain (35 percent)

### Problems Launching a Program

There are also challenges in setting up an online brand protection strategy in the first place. We asked the 36 percent of respondents who don't have a plan in place about the barriers they face. Of this subsample, thirty-two percent report that the value of a brand protection plan isn't recognized in the organization. Beyond that, budget is the most cited challenge, with 65 percent stating this is an issue. The figure was higher among respondents in Italy (83 percent) and U.K. (81 percent).

Cost is followed by limited time and resources, cited by 64 percent of the subsample, particularly in Spain (78 percent) and in the U.K. (77 percent). Other barriers include:

- Lack of knowledge and skills — cited by 61 percent, highest in U.K. (81 percent)
- Sourcing the right technology — cited by 56 percent, highest in U.K. (69 percent) and Italy (70 percent)
- Lack of innovation in the company — cited by 49 percent, highest in U.K. (62 percent) and Italy (65 percent)
- Getting board approval and buy-in — cited by 33 percent, highest in France (56 percent) and Italy (57 percent)

While cost can be a prohibitive barrier, this needs to be balanced with the cost of infringement and the impact of brand abuse on an organization, in terms of both revenue loss and reputation.

## Consequences of Infringement

Looking at the importance of an online brand protection, we asked respondents how not having a strategy would impact on their organization. The number one concern was bottom line (78 percent), followed by competitive disadvantage (77 percentage). However, there were a number of other concerns that this research also highlighted:

- Negative impact on brand reputation — cited by 75 percent, highest in Italy (88 percent) and Spain (87 percent)
- Diminished customer trust — cited by 73 percent, highest in Spain (86 percent) and France (86 percent)
  - Respondents in Denmark (53 percent) and U.S. say the lack of a brand protection strategy has no impact on customer trust at all
- Demotivation of staff — 63 percent, highest in Italy (74 percent)

Interestingly, the responses of those without a brand protection in place were far different from those with a plan in place, perhaps highlighting that it's not just the barriers to implementation that are an issue, but also the acknowledgement that risk of infringement actually exists.

Plan vs. No Plan			
	With a Plan	Without a Plan	Average
<b>Impact on bottom line</b>	78 percent	88 percent	<b>58 percent</b>
<b>Competitive disadvantage</b>	77 percent	87 percent	<b>61 percent</b>
<b>Negative impact on brand reputation</b>	75 percent	84 percent	<b>58 percent</b>
<b>Diminished customer trust</b>	73 percent	84 percent	<b>53 percent</b>
<b>Demotivation of staff</b>	63 percent	77 percent	<b>38 percent</b>

## A Range of Impacts

Looking at the current threat landscape in which businesses operate, from counterfeiting, cyber-squatting and other forms of brand abuse, the consequences can be far-reaching. We asked brands what they had experienced.

- 47 percent experienced lost sales due to counterfeiting, a figure highest in France and Spain.
- 46 percent lost traffic due to cyber squatted sites, a figure most cited by respondents in France (68 percent). Of this subsample, 68 percent say they believe up to 25 percent of sales revenue was lost.



# 56%

of respondents have taken legal action against infringement.

- 49 percent experienced the increase in cost of paid search advertisements, and two-thirds say up to 25 percent of sales revenue was lost as a result.
- 50 percent say they have experienced damage to brand reputation, with 63 percent saying they lost up to 25 percent of sales revenue.
- 45 percent of respondents experienced counterfeit sponsored advertisements on social media. In quantifying that, 64 percent say they lost up to 25 percent of sales revenue.

## Taking Action

While infringement is a serious issue with serious consequences, it doesn't have to be an entirely negative experience in terms of lost revenue. Brands can fight back, whether proactively through online protection measures, or retroactively in going after offenders once identified.

One of the challenges identified is the prioritization of infringements; once brands get this right they are able to be more effective, so it is worth the effort. For those adopting a more consumer-centric approach to brand protection, that means taking the battle to where their customers shop. By looking at the channels, marketplaces and websites where their customers are most likely to interact with the brand, and removing all visible fraudulent links and advertisements, the right time and effort can be directed to the right place.

Research showed that 56 percent of respondents have taken legal action at some point against infringement. This was more prominent among those in Spain (80 percent), Italy (73 percent) and France (73 percent).

Interestingly, the figures were also different depending on whether respondents had an online brand protection plan in place. Seventy-six percent of those with strategies say they have taken legal action, while just 20 percent without strategies have done so. One of the benefits



It is well recognized that the majority of threats are likely to come from China due to the fact the country is responsible for the production of the majority of counterfeit products.

of having a brand protection strategy is that it is easier to identify infringement and work with third-parties in takedown action and litigation. As a result, the low 20 percent figure is perhaps due to the fact that these issues may have been more difficult to identify.

Going back to the overall litigation figure of 76 percent, of this number:

- 23 percent say the action resulted in the takedown of infringing content
- 24 percent say the action resulting in financial compensation
- 9 percent say the action was not successful

## The Future of Brand Protection

In the counterfeit market, it is recognized that the majority of threats likely come from China, as the country is responsible for the production of the majority of counterfeits<sup>7</sup>. However, looking at the future of the counterfeit threats, 27 percent of brands say the biggest threat is likely to come from Europe, while 24 percent say it will come from the Asia Pacific region.

