

PRESS RELEASE

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Product and brand piracy - a massive threat to the economy, environment and consumers!

Negative Award "Plagiarius" brings the extent, damage and background to the public eye

Trade in cheap products and counterfeits is booming: In 2024 alone, 4 billion duty-free declared parcels from third countries reached the EU. Over 85% of products from online platforms such as Temu, Shein and Alibaba violate EU safety standards and regulations. The number of counterfeits confiscated by EU authorities increased massively in 2023. The success of cheap products is based on acceptance and high demand. And on a lack of control and sanctions, both for suppliers and platform operators, who do not sufficiently prevent the supply of counterfeits. The need for action is immense. European business and trade associations are calling for swift action from politicians and consistent enforcement of EU standards, also against traders from third countries - to protect consumers and restore fair competition. Growth, prosperity and jobs are based on innovative, sustainable and safe products.

Plagiarius: Against brazen innovation theft - for fair competition and creative diversity

On 7 February 2025, the Plagiarius campaign awarded its dreaded 'Plagiarius' negative prize for the 49th time to manufacturers and retailers of particularly brazen plagiarisms and counterfeits. The award winners once again include platform operators who repeatedly allow infringing uploads despite being aware of registered intellectual property rights. The award ceremony took place during a press conference at the Frankfurt consumer goods fair 'Ambiente'. Before the annually changing jury selects the winners, all nominees are given the opportunity to comment. The 'Plagiarius' award says nothing about whether the counterfeit product is legally permitted or illegal. Aktion Plagiarius cannot pass judgement. However, it can express the opinion that crude 1:1 imitations that deliberately look deceptively similar to the original product are reckless and morally reprehensible and lead to stagnation instead of progress and diversity.

Aim: to raise awareness of the damage and risks and encourage a rethinking

The aim of the Plagiarius campaign is to protect the innovative strength and intellectual property of companies and creatives. To this end, it raises public awareness of the unscrupulous business methods of counterfeiters and sensitises industry, politics and consumers to the problem in a practical way. Based on the plagiarism cases of affected companies, the organisation sheds light on the extent, damage and background as well as the various facets and manifestations of product and brand piracy. The trophy of the negative award is a black dwarf with a golden nose. The latter symbolises the immense profits that unimaginative counterfeiters literally earn at the expense of the creative sector and industry.

High acceptance and demand: flood of unchecked cheap goods weakens legal trade

According to the European Commission and the European Union Intellectual Property Office (EUIPO), a total of more than 152 million counterfeit items with an estimated value of around 3.4 billion euros were seized at the EU's external borders and in the EU's internal market in 2023. This corresponds to an increase of 77% in the number of goods in 2023 compared to 2022 (2022: 86 million) and an increase of 68% in the estimated total value (2022: EUR 2 billion). And these are only the proven seizures by customs and police authorities; the number of unreported cases is significantly higher.

Innovations cannot be taken for granted. They deserve respect and protection.

Whether attractive product design or innovative technical solutions, whether film, music, fashion or art. None of these can be taken for granted. In addition to creativity and technical expertise, every original product also requires courage, as creative minds and brand manufacturers make financial investments in advance. This entrepreneurial risk must be worthwhile. Protecting innovative products from imitation is fundamental.

Circular economy vs. throwaway mentality - counterfeiting has a high price

Brand manufacturers take responsibility. For their employees and customers as well as for the environment. They produce safe, durable products and pay fair wages. They optimise their processes and reduce their consumption of resources and CO₂ emissions. And they look for sustainable solutions to keep materials and products in the economic cycle for as long as possible.

The contrast to counterfeit and cheap products could not be greater: Unimaginative freeloaders and international counterfeiting networks produce short-lived, sometimes dangerous imitations under ethically questionable conditions. And they do so without regard for human rights or applicable safety and environmental standards. Cheap products from the Far East cause high levels of pollutant emissions during production and transport to the EU, only to end up in European rubbish within a short time. This is an unnecessary use of resources and an avoidable burden on the environment.

Not a trivial offence: when fire alarms do not report a fire

The majority of counterfeit and cheap products are made of inferior materials, are poorly manufactured and have never undergone quality control. The risks should not be underestimated: combustible electronics, poor functionality, excessive levels of harmful substances and risk of injury. The same appearance of original and plagiarised products does not mean the same quality and safety. In addition to safety deficiencies, there are also formal deficiencies in shipments from third countries. For example, CE labelling or the legally required specification of a representative in the EU or operating instructions in the recipient's national language are often missing.

