

COUNTERFEITING: MIRROR OF SPORTS GOODS AND APPARELS

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ABSTRACT

Counterfeiting is one of the wildest growing economic crimes globally. It intimidates the economies of established and emerging countries alike, harms new investment, and progressively endangers public health and safety. Counterfeiting isn't a victimless crime. There are serious unintended and damaging effects counterfeiting leaves in its wake which is way deeper than it seems impacting the economy, brands, and businesses at large. The nature of crime is such that it becomes difficult to obtain the clear picture or statistics as it is a clandestine activity.

Sports sector in India is gaining prominence due to the active participation and awareness regarding different games among the youth of the country albeit the clear-cut distinction of being a professional sportsperson and an amateur who is just following the play as a hobby or even as a source of entertainment. The diverse field of sports goes beyond the realms of professionalism and hobby as it also a medium to enhance physical wellbeing and fitness regularly, thereby being more health conscious or a paradigm shift of a healthy lifestyle. Thus, growth of sports has led to its capitalization and gradually turned it into a business involving monetary benefits including branded sportswear, standardized sports equipment, sponsorships, brand endorsement, brand ambassador, product merchandising, trademarks etc. Therefore, counterfeiting in the arena of sports is no exception.

The negative impact of counterfeiting cannot be undermined as it has made the market fragmented. It questions the brand value and simultaneously jeopardizes the brand image thereby stalling the scope of innovation in consonance to the product design. It levels up the competitive environment and starts up a battle to maintain a market share apart from hollowing finances and the analysis of the consumer behavior. Furthermore, the business-based liabilities make the sporting company accountable towards the economy of the country and their contribution to it. The paper aims to assess the global impact of the sports apparel and goods through various factors and its consequences along with the measures to curb counterfeiting.

INTRODUCTION

Sports are an integral part of our social lives. It is so ingrained that it has become a quintessential part of our lives. It is a recreational activity and is popular across the globe bringing in games, competition, culture and to certain extent of economic lookout of business. Sporting was earlier confined to the realms of a physical cum leisure activity or even a hobby and was said to be source of entertainment. Thus, in a country like India it is quite evident that sports or the earlier form of sports like wrestling, sword fighting or even archery hold a crucial position in the basic routine of every day life since time immemorial.

The impact of sports has been often undermined since the childhood. Sports, education, and health share an elemental link, and together they contribute significantly to the holistic development of a child. It also helps people maintain the best of their physical, mental, and psychological health. It imbibes qualities like such as leadership, dispute management, team building, healthy competition, and discipline at the grass root level. Sports are the epitome of diligence, hard work, and dedication. Thus, it has more to do with life skills, essential values rather than performing a set routine over again or a recreational activity.

The changing dynamics of sports culture in India has seen a magnanimous rise in the popularity and better knowledge of various games. A good sports culture is an index to measure a nation's growth and progress. Sporting has now gained a commercial importance of mammoth proportions. The sports sector has been under -going the phase of corporatization creating ample of opportunities in the market. It has become of an industry of business wherein marketing and promotion of a particular sport or team or a sportsperson has gained a crucial importance. It is a strategic business move done through franchising, advertising, and brand building. Today sports have emerged as an important component of socio-economic development of a country. The execution of a mega sporting event helps in developing infrastructure, generating employment, securing inflow of foreign capital and thus contributes significantly to the economy of the nation. Thereby having the capability of nation building too.

The sudden rise towards people adopting different modes of sports is also due to the paradigm shift towards a health-conscious lifestyle and habits which received a major thrust during the pandemic in consonance to the general population who were confined within the four walls of their homes. Simultaneously it gave an opportunity to the established sport celebrities to create awareness as well as promoting healthy products ranging from health-based food supplements along with gymming weights and other equipment that includes the sportswear too through the medium of collaboration and paid partnerships. However, it explicitly increased the risk of consumers falling prey to such bogus goods with so called spurious claims as online purchasing or rather say E-Commerce was the new platform to meet the daily needs.

