

# PRESS RELEASE

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## **Negative Award “Plagiarius” sheds public light on shameless counterfeits!**

*The trade of plagiarised and fake products is extremely lucrative. The offenders are comprised of unimaginative competitors, unscrupulous vendors, and at its most extreme, organised crime. Apart from the Internet and digital communication, gullible bargain-hunters and an insufficient penalisation of the offenders ensure the rampant spread of this problem. As the damages for the brand name producers and the safety risks for consumers are immense, a sensitisation of the consumer world as well as more drastic measures against manufacturers and distributors of counterfeits are crucial.*

### **Plagiarius: Against brazen theft of ideas - for more fairness and respect**

On February 09, 2018 the negative award “Plagiarius” - created by designer Prof. Rido Busse - was bestowed at a press conference during the annual “Ambiente” in Frankfurt, the world’s largest consumer goods trade fair. Since 1977, Aktion Plagiarius e.V. grants this anti-prize to manufacturers and distributors of the most flagrant plagiarisms and counterfeits. The goal is to denounce the unscrupulous business practices of counterfeiters who pilfer intellectual property and pass it off as their own creative achievement; as well as to raise public awareness of this complex problem that concerns industry, consumers and politicians. Likewise, the perception of the significance and effectiveness of intellectual property rights, and equally the appreciation for creative accomplishments should be enhanced. It is a principal concern for Aktion Plagiarius to bring the uniqueness of an original product home to entrepreneurs and private persons. And also, to make clear that the process from ideation to a market-ready product is time-consuming, costly and requires innovative energy. Thus, the “Plagiarius”-trophy – a black gnome with a *golden nose* - is a symbol of the exorbitant earnings product pirates collect at the cost of innovative companies. This gnome was created to express the German aphorism “*to earn oneself a golden nose*” which means, “to earn a fortune”.

### **Clumsy 1:1 imitations are unimaginative, morally objectionable and lead to stagnation**

Naturally, the “Plagiarius” award remains silent about on whether a plagiarism is legal or otherwise. Aktion Plagiarius does not, nor wants to, pass judgement. However, the campaign can call attention to injustice. Prior to selecting the “anti-prize winners”, Aktion Plagiarius notifies each imitator that he has been nominated and provides him with an opportunity to share his point of view. The annually changing Jury takes this response, in addition to general case-related information, into consideration during their evaluation. The Jury definitely does not want to denounce legally competing products that differ sufficiently in design and technology from the original product. On the contrary, the intention is to place special emphasis on clumsy imitations that deliberately look deceptively similar to the original product and that show absolutely no creative or constructive personal contribution. Due to fear of public disgrace and bad publicity, many of the nominated imitators have withdrawn their remaining stock from the market, have signed cease and desist letters or revealed their suppliers.

### **Counterfeits: More greed of gain and unscrupulousness than well-meant compliment**

Product and brand piracy is often waved aside as a trivial offence. However, the figures speak for themselves. According to the European Commission, only in 2016 European customs officials seized more than 41 million IP infringing goods, with an estimated value of 670 million EURO at the EU borders – and that is just the tip of the iceberg. On the one hand, China is the number one country of origin of counterfeits. However, at the same time, more and more Chinese companies develop from the extended workbench of Western enterprises and become serious competing firms that successfully operate on global markets. Furthermore, companies from industrial nations are often those responsible for ordering or importing these imitations. Increasingly, the imitators turn out to be either unimaginative competitors or even former production or retailing partners. To best secure their product know-how and trade secrets against theft, Aktion Plagiarius advises entrepreneurs to focus on a holistic strategy that involves legal, organisational and technical measures.

Meanwhile, counterfeited goods are available at diverse prices and quality levels, from cheap and dangerous knock-offs to high-quality imitations, that are hardly cheaper than the original product. The manifestations range from contaminated perfumes and cosmetics, substandard consumer electronics and adulterated foods up to imitated cutlery and household items, sanitary products, toys, tools and even including unsecure chainsaws and car wheels to pharmaceuticals with no active ingredients and non-functioning medical equipment such as emergency ventilators to name a few.

### **Organised crime discovers trade of counterfeited goods for its purpose**

In our days of the Internet, globalisation and digital communication criminals have allied in global networks and are operating project-related, flexible and highly professional. In order to minimise the risk of prosecution and to maximise their profits they diversify their scope of activities and increasingly integrate low-risk, but not less lucrative operations, such as cigarette smuggling and trade of counterfeits. They use their existing infrastructure which traffics in drugs, weapons and human beings. In regards to the global distribution, they focus on the internet, social media, smartphones, etc.

