ABOUT BRANDMONITOR

BRANDMONITOR works to protect brand equity, marketing investments, revenue and reputation from a wide range of brand abuse:

» counterfeit and grey market sales;
» unauthorized channels;
» paid search scams;
» and other online threats.

www.b-monitor.com
FAKE PRODUCTS

According to art. 1229, 1484 of the Civil Code of the Russian Federation (CCRF), the rightholder enjoys an exclusive right to place his trademark on goods that are being produced, sold or otherwise commercialized. This includes the right to place the trademark in the text of online product offerings. Products that are being individualized by a trademark without the rightholder’s authorization are considered to be counterfeit (art. 1515 of the CCRF).

BLACK MARKET SALES

The CCRF utilizes a national system of exhaustion of trademark rights. This means that genuine products, imported to the Russian Federation without the rightholder’s authorization (parallel imported goods) are considered counterfeit and cannot be individualized by the manufacturer’s registered trademarks (art. 1487 of the CCRF).

BRAND ABUSE DOMAINS

Using trademarks in domain names is one of the exclusive powers that belong to the rightholder according to art. 1484-2.5) of the CCRF. Using a trademark or a designation confusingly similar to it in a domain name without the rightholder’s authorization infringes on his exclusive rights and is, therefore, illegal.

In Russia, the exhaustion of trademark rights works in such a way that if a vendor is able to demonstrate the history of his products’ acquisition (proving that they were ultimately bought from an official distributor), he will have the right to use the trademark for individualization of the offered goods. Though without a licensing agreement he still won’t be able to use the trademark in domain names and in other ways not related directly to the products offered for sale.

COPYRIGHT INFRINGEMENTS

It has to be noted that all of the situations described above are most often connected to infringement of the rightholder’s copyright rights as well.

We do also provide service for protection of copyright rights, be it related to texts of official images of products (the legal basis for their protection is art. 1255, 1270 of the CCRF) that are being unlawfully used on websites in question.
SCANNING TECHNOLOGY

THE AUTOMATED VIOLATION SEARCH PROCESS INCLUDES THREE STEPS

1. Search. 24/7

BrandMonitor crawler scans the vast expanse of the Internet 24/7.

1. WEB SEARCH

Text analysis
Image recognition
Hyperlink analysis

2. IDENTIFICATION

BrandMonitor Fingerprint Technology

3. CLASSIFICATION

3. CLASSIFICATION

4. PROCESSING

Legal
BrandAbuse
Counterfeit

1. Reporting
2. Pretrial Settlement (Escalation Protocol)
3. Prosecution

 Identification. Computer Vision Technologies

The content of each scanned Internet page is analyzed by BrandMonitor patented computer vision technology in order to spot logotypes and specified product images.

1. PARSING

2. LOGO & PRODUCT IDENTIFICATION

BrandMonitor Logo DataBase

3. Verification & Classification

Each use of a logotype, trademark or product image is analyzed for violations. Each violation is subsequently verified by an analyst.