COUNTERFEITING IN SPORTS SECTOR

Counterfeits are usually defined as “Illegally made products that resemble the genuine goods but are typically of lower quality in terms of performance, reliability, or durability.” The act of Counterfeiting can be defined as the practice of manufacturing, importing/exporting, distributing, selling, or otherwise dealing in goods, often of inferior quality, under a trademark that is identical to or substantially indistinguishable from a registered trademark, without the approval or oversight of the registered trademark owner. Thus, looking at the phenomenon at a broader sense it also encompasses the intellectual property domain like copyrights and neighboring rights.

Counterfeiting is such a global crime of enormous scale, impacting virtually every industry sector around the world. India is no exception, suffering significant economic and health and safety consequences because of widespread counterfeiting, piracy and smuggling in the country. Today, almost every luxurious or even a simple bare necessity has a substitute which is more inclined towards being a replica of the original version of a particular product.

The nation's geographical location makes it vulnerable to flow of fake goods. Thus, the counterfeiting has forayed its way through the gaiety. The counterfeit trade has a strong foothold in sporting equipment along with sports apparels in India and is way deeper than it meets the eye. It has raised up crucial questions pertaining to small- and large-scale businesses due to the corporatization of the recreational arena. It has affected the consumer market, renowned brands, merchandising, and the intellectual property rights which includes the trademarks and copyrights involved in the gaming segment. Therefore, it becomes necessary to analyze the factors that attribute towards the growth of lucrative trade market of counterfeited goods at national level.

INTERFACE OF SPORTS AND IPR

The rising innovation and creativity in the field of sports is the brainchild that interconnects the sector with the field of Intellectual Property Rights. The inventors and creators are working beyond the boundaries to make the game more lucrative apart from making the play more enjoyable and as a source of entertainment. It involves market players from government to the sporting authoritative body or board or committees. It indirectly helps in creating awareness regarding the different forms of sports and leads to promotion of the game as in its popularity. The commercialization of sports has resulted in bulk goods to be delivered which should meet the designated criteria as well as standards. Therefore, various facets of a game falls within the ambit of diverse branches of Intellectual property rights, out of which the most sought is the trademark, as compared to others.

Copyrights protect the personality, performer, and broadcasting rights. It also includes the photographs of a sporting event, the commentaries so made during the game, and sport anthem or theme song like the song 'Waka Waka' during the FIFA World cup in 2010. Patents are used in the technology through which the equipment are made and designed. The most important Intellectual Property Right in consonance to sports apparels, equipment, footwear, and merchandise is the Designs Act, 2000. These exclusive commodities are protected under this Act. Domain Names are also an important part of intellectual property rights and is associated with sports as well. It is an identifier for a specific internet site especially in case of merchandising. Thus, there is a flow of information and various activities are also carried out.

A trademark is a distinctive sign, emblem, logo, or indicator representing a specific business, entity, or individual. It is a recognition associated a brand name like 'Sudarshan Chakra' or 'Razor' is the identification for the famous IPL team called 'Mumbai Indians' and the name of the company MRF brings in the images of tyres and high-quality cricket bats. It also includes athlete names, catchphrases, nicknames, team names, mascots, etc. The trademark registration confers the exclusive right to use the trademark. Trademarks are more beneficial for a sporting business indirectly being a medium through which revenue is generated. However, there is a high probability of trademark infringement under direct ambushing which is a form of ambush marketing. It is a major drawback which lends a helping hand to counterfeit goods and apparels.

AMBUSH MARKETING: A CATALYST

It is basically a practice where the rival company or a brand tends to promote goods or products through the medium of other events which already has sponsors. Thus, ambush

marketing has more to do with the exclusive rights and is more prevalent in the sports industry via high scale sporting events like FIFA, the Olympics, Super Bowl etc. It has a controversial nature which is very deep rooted and these rights play an important role imbuing a sense of assurance and security. The implication of such activities has been undermined when seen through the financial lens as well as economical perspective which would be covered under the economy section of this essay. Therefore, trademark infringement is a tacky as well as a tricky situation wherein there is an intentional usage of trademarks, taglines, and so on from another brand to advertise itself with the intention being to confuse the customers and spoil the marketing efforts of the other brand. Thus, it blurs the line between authenticity and quality of the product. The repercussions are seen on consumers as well which in turn affects the consumer behaviour and pattern.