### **(Online-)marketplace operators should be obliged by law to fight illicit trade offers**

Unfortunately, well-known global eCommerce platforms do not only offer original goods but also large scale illicit plagiarisms and counterfeits. Mainly, the last-mentioned are being distributed from third-party suppliers who change their (fake) identities whenever required, and successfully veil themselves in the anonymity of the World Wide Web. Practice has shown that voluntary commitments and promises with public appeal of online platforms to stronger fight product and brand piracy are woefully insufficient. Far too low is the self-interest of some dubious platforms. Viewed technically, the proactive detection and deleting of potentially illicit offers would be possible. However, this would cause additional costs and diminish profits. Furthermore, as marketplace operators also profit from the sale of illicit goods revenues would drop out. And yet, the protection of original producers and the consumers should be first priority of all marketplace operators. A legal obligation for more responsibility and engagement of the marketplace operators would be desirable and reasonable.

### **Double Standards: For consumers fair working conditions only important at original products**

At shortest intervals consumers are claiming new multifaceted products of highest quality and attractive design. To develop such products it takes, apart from know-how and experience, also talent, creativity, courage and entrepreneurial spirit, perseverance and passion. Imitators are lacking in all these qualities. Blatantly, they copy a finished product and save all the time consuming development steps and expensive advance payments. Equally unscrupulously, they are falsely taking all the credit and often produce under inhuman working conditions.

When deliberately buying counterfeits, consumers successfully block out all these morally reprehensible circumstances and mistakenly delude themselves into thinking that a fake product procures the same brand experience as the treasured brand name product. By no means this is true. A crude counterfeit has neither the aura of an original product nor does it honour the brand name promise. An identical product appearance does not automatically imply the same quality, functionality, precision and safety. In fact, original and plagiarised products are only misleadingly similar at first glance.

In the end, each consumer bears responsibility not to buy junk goods with label produced by criminals, but rather they should choose the incredible diversity of legal products and appreciate these innovations. Especially when buying on the internet, consumers should have a close look at offers, listen to their common sense and not quickly and uncritically click on "Purchase". In their very own interest, buyers should thoroughly verify site notice, the payment terms, the cancellation policy and the general integrity of the provider. Premium brand-name products are not available "almost for free". However, in comparison to imitations, they are worth their price.

### **Plagiarius prize winner products 2018 presented in Museum Plagiarius from February 16**

The Museum Plagiarius in Solingen (Germany) displays more than 350 product units, originals of all sectors and their brazen plagiarisms in direct comparison. In guided tours, seminars and consumer events, both industry and consumers experience a 'first-hand view' of the problem and receive information about the sweeping extent of the damages and dangers incurred by fakes. The collection is complemented by counterfeits seized by customs. [www.museum-plagiarius.de](http://www.museum-plagiarius.de)

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## The Jury of the Plagiarius-Competition 2018:

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Each year the jury is put together individually with specialists from diverse sectors. The following persons formed this years' jury:

**Dr. Stefanie Dathe**

Director Museum Ulm, Germany

**Ulrike Freund**

Managing Partner Brauerei Gold Ochsen GmbH, Ulm, Germany

**Katja Häußner**

Managing Director Scratch Advanced Advertising GmbH, Munich, Germany

**Harald John**

Head of local newsroom / Member of chief editorship Südwest Presse, Ulm, Germany

**Stefan Reichmann**

Managing Director Reichmann & Sohn GmbH, Weißenhorn, Germany

**Max Ruhdorfer**

Albert Ziegler GmbH, Director Ziegler Group, Product Strategy, Design and Innovation, Giengen a. d. Brenz, Germany

**Harald Schultes**

Managing Director FoodVision Deutschland GmbH / Managing Director Initiative LifeCare, Munich, Germany

**Tim von Winning**

Mayor of the City of Ulm, Division Urban Development, Building Industry and Environment, Germany

**Prof. Dr.-Ing. Michael Weber**

President of Ulm University, Germany

**Legal Advice:**

**Dr. Alik Busse**

Certified IP-Lawyer, Lawfirm Busse & Partner, Munich, Germany

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The **award ceremony of "Plagiarius 2018"** took place during the Consumer Goods Trade Fair "Ambiente" at the Congress Center of Frankfurt Fair in Room "Illusion 1-3" on Friday, **February 09, 2018, 1:00 p.m.**

The **'laudatory speech'** on the prize winners was made by **Michael Jungblut**, author and journalist. The Plagiarius prize winners 2017 and 2018 will be presented at the **Special Show "Plagiarius"** from February 09-13, 2018 at the **Foyer 5.1. / 6.1.**

After the Ambiente, starting February 16, 2018, the prize winners 2018 will be presented in the Museum Plagiarius in Solingen. (Bahnhofstr. 11, 42651 Solingen, Germany).

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## The Prize Winners of the Plagiarius-Competition 2018:

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The jury met on January 13, 2018. Three main prizes and seven distinctions (equal in rank) were awarded; total entities: 24.