Successfully protecting and enforcing intellectual property with trade marks, patents, designs

In her speech, this year's laudatory speaker, Dr. Maria Skottke-Klein, Vice President of the German Patent and Trade Mark Office, also emphasised: 'Product and brand piracy damages our economy, costs many jobs and endangers the health and safety of consumers. Anyone who buys counterfeit goods often unwittingly supports organised crime and thus serious criminal offences. As the German Patent and Trade Mark Office, we raise awareness of the problem, support affected rights holders and work with our international partners to ensure that companies can enforce their registered IP rights.'

Distortion of competition and consumer endangerment

Competition stimulates business and regulates markets. Now, however, the system is off-kilter. Retailers on Temu, Shein, Alibaba & Co. are luring consumers with unfair dumping prices, manipulative design and aggressive advertising. While European manufacturers and retailers are regularly checked for compliance with strict EU safety and environmental standards, retailers and platform operators from third countries are flooding the European market with cheap products that are often untested, falsely declared and do not comply with EU standards. These include plagiarisms and counterfeits.

Current spot checks by German customs and European market surveillance authorities reveal that more than 85% of all products from Chinese marketplaces are defective and violate European law. In plain language, this means that the majority of these cheap goods would have to be confiscated and withdrawn from circulation as soon as they are imported, in order to protect consumers, EU manufacturers and retailers. This is difficult given the sheer volume.

European business and trade associations are now calling on politicians to act quickly and consistently enforce the Digital Services Act (DSA) and European standards with regard to product safety, environmental and consumer protection. This applies in particular to platforms and trading companies from third countries. The most urgent demands include the prompt abolition of the duty-free limit of 150 euros and stricter requirements for the appointment of a legally required representative in the EU - the latter must actually be tangible and be able to be held liable. They are also calling for customs and market surveillance authorities to be better staffed and digitally equipped so that parcels can be checked more intensively upon import and violations can be consistently sanctioned. The German government recently sent out an initial positive signal at the end of January 2025 with the adoption of the "E-Commerce Action Plan".

More prevention and sanctioning of infringers

After the European Commission demanded proof of compliance with the Digital Services Act in 2024, platform operators have intensified their efforts in the fight against product and brand piracy. Nevertheless, companies continue to face massive counterfeiting. Constantly tracking down and reporting infringing products costs a lot of time and money. Companies affected unanimously criticise the fact that re-

peated uploads of infringing offers are possible - despite knowledge of the registered industrial property rights and despite the fact that an almost identical offer has already been taken down, i.e. deleted.

Another problem is missing or incorrect contact details of the seller and/or the representative in the EU. It is often unclear who the buyer's contractual partner is. Platform operators appear to be negligent in checking compliance with the general terms and conditions, and there are hardly any consequences for violations. Promises must be followed by action: More prevention, more controls, more sanctions against violators.

Soulless dazzlers are neither a status symbol nor a bargain

Consumers who not want to fall victim to fraudsters, should check offers and providers carefully, especially online and on social media: Is there an imprint? What are the payment and cancellation conditions? Be careful with "prepayment only", for example. Are there any warnings in customer reviews? The "Fakeshop-Finder" of the consumer advice center lists blocked websites. Test seals must be linked. Never blindly trust false role models such as dupe influencers. And: Is the price too good to be true? Then don't click "Buy", but look for legal, safe alternatives. That is sustainable and authentic.

Politics, entrepreneurs and consumers have a responsibility

In order to stem the flood of counterfeit and dangerous products in the EU and ensure fair global trade, politics, entrepreneurs and consumers must pull together.

The fact is, without demand, the business model of counterfeiters and suppliers of cheap products would be obsolete. It is the responsibility of all market participants to opt for conscious, sustainable consumption and thus strengthen creative professionals, brand manufacturers and the legal trade.

Plagiarius Award winners 2025 from Febr. 14, at the Museum Plagiarius and at external exhibitions

In its unique exhibition, the Museum Plagiarius in Solingen is showing more than 350 Plagiarius Award winners from a wide range of industries - with a direct comparison of the original product and the plagiarised product. Guided tours provide facts and background information. Exhibits can also be booked from Aktion Plagiarius for individual external exhibitions - as can lectures about brand- and product piracy.

The Award Winners 2025 of the Negative Award "Plagiarius"

The jury met on December 06 and 07, 2024 and awarded three main prizes and five distinctions that are equal in rank.