Ambush Marketing, as stated earlier abstains any sort of exclusive rights. These exclusive rights are a part of corporate rights via corporate sponsorship. It is a known fact that in the world of business there is one rule – ‘give and take’, which is considered to achieve a twofold targets or goals: firstly, personal interest from the business point of view and secondly the monetary profits and loss allowing the continuous flow of finances and funding. It is a simple logic. Thus, when sponsorship fees are paid by the sponsors to an event organiser it is implied that they would gain something in return. The exclusive rights are the result of this commercial arrangement. It includes the right to use official marks and logos associated with the event and gain unique advertising and promotional opportunities etc., thereby allowing the brands to establish themselves and to climb the corporate ladder., one step at a time.

These exclusive rights confer an official right, a sense of ownership which is recognized as ‘official sponsorship’ or even ‘official licensee’ or ‘official supplier’ within different specified categories of sponsorship. It thereby in a way entitles sponsors to marketing rights. Therefore, it a chain reaction wherein one action leads to another. The benefits or the advantages reaped by some other organization associating itself with a mega scale event is the essence of ambush marketing. In other words, the association is strictly confined to a strategy that brings in good will and recognition whilst avoid paying for the event. Therefore, it is also called as parasite marketing. It creates a delusion in the mind of the consumers thereby giving a thrust to the fake implicated goods.

Ambush marketing questions the business ethics in some or the other way. The conduct of business is affected and raises the bar of competition at a superficial level. An individual fails to pinpoint the differences and quality of the goods at large scale events targeting a particular product and the required market segment. This category of marketing in the narrowest and every possible sense involves the infringement of intellectual property rights, trade laws, deception and misrepresentation and free riding. It acts as a It is like a façade which reveals its colours slowly and steadily. It has a detrimental effect on the business overall, and therefore, it has a negative connotation. This is because the foundation of sponsorship is the flow of the finances in the form of revenue. Furthermore, the dearth of a proper legal framework makes it difficult to deal with such cases and therefore, they fall within the purview of trademarks and copyrights.

RISE OF REPLICATION- COUNTERFEIT GOODS

Counterfeiting is on the rise especially in the gaitery. Firstly, this is because the counterfeit sportswear is easy to produce because it was a straightforward production by using grey market channel. Second, it is easy to imitate because it is always connected to big events such as the World Cup or another major event where counterfeit traders can concentrate on producing a huge amount of fake sportswear. It has made the field easily targetable by such manufacturers and retailers. The recent paradigm shift of a healthy lifestyle especially the youth as they are becoming more conscious about their food and eating habits apart from a regular exercise regime which in turn has made them the consumers that often end up buying knockoffs or so-called sporting apparels. It has led to the sports apparels almost turning into a fashion industry, thereby increasing the demand and supply.

BRUISED BRANDS

The corporatization of sports sector has opened many doors for the private players in consonance to businesses that focuses on the play. It has strongly emphasized on innovation through which the awareness regarding different exhibits is done and simultaneously attracts the target audience or even the masses. Creativity and innovation are proven drivers for economic growth and competitiveness.¹ It is creative visualization that has turned mega sporting events into a proper or full-fledged business for it involves sponsorships and potential investors apart from the regulatory authority and sportsperson. It has led the private players to tap on the full potential of the players. Furthermore, it was creativity and innovation which empowered Lalit Modi, the then vice president of BCCI (Board of Control for Cricket in India) to spearhead the Indian Premier League (IPL). These kinds of events make optimum use of aspects of Intellectual Property through different means like trademarks, copyrights, patents, merchandising and so on. The intellectual property has more to do with the brand identity and other components like broadcasting that is associated to a form of game thereby bringing a level of connection with the fitness and sports enthusiasts.

