



BRANDING AND QUALITY CONTROL: A VIABLE ANTI-COUNTERFEITING MECHANISM

Counterfeits

INTRODUCTION

From well-known places of commerce like the Yaba and Lagos Island markets in Lagos, to the famous Eziukwu, Ngwa Road markets and Ariaria International Market in Aba, Abia State, buyers and investors are amazed at how industrious and innovative Nigerians are. However, they are more overwhelmed with the outrageous number of counterfeit goods that are produced and sold in these markets, most of which are sadly passed off as the real deal. The recent raiding by law enforcement agencies has raised a great concern on whether the act of counterfeiting would ever end in Nigeria.

In December 2023, the National Agency for Food and Drug Administration and Control (NAFDAC) confiscated and destroyed counterfeit products estimated at over N750,000,000 (Seven Hundred and Fifty Million Naira), in Eziukwu market in Aba, Abia State.¹ More recently, in April 2024, NAFDAC raided popular supermarkets in Abuja² and seized counterfeit products worth about N50 million. This list is indeed endless.

While it remains a truism that legal frameworks and various strategies have been put in place to combat counterfeiting in Nigeria, it is saddening, that these instruments as commendable as they are, are solely focused on the protection of the brand owners and the punitive measures against the counterfeiters. Hence the presentation of this article as a paradigm shift that focuses on the innovative, anti-counterfeiting mechanism of sensitizing the counterfeiters cum the intending ones, on the importance of building their personal brands through quality control and innovation, as opposed to counterfeiting.

¹ <https://punchng.com/menace-of-counterfeit-products/> Accessed 20th May 2024.

² Sahad Stores, H-Medix branches in Wuse 2 and Gwarinpa, Utako.

OVERVIEW OF COUNTERFEITING IN NIGERIA

A counterfeit is a product that fraudulently imitates a brand by deliberately being mislabeled or packaged to assume the identity of that brand. According to Chekkitt Technologies,³ the commonly counterfeited products in Nigeria are packaged foods, pharmaceuticals, footwear, cosmetics, leather goods, automotive parts, optical media (CDs & DVDs), alcohol, jewelry, and clothing. These products are often classified as Fast-Moving Consumer Goods because of the high rate of their demand.

The reputational, financial, and socio-economic damage of counterfeiting on brand owners and on the society at large, is no longer news. For this reason, different laws have been enacted to address various aspects of anti-counterfeiting enforcement.

Additionally, a handful of resources have emphasized the importance of adoption of comprehensive anti-counterfeiting plans which are more proactive than reactive. Some of these strategies are as itemized below:

- a. Brands to obtain comprehensive Intellectual Property ("IP") protection, such as trademark registration for brand names, words, phrases and logos, patents for inventions and design registration for industrial designs.
- b. Brands to explore technological protective measures for the authentication of their products, such as the usage of holograms, Radio Frequency Identification (RFID) tags, quick response codes, barcodes etc.
- c. Collaboration with law enforcement agencies, such as NAFDAC, FCCPC, SON etc.
- d. Investing on consumer education as consumer attitudes are another crucial factor responsible for counterfeiting in Nigeria.
- e. Brands to closely monitor the processes and the persons involved in the supply chain of their products. This is because consumer attitudes are another crucial factor responsible for counterfeiting in Nigeria.

As earlier stated, these strategies are solely focused on the protection of the brand owners and ensuring the punitive measures against the counterfeiters. These strategies, unfortunately, are yet to drastically ameliorate counterfeiting in Nigeria. Hence, there is need to endorse a

³10 Most Commonly Counterfeited Products in Nigeria
<https://chekkittapp.com/blog/10-most-commonly-counterfeited-products-in-nigeria/> Accessed on 20th May, 2024

novel strategy alongside the existing ones, that will focus more on making these counterfeiters self-aware of the possibilities of building their own brands.

BRANDING AND QUALITY CONTROL: A VIABLE MECHANISM FOR BUILDING SUCCESSFUL BRANDS IN NIGERIA AND COMBATING COUNTERFEITING

Branding encompasses the strategic creation and management of a company's identity, image, and reputation. It involves shaping the perceptions and emotions of customers, employees, and other stakeholders to establish a distinct and recognizable brand. According to Jeff Bezos, the founder of Amazon, "Your brand is what other people say about you when you are not in the room". This simply accentuates the fact that quality control can never be overemphasized when it comes to branding.

Quality control on the other hand, refers to the processes and activities implemented to ensure that products or services meet or exceed predetermined standards. It involves monitoring and evaluating various stages of production, from raw materials to the final product, to identifying and rectifying any deviations.

The goal of branding is to earn space in the minds of the target audience and become their preferred option for doing business. Some of these strategies for building a successful brand are:

- a. **Discovering the Purpose behind the Brand:** Every successful brand has a powerful purpose behind it.⁴ Consumers trust and connect with a brand on an emotional level once they feel the brand's larger purpose aligns with their values.
- b. **Conduct Research on other Competitive Brands in Similar Industry:** One of the viable strategies for building a successful brand is to study other competitor brands, to know what they do; where they succeed and where they fail. The goal is to create an outstanding identity for such an upcoming brand that will win a customer's patronage amidst other notable brands that sell similar products.
- c. **Determine the Brand's Target Audience:** In the hands of the buyers are the buying process. Thus, marketers must create targeted, personalized experiences for people if they want to be the one to grab their attention

⁴ Freshsparks, 11 Simple Steps for a Successful Brand Building (March 19, 2024) <https://freshsparks.com/successful-brand-building-process/> Accessed on 20th May 2024.

among a sea of brands and advertisers. Knowing a brand's target audience is very sacrosanct in running advertising campaigns, as the campaigns should be tailored to the group of people who most likely will have interest in the product being advertised.

Other strategies for building a successful brands include:

- d. **Establish a Brand Mission and Vision:** This is necessary as it ensures tailoring the business to achieve its goals and mission.
- e. **Outline the Key Qualities and Benefits your Brand Offers:** The distinguishing factor and the importance of a brand should be made visible to every customer.
- f. **Build a Brand Story and Messaging:** The peculiarity of a brand in terms of its story and mode of communication helps it sync well on the right audience.
- g. **Create a Brand Logo and Tagline:** A brand should be known with a sign, symbol and words that distinguishes it.
- h. **Stay True to your Brand Building:** Consistency and perseverance is key while building a notable brand. It should never be taken for granted.

RECOMMENDATION/CONCLUSION

Having highlighted the various ways that a formidable brand could be built, the following are recommended for Nigeria to ease the process:

Adopt and implement schemes that aim to streamline processes, boost domestic manufacturing, and attract foreign investment, just like India did with their Gati Shakti ⁵ and the Production-Linked Incentive (PLI).

Do away with strangulating and inconsistent policies in the manufacturing and distribution of products. For instance, by reducing or removing the Value Added Tax on products that have very low profit margin.

Promote public awareness and education through national campaigns and conferences on the effect of counterfeiting and how to build a successful brand without necessarily engaging in acts of counterfeiting.

⁵ An Indian National Plan that provides Multi-modal Connectivity infrastructure to various economic zones.

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