1. Prize

Pliers "KNIPEX TwinGrip"

Original: KNIPEX-Werk C. Gustav Putsch KG, Wuppertal, Germany

Plagiarisms: Distribution via temu.de / Operator: TEMU Whaleco Technology Limited, Ireland

Pliers (mid): Retailer: Mix Together (private shop, PR China)

Pliers(right): Retailer: Decent Craftsman (private shop, PR China)

KNIPEX Products are powerful, innovative and beautifully designed. For good reason, KNIPEX protects them with patents and registered designs: Thousands of counterfeit products are offered on global online platforms. KNIPEX constantly monitors and deletes infringing products, including these two "TwinGrip"-imitations. The combination of front gripping and side gripping function is unique, the particularly resilient joint is five-way adjustable and enables ideal adaptation to different workpiece sizes. Visually, the only difference between the imitations and the original is the smooth plastic of the handles. The inferior quality is reflected in a shorter life time due to cheap materials and workmanship as well as the difficult-to-operate push button - and chemical vapours. KNIPEX's criticism of Temu & Co: Despite knowledge of the property rights and despite the 'notice-and-take-down' of a product, identical or the same plagiarised products can easily be reintroduced. Too little prevention. And too little sanctioning of infringers.

2. Prize

Bicycle basket “bikebasket“

Original: Reisenthel Accessoires GmbH & Co. KG, Gilching, Germany

Plagiarism: Distribution via manomano.de / Operator: Colibri SAS – ManoMano, Paris, France

Retailer: „START“ (no company or address data given)

Dubious! The imprint of the online retailer ‘START’ is empty, and the parcel sender of the test purchase is ‘From: Shipper only, not seller’ in Kelsterbach. And Colibri, the operator of the online marketplace manomano, declares that it only provides the technical facility for use by retailers and buyers and is not a party to the contract. So, who is now liable or is the buyer's point of contact in the event of cancellation? If no responsible party can be identified and the platform operator cannot name one, then the latter is liable under the Product Liability Directive - or, if applicable, the fulfillment service provider. At the same time, as soon as a platform operator becomes aware of an infringing offer, he is obliged to delete it immediately, otherwise he is also liable. Colibri has not responded to 2 notifications from Reisenthel, only to a lawyer's warning. Reisenthel protects all its designs throughout the EU and takes action against the countless cheap imitators of its bestsellers.

3. Prize

Greeting Card Motif – used as decoration for a 35-piece porcelain series

Original Card: Atelier Jörg Mohme, Malsch, Germany

Plagiarisms: Distribution via a French gift wholesaler

Manufacture: PR China

Whether attractive product design or innovative technical solutions, whether film, music, fashion - or, as in this case, art. None of this can be taken for granted. That's why creativity, talent, inventiveness and ingenuity deserve our appreciation, and protection. Due to a lack of respect for the intellectual property of the artist Jörg Mohme, a French retailer has used the copyrighted motif from the ‘African Impressions’ series as a decoration for a 35-piece, very popular porcelain series without prior agreement. The plagiarism was only discovered by chance. As the retailer was unreasonable and denied copyrightability, Mohme filed a lawsuit. This was followed by a nerve-racking 9-year trial. The court in Lyon confirmed the copyright protection of the original and the existence of an infringement and ordered the retailer to cease and desist and pay substantial damages. The simple, fair solution would have been to ask Mohme to use the motif in return for a licence fee.

Five Distinctions (equal in rank) were awarded

Distinction

Insect Bite Healer “BR 60”

Original: Beurer GmbH, Ulm, Germany

Plagiarism: Manufacturer: Hangzhou Industrial Instrument Meter Co., Ltd., Hangzhou, PR China

Distribution: via 1688.com and other eCommerce-Platforms

A German Online-Retailer has signed a cease and desist declaration

With its insect bite healer BR 60, the long-established company Beurer has developed an instrument for treating insect bites and stings. Immediately after a bite, the ceramic heating plate of the insect bite healer is placed on the bite area - the targeted heat development can accelerate the healing process. Not only has the design of the insect bite healer been copied and misleading advertising claims were made - the plagiarised product claims to have a medical function without having passed the EU's strict requirements and tests for medical devices. More than enough reasons for the German online retailer to stop the sale of the plagiarism and sign a cease-and-desist declaration. Also, all infringing offers were removed from amazon.de after reference was made to the registered design. Brazen: The Chinese manufacturer has registered design protection for its plagiarism in China and offers it online in large quantities.