Considering the infringement landscape as a whole, the prevailing attitude that brand protection will become more difficult over the next five years is likely to be due to a number of factors, including:

- Advances in social media — cited by 61 percent of respondents overall and 76 percent in Spain
- Big data — cited by 52 percent of respondents overall and 60 percent in the U.K.
- Chat and messaging — cited by 52 percent of respondents overall and 61 percent France
- Artificial intelligence — cited by 51 percent of respondents overall and 63 percent in Italy

<sup>7</sup> Suokas, Janne. "China is the world's biggest producer of fake goods, OECD says," GBTIMES, 2016. <http://gbtimes.com/business/china-worlds-biggest-producer-fake-goods-oecd-says>



# 15%

of organizations don't have a budget for brand protection.

- Dark web — cited by 48 percent of respondents overall and 55 percent in the U.K.
- Augmented reality — cited by 47 percent of respondents overall and 54 percent in Spain

When asked about the areas brands will spend brand protection funds in the next five years, new technology will take most of the budget, which ties into the above findings where technology is heavily anticipated among the future threats. Twenty-one percent of respondents will invest in technology, while 17 percent will invest in protecting domain names and company IP. Seventeen percent will also invest in hiring the right people with the right skill sets (particularly high in the U.K. at 31 percent), while 12 percent will budget for educating customers and taking legal action against counterfeiters. The remaining five percent will invest in infiltrating the dark web.

However, 15 percent say their organizations didn't have the budget for brand protection, which ties back to the fact that cost was identified as a major barrier by those respondents that don't currently have a plan in place. Of those that don't have a plan in place, 39 percent say they didn't have the budget.

### Future Threats

While the infringement landscape is changing, the next five years is mostly likely to remain recognizable still. We asked respondents where the threats would increase.

- 39 percent say they are more likely to be affected by lost traffic from cybersquatted sites
- 42 percent say they are likely to be affected by increased cost for paid search advertisements

- 41 percent say they are more likely to be affected damage to brand reputation
- 42 percent say they are more likely to be affected by counterfeit sponsored ads on social media

This points to the continued importance of having a comprehensive online brand protection strategy in place. We asked respondents if they thought the risks related to not having a strategy would increase over the next five years, and 45 percent say yes. Interestingly, there are no real differences in opinion between those with a current strategy and those without. However, when asked if the threat would decrease, seven percent of those with a plan, and 14 percent without a plan, agreed.

## Conclusion

Online brand protection remains a critical feature for all businesses. As the digital channels expand with new ways to advertise and market goods and services, the threat of infringement and abuse rises too. The online space has presented brands with tremendous opportunities, but these same opportunities are also being exploited by cybercriminals and fraudsters. The result is damaged customer trust, lost revenue and a tarnished reputation.

Our research has highlighted that those with an online brand protection in place do have a good awareness of the landscape in which they operate, the channels that need to be monitored and the importance of such a plan. However, it was also revealed that respondents still face challenges in the monitoring and management of these programs — challenges that need to be overcome in order to face the future of threats. These include the ability to quantify the value lost to infringements and the ability to prioritize them, a lack of knowledgeable staff and a lack of resources.

The difficulty of working with in-house resources alone perhaps points to the possibility that working with third party experts is a way forward. Reassuringly, however, the customer can remain at the heart of these programs, and brands are working hard to ensure that customer trust is protected.

On the flip side, cost remains a prohibitive factor for those brands that don't currently have an online brand protection program in place. However, there is also wide acknowledgement of the threats that brands face and the consequences (such as loss of revenue) of not being able to rely on a brand protection strategy.

Both entities with and without plans say that brand protection is getting more complex and that — looking at the future trends identified as having an impact — this will only continue.

## Methodology

MarkMonitor commissioned Vitreous World, an independent survey specialist, to conduct research into brand protection in the business to business space. The purpose was to understand the attitudes, perceptions and challenges of brands when it comes to implementing and evolving an online brand protection program. To that end, a sample of 924 marketing decision makers were surveyed from nine countries around the world, including U.K., U.S., France, Germany, Italy, Spain, Netherlands, Sweden and Denmark. The research was conducted in November 2017 via online interviews.

## About MarkMonitor

*MarkMonitor*, the leading enterprise brand protection solution and a Clarivate Analytics flagship brand, provides advanced technology and expertise that protects the revenues and reputations of the world's leading brands. In the digital world, brands face new risks due to the Web's anonymity, global reach and shifting consumption patterns for digital content, goods and services. Customers choose MarkMonitor for its unique combination of advanced technology, comprehensive protection and extensive industry relationships to address their brand infringement risks and preserve their marketing investments, revenues and customer trust. For more information, visit [markmonitor.com](http://markmonitor.com).

## About Clarivate Analytics

*Clarivate Analytics* accelerates the pace of innovation by providing trusted insights and analytics to customers around the world, enabling them to discover, protect and commercialize new ideas faster. We own and operate a collection of leading subscription-based services focused on scientific and academic research, patent analytics and regulatory standards, pharmaceutical and biotech intelligence, trademark protection, domain brand protection and intellectual property management. *Clarivate Analytics* is now an independent company with over 4,000 employees, operating in more than 100 countries and owns well-known brands that include *Web of Science*, *Cortellis*, *Derwent*, *CompuMark*, *MarkMonitor* and *Techstreet*, among others. For more information, visit [clarivate.com](http://clarivate.com).

More than half the Fortune 100 trust MarkMonitor to protect their brands online.

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