Brand Identity has many components to it and is often associated with a particular sports team, sports player in the form of a brand ambassador or even a sporting program. It includes the logo and tagline thereby giving way to merchandising. Sports merchandising can be defined as special goods that are made available in retail stores. It is largely inter-connected to leagues, teams or clubs and sports personalities. Thereby paving the way for sports apparels and sporting equipment and indirectly encompasses the famous brands that have a strong foothold in recreational arena like Adidas, Nike, Sketchers, or even Puma or Reebok whose cricket bats are widely used. The wide range of sporting equipment for diverse exhibits include helmets, tennis racquets, hockey sticks, batting pads, gloves and so on that highly imply on quality standard or rather say products with a finesse. Cutting-edge sports gear, alluring sportswear designs, are results of manual labour of the human mind.² It is a creation carved out through visualization and imaginative power under the garb of product design. Thus, in a competitive world for a product to flourish it becomes essential to modify certain aspects of the product yet retaining its credibility.

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<https://iccwbo.org/content/uploads/sites/3/2016/11/Counterfeiting-piracy-and-smuggling-in-India-Value-of-IP-in-india.pdf>

² <https://www.theglobalipcenter.com/report/sports-and-ip/>

The enhanced technology has yielded more research-driven innovative sporting products which of quality importance for the players and the consumers alike. Sporting products is a completely broad market for it comprises of technology-based products like fitness trackers, electronic wearables, apps, and software along with equipment that used by professionals and amateurs. These create a good will and a brand image. It speaks about the core values and beliefs which form the underlying base behind a lifestyle product. These products undergo the test of fire. In other words, the products undergo a screening and standard measurement test which is accountable for the high quality yet durable goods.

Sports is a lucrative industry wherein the media has a very important role to play. It is the media that creates the brand image. It is the medium that takes a product to the masses through thorough research and verification of facts. However, they are too binded by their own rules and regulations which why they are unable to fall deeply into these matters. Furthermore, even at the stage of inspection it is more about impression and rather than the credibility and the feasibility of the product. Thus, even if they go through various check levels the differentiability is a key point. The differentiability is an art which requires an eye for details.

Therefore, one can imagine the power of the human creation or human thinking wherein the manufacture of counterfeit goods is done with such a finesse that it is easily inculcated in the batch or consignments of the bulk quantity of commodities. It is human creation done with meticulous planning with an aim or an object to target a particular group of people or even as a case of revenge like it happened in the case of demonetization. It is the utilization of human intellectual in the wrong sense for absolutely unethical and immoral purposes. It has a twofold impact as it not only affects the moral conscience of a person but also professional sphere of life.

Apart from the equipment and apparels, sports are interconnected with the additional fitness supplements or fitness products too. These products are mainly concerned with mass building or muscle building or extra protein intake or to have a proper balanced diet. It has more to do with the stamina and physical strength of the players. Thus, such kind of products are recommended by a certified nutritionist and a dietician. However, at times the quality and content of such supplements or additional intakes can endanger the lives of the sportsperson. This is because such products can even be altered or have a mediocre standard which is otherwise of the brand value.

However, the rapid rise of digitalization has its negative side too. The lines between real and fake have blurred, and the online shopping has fueled the act of counterfeiting. The trade of fake merchandise now accounts for 3.3% of global trade, according to a recent report by the Organization for Economic Cooperation and Development (OECD),³ which is detrimental to the brand value and reputation. It creates a discord with the brand and leads to hollowing finances or loss of revenue to the company. It stalls down the innovation which in turn slows down the growth rate or renders it stagnant or the growth happens but at the cost

of same amount of acceleration.⁴ Counterfeiting questions, the authenticity of the brand as well as the service or the method adopted towards the outreach of the target audience.