### 1. Prize

#### Kitchen Cutting Device “Nicer Dicer Plus”

Original: Genius GmbH, Limburg, Germany

Forgery: Pingyang County Leyi Gift Co., Ltd., Zhejiang, PR China

The counterfeiter copies numerous products of Genius, incl. the trademark “Genius” and the product names, and promotes them online, at trade fairs, on street markets and via catalogue. The cutting blades of the forgery are blunt and easily break, the plastic contains harmful substances.

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### 2. Prize

#### Inflatable Water Park “Wibit Sports Park XL”

Original: Wibit Sports GmbH, Bocholt, Germany

Plagiarism: Sunny Kingdom, PR China

The imitator copies the product, i.e. the complete Sports Park incl. all details such as life vests, and uses the original “Wibit-hand”-design mark. Also, he adopted concept and music of the original Wibit commercial video.

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### 3. Prize

#### PUKY Racer

Original: PUKY GmbH & Co. KG, Wülfrath, Germany

Plagiarism: Manufacture: Xingtai Kurbao Toys Co., Ltd., Hebei, PR China

Distribution: Online, i.a. via Alibaba.com

Design and technology are a 100% copy of the original product. The cheap materials (shell, wheels, steering wheel) and poor workmanship (surfaces) reflect the inferior quality.

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## Seven “Distinctions” (equal in rank) were awarded:

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#### Bathroom Accessories Set “Royal”

Originals: Immanuel Industrial Co., Ltd., Tainan City, Taiwan

Plagiarisms: Distribution: by a German online vendor via Amazon.de

Despite minimal differences in design at two of the accessories the overall impression of the two sets is identical. The materials used for the plagiarisms are cheap, the affixing of the rhinestones is sloppy. The plagiarisms were removed from the market.

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#### Frame Profile “e-X 14”

Original: inditec GmbH, Bad Camberg, Germany

Plagiarism: Manufacture / Distribution: raminkus Inh. Guido Minkus, Lindlar, Germany

Distribution: Karthäuser-Breuer GmbH, Cologne, Germany

Initially, Karthäuser-Breuer distributed the original frame profiles of inditec; since mid 2017 the sole proprietorship raminkus produces optically identical frame profiles and distributes them on his own account and via Karthäuser-Breuer.

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## Storage Container “Hot Stuff”

Original: Koziol ideas for friends GmbH, Erbach, Germany

Plagiarism: Distribution: Glocalize SPA, Santiago, Chile

Product design, product name, commercial banderole and the Koziol-type face are a 100% copy of the original product; only the company name „Koziol“ has not been copied.

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## Cheese Grater “Kasimir”

Original: Koziol ideas for friends GmbH, Erbach, Germany

Plagiarism: Distribution via a Spanish department store / gift shops incl. online-shops

For years, diverse plagiarisms of the Koziol bestseller „Kasimir“ were being sold world-wide (Asia, Spain, Turkey). In this case, the tag incl. photo and the rubber affixing were being copied as well.

The Spanish distributor has removed the plagiarisms from stores and the internet and has signed a cease- and desist letter.

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## Silicone Moulds “Amorini”

Original: SILIKOMART S.r.l., Mellaredo di Pianiga, Italy

Plagiarism: Distribution: Ningbo Globalway Industry & Trade Co., Ltd., Ningbo, PR China

The product design is a 100% copy of the original product. Also, the packaging design and the name “Siliko” are almost identical and therefore misleading.

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## Touch-safe Heater for Enclosures “CS 06020.0-00“, heating capacity 150 W

Original: STEGO-Holding GmbH, Schwäbisch Hall, Germany

Plagiarism: Wenzhou Natural Automation Equipment Co., Ltd., Zhejiang, PR China

The product design, which is not limited by technology, is a 100% copy of the original product. Also, STEGO article-numbers, STEGO certificates and user manual were adopted, resulting in misleading confusion. Quality and performance of the plagiarism are lower. Essential safety standards of the electrical industry are violated by the copy.

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## Swiss Pocket Knife “SwissChamp” (33 functions)

Original: Victorinox AG, Ibach-Schwyz, Switzerland

Forgery: Distribution: Online

Often, it is very difficult to identify and prosecute the online vendors of counterfeit products. The Victorinox trademark (cross and shield) is an inducement to buy. However, the quality promise inherent to the original trademark is often not met by the extremely cheap counterfeits (un-sharp knives, non-functioning magnifying glasses etc.).

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## Contact

Aktion Plagiarius e.V.  
Christine Lacroix  
Nersinger Straße 18  
D-89275 Elchingen, Germany

Tel: + 49 (0)7308 – 922 422  
info@plagiarius.com  
www.plagiarius.com

**Press Download:** (individual): [www.plagiarius.com](http://www.plagiarius.com)

**Press Release** (“Press”) / **Photos of Prize winners** (“Competition”) or:

**Zip-file with all data (29 MB):** [www.plagiarius.de/preistraeger-2018](http://www.plagiarius.de/preistraeger-2018)

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