FRAGMENTED ECONOMY

The evolution of sports sector in our country has been drastic. The transition from a mere recreational activity to a profession or as a career has been a bumpy ride. The commercialization and corporatization of sports has led the sector beyond the realm of entertainment and competition. It has changed the dynamics of the industry as it represents a medium for investment with huge potential returns from a financial point of view. Therefore, the economical implication of the ever-thriving industry has been overlooked by many. The digitalisation and industrialisation has accelerated growth and development of the arena as it has attracted investments that range from acquisition of sports teams, league partnership, media agreements and other areas of the sports industry, such as manufacturing, advertisement, TV rights, fitness equipment, online betting apps and technologies. It is a known fact that the gaming industry in our country is vast and diversified. Sports involve multiple layers of economic activity.⁵ It stimulates economic growth by creating new employment opportunities through the medium of intellectual property. The different branches of intellectual property in the physical activity sector are responsible for, increased rates of innovation to a certain extent. This is because intellectual processes aid foreign direct investment (FDI) and promotes Research and Development (R&D) and technology transfer in developing countries.⁶ Thus, overall, the gaming industry is purely business. It is capable of contributing up to 5% of the country's GDP. Thus, there are numerous monetary transactions involved and humanitarian transactions too.

Furthermore, the wide array of mega events causes a chain reaction thereby benefitting multiple sectors of the economy—to the tune of 1% of global GDP. This is because sporting events offer wide range of employment opportunities in several fields, including sales, transportation, marketing, media, and finances. It solves the massive debacle of unemployment. The irony is that it is a career prospect for individuals who wish to pursue sports as a profession and simultaneously is a job prospect for less privileged or other qualified people as well as a specialist. Therefore, it can be said that it is a symbol of hope and gives many people a livelihood. It is a means of their survival giving them the access to the bare necessities. Thus, there is a circulation or a flow of finances in the system which in turn helps the authoritative power in the process of proper allocation and implementation of funds which is a catalyst to the growth and welfare of the nation.

The speculation of famous sporting event which is the evidence of popularity of cricket and is unrivalled in our country. It is highly anticipated season, and all the cricket fans are glued to their televisions. It is the renowned IPL, Indian Premier League. The buzz is so strong and impactful that it even disrupts the television ratings also known as TRP of the otherwise general Hindi GEC (General Entertainment Channels). It is ruling the charts. Thus,

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<https://iccwbo.org/content/uploads/sites/3/2016/11/Counterfeiting-piracy-and-smuggling-in-India-Value-of-IP-in-india.pdf>

⁵ <https://www.theglobalipcenter.com/report/sports-and-ip/>

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iccwbo.org/content/uploads/sites/3/2016/11/Counterfeiting-piracy-and-smuggling-in-India-Value-of-IP-in-india.pdf

it has such a fanbase which has given rise to something called sports tourism. Such events attract thrills and brings in audience from international frontiers as well as within the country.

Tourism is a pillar for economy, and it faces flak when counterfeiting take place. Such events are the epicenter of ambush marketing, replicated merchandising and smuggling of illegal goods across the borders. It questions the culture of the country and disrupts the faith and belief of the foreigners which come to the venue. Thus, though counterfeiting is a global crime, there is a need for incorporation of an international statutory body that solely deals with such matters. This is because it causes a hindrance in the trade and business between the countries at large.

Counterfeiting hits, the weakest spot of a developing country which is largely the funding and finances. It affects the market in an unthinkable manner which is beyond comprehension in consonance to the emerging start-ups, small and big enterprises, and new ventures in the arena. Markets are highly competitive in nature which results in battle of survival. It levels up the competition and ensues a fight to retain a market share. It adversely affects the tax revenue thereby impacting the government. Governments see lower charge salaries and higher cost on welfare, wellbeing administrations and wrongdoing anticipation which is barrier in the proper execution, implementation, and allocation of the finances. In other words, it leads to improper or lack of financial management thereby having a direct impact on welfare spending such as health care, education, and public transport. Police and other enforcement infrastructure are also hit by this resource crunch. Furthermore, the market for fakes has adverse effects on the labour market by shrinking profitability of legitimate businesses and increasing layoffs. Thus, it creates a negative cycle. In other words, there is a reduction in the sales and profits, decreased demand of services and fall of induced demand due to reduction in expenditure by employees directly employed by the sector. Therefore, the risk of investments increases as there are no incentives.

The bigger picture of the economy is distorted and fragmented as it becomes nearly impossible to pinpoint the thin line of difference between benefit and harm. It is a like a deceptive strategy like a wolf in sheep's clothing. It is a hindrance in the organization and the execution of large-scale sporting programme, or an event and it involves corruption to a certain extent thereby restraining the development and growth of the potential and capable players at a psychological level. Therefore, as a result reverse psychology takes place, because in the end it is a signal of demotivation to the sport players. It shatters their dreams and hopes because they end up compromising with the faulty infrastructure. They are unable to adapt themselves or make them adept in their field of specialisation.

The aftermath that lingers on is pointing towards an organised crime as gone are the days when counterfeit was all about selling off replicated products. The magnanimous amount of loss incurred by the companies and brands makes it a part of a crime done so systematically. This is because it becomes a source of money in such activities. It is an organized platform where the successful groups get the support of others. It helps them to conduct illegal activities underneath. The criminal world is interconnected and gets immense support from each of the elements. It can be said that the counterfeiting is an industry which is backed by black market. Such instances can lead to grave consequences and can be a threat to the national security leading to the collapse of economy. The aspect of national security can endanger the lives of millions of people thereby disrupting the order of administration

and impacting the large scale infrastructural developmental projects and other national matters which are vital and important.

As aforementioned the tax revenue in consonance to the generation of tax is zero which can lead to grave cases of money laundering. Money laundering is basically a cover up to finance the illegal activities that are done under the garb of many so-called bogus schemes across various sectors. It affects the financial sector institutions which are vital for the smooth flow of finances in the country. Thus, it disarms the regulatory or the governing bodies that deal with the finance sector in the country, thereby reducing the efficiency of the real sector in economy. It gives a push to terrorist organisation which can lead to dire consequences. There are many other layered illicit activities carried out under money laundering like narcotics. The terrorism or terrorist activities are highest level of action which can cause hindrance in the long-term goals of the nation. This is because the same amount of money could be used for the welfare of the nation through the implementation of various schemes in different sectors like education, health, agriculture and so on. However, in certain cases the money laundering cycle gives in 'clean money' or 'white money' by inducing counterfeit goods in the supply chain. It makes it impossible for anti- laundering agencies to catch hold of such flow of money.

Thus, counterfeiting is a transnational crime which can also impact international or global economic relationships with diplomats, high foreign nationals or such dignitary people apart from international trade. Thus, counterfeit can be said to be a global phenomenon wherein the stakes are higher.

UNPREDICTABLE CONSUMER BEHAVIOUR

Human behaviour is unpredictable. It is the basic human tendency that we realise the importance of a thing when the disaster has happened, or we nearly escape a dangerous or life-threatening situation. Thus, with coming of age and recent pandemic has made people more health conscious and they look out for a better and a healthy lifestyle. It has made people build up new habits or turn to various physical activities to ensure their mental and physical well-being. Thus, there is sudden shift towards the fitness and health.

The young generation is highly active and so they are the major consumers of apparels and equipment. Thus, it has become important to understand the consumer behaviour through the medium of the conduct. The conduct and the thought process or the approach towards a product in a market showcases the need or the want of the customer. It throws a light on the bare yet crucial necessity of the consumer. Therefore, it could be a strategic masterstroke for the authentic brand owners to analyse the need or want that determines the notion of buying a fake ordinary good or to stay away from it and bring an awareness around the technical aspects of the product.

The basic element of ambush marketing is to catch the target audience by surprise which is done in two ways either by intrusion or by association. Intrusion is basically catching the eyes of the market segment by either promoting their goods or services in or around the venue of the event by intriguing the spectators. It creates a hype or a sort of speculation which often diverts the consumers. It leads them astray given the wide range of similar products wherein the brand and tagline are different. There is a change in the consumer behavior given to the natural human tendency as they tend to get attracted to things

that seem glossy from far whereas it is just a show-off. The play of ambush marketing is deeply invested in human psychology, and it put to execution through a diplomatic business strategy. Even though products and merchandising done through ambush marketing is for a short interval of time it generates income albeit below the mark, but the sales do take place. Moreover, since if there is a mishap or any default in the good the accountability ceases as those brands or companies have zero or minimum traceability. It makes it difficult for the customers to choose among the plethora of options making it almost impossible for them to identify the real factor of the product or its value, yet it makes it easier for them to switch from one brand to another after all the sole aim or purpose is to just use the product. It isn't the duty of the customer to verify its reliability or have background check to determine whether it is the original brand or a duplicate. Thus, that's where the knock offs occupy the major market share when combined with ambush marketing.

The need of the hour is to create awareness and impart education through advertisements which have a statutory warning to warn the customers in case of any sort of misrepresentation on the part of the company or the brand through its products specifying the documents like invoice or bills or a certificate of authenticity to uphold the faith of the customers and to be at par with the principles and beliefs of the company apart from the goodwill and brand image.

DOUBLE JEOPARDY OF PLAYERS

Health is the most important asset for the sports players, and it includes both mental and physical wellbeing. The bulk goods include jerseys, bats, hockey sticks, helmet, pads and so on. Thus, there is a high probability that the quality may be compromised or even tampered. It endangers the players health indirectly creating a hindrance in their game style as well as the performance. The knockoffs are unrecognisable, and the usage of such goods can endanger the lives of the players for it hampers their craft triggering health and safety concerns. It damages their reputation as a player apart from causing a mental trauma at psychological level. It can have serious repercussions in the form of a minor or major injury or even a life altering injury that renders them out of the game or out of play due to fitness which could be permanent or temporary in nature. It raises a question on the capability of the person. It takes an injury to halt the years of hard work put in to make a career and establish themselves as a good player.

Furthermore, once a sportsperson establishes himself, it leads to brand endorsements emphasizing on health-based products or even some other goods. The promotion influences the target audience at large and even inspires as well motivates people. It causes die – hard fans to even adopt a particular service or alter the pattern of lifestyle. The implication is often undermined as the aftermath or the side effects of a nutritional additional supplement in case development of body building, or muscle often portrayed in gym or fitness advertisements implying immediate results. It questions the thought process or the mindset the player possesses as well as the qualities that makes an individual stand out from the rest of the sportsmen. It can have dire consequences like an impending court case, banned from the form of the game or even being dropped out of the game on a temporary or permanent basis. It causes the growth of a career to become stagnant. One wrong move can cause a chain reaction like withdrawal of investment through sponsorships. It can also lead to financial crunch to new upcoming players who are trying to make their mark on the field.

CONCLUSION

The aftermath of counterfeiting is like plunging into a deep hole. It has become a serious issue that needs attention as the most important issue with the fake goods is that it is a clandestine activity, and it is almost impossible to differentiate between an original and a replica model of it. It is difficult to pinpoint the contribution of knockoffs in the market and have a clear-cut statistical report of the same. There is a robust need to have stringent laws pertaining to counterfeiting. Counterfeiting is a market which has been established and needs to be tackled from the grass root level by having stringent structural framework that deals with the global crime. The observation here is the counterfeiting is not just one activity rather it is a cycle of action which are well layered and is interlinked to many other major and vital sectors crucial to the economy of the nation.

The nature of the crime is such that it requires a collective responsibility and active participation from all players of the market which includes government, players, consumers and business conglomerates who are keen to invest in mega scale sporting events. It also need vigilance, awareness and preparedness to deal with such a debacle which can leave behind a trail of unfortunate experience as well as psychological especially mental trauma in case of career being at stake. The protective measures prevalent under the garb of intellectual property rights need to crystal clear, meaning thereby it must highlight the specific problem and have an appropriate solution as per the situation and circumstances. In other words, it must be precise in terms of legal compliance in consonance to the foundational as well as structural framework.

Furthermore, then the procedure must be given due importance in terms of details like the strategy, planning, implementation, allocation of funds, accountability of authorities and successful execution. It also needs an attention towards disparity in pricing, product quality, standard and quality checks. Thus, though counterfeiting is deep rooted, and cannot be eliminated but the exercise of control is important. The control is essential so that timely intervention can be possible at the right time.