Distinction

Toy Excavator “BRUDER ROADMAX“

Original: BRUDER Spielwaren GmbH + Co. KG, Fürth, Germany

Plagiarism: Distribution: Brigamo GmbH, Bellheim, Germany (via amazon.de; has been cancelled)

Wholesaler: Shantou Tombo Toys Co., Ltd., Guangdong, PR China
(via made-in-china.com)

Manufacturer: Jinjia Toys Factory, Guangdong, PR China

Toy vehicles - functional, realistic and yet with individual design details - that's what BRUDER Spielwaren stands for. All products are developed in Fürth and produced in the EU. They are often models that correspond to a construction or agricultural vehicle from real life (e.g. Liebherr, Caterpillar) and are developed as toys under licence. More and more often, however, they are in-house creations for which there are no real-life models. Imitators from all over the world have been unabashedly copying BRUDER's successful designs for years - but the plastic is usually of inferior quality and breaks quickly, posing a risk of injury. BRUDER therefore protects all its designs and technical solutions internationally and consistently holds imitators accountable. The plagiarism (XE 7000) costs almost the same as the original (XE 5000), but is significantly smaller. Brigamo's offer on amazon.de has been cancelled, but the retailer is still unreasonable.

Distinction

Radiator Grille “Mercedes-Benz Star Pattern“

Original: Mercedes-Benz Group AG, Stuttgart, Germany

Counterfeit: Distribution: JB CUSTOMS, Pedreguer, Spain

A bargain? Not at all: The infringing brand and design counterfeit from JB Customs is 150 euros more expensive than the original product! And this radiator grille is not the only counterfeit in the range. Among other things, the figurative marks of the Mercedes-Benz star and product designs are infringed. Since JB Customs showed no reaction to a cease and desist letter, Mercedes-Benz applied for and obtained a preliminary injunction - the sale was stopped. Mercedes-Benz also takes consistent action against counterfeiters in close cooperation with law enforcement authorities: In 2023 alone, more than 1.6 million counterfeits were seized in more than 740 raids worldwide. To protect consumers. Many counterfeits are of inferior quality and can harbour risks that should not be underestimated, such as a poor fit, impaired functionality of sensors and cameras, and thus of safety assistants.

Distinction

Recycling Bin System „ALBULA“ (stackable)

Original: Rotho Kunststoff AG, Würenlingen, Switzerland

Plagiarism: Distribution: Zhejiang Senshu International Trade Co., Ltd., PR China

Manufacturer: Zhejiang Woka Home Product Co., Ltd., PR China

Numerous imitations of the innovative and design-award winning ALBULA system from the long-established company Rotho are circulating on the Internet. The dimensions and proportions are identical to the original and the design is copied down to the last detail: From the removable lid with integrated flap, the carrying handles with patented latching buttons to the colour differentiation of container, lid and handles. Rotho is regularly affected by plagiarism and takes consistent action against design and patent infringements. After reference to the protected design, infringing offers on amazon.de were removed. Woka Home Products, who presents itself as an experienced manufacturer of plastic products, denies ever having produced or distributed the plagiarism. However, the plagiarism was advertised in the Woka Home catalogue with photos (3 colour variants), detailed technical information, prices and terms of payment and delivery.

Distinction

Electrically insulated screwdrivers „Proturn“ (VDE-certified)

Originals: Wiha Werkzeuge GmbH, Schonach, Germany

Plagiarisms: Retailer: Guangzhou City Group Trade Co., Ltd., PR China

Manufacturer: Dongguan Yile Electronic Commerce Co., Ltd., PR China

VDE registration in accordance with DIN EN IEC 60900? Not the case with the plagiarisms! Nevertheless, they are advertised as 'insulated' screwdrivers for electricians. Tests show that they do not fulfill the requirements of the international standard and there is a risk of electric shock. The differences in the quality of materials and workmanship are also obvious. The Wiha-typical shape and colour combination of the handles has been copied 1:1, which can lead to misleading information about the origin. Wiha regularly has cheap plagiarisms deleted from e-commerce platforms. The operators of a Chinese online platform responded to Plagiarius's letter: they would delete plagiarisms immediately after notification and had also installed systems to proactively recognise infringing products - and they gave us a personal contact person. Reachability: so-so. The promises must now be followed by action.

The Jury of the Plagiarius-Competition 2025:

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

Valentin Dahlhaus

CEO SPRINTUS GmbH, Welzheim, Germany

Beate Ernst

Manager Illicit Trade Prevention, PHILIP MORRIS GmbH, Gräfelfing, Germany

Wolfgang Keiner

Head of Global IP Management, Ottobock SE & Co. KGaA, Duderstadt, Germany

Karla Sánchez Meier

Consultant for design promotion, Design Center Baden-Württemberg, Regional Council of Stuttgart

Dr. Alexander Schmitz

German / European Patent Attorney, Partner at Maiwald GmbH, Intellectual Property Law Firm, Munich, Germany

Legal Advice:

Dr. Alik Busse

Certified IP-Lawyer / Partner at Maiwald GmbH, Intellectual Property Law Firm, Munich, Germany

The **award ceremony of "Plagiarius 2025"** took place during the Consumer Goods Trade Fair "Ambiente" at the Frankfurt Fair on Friday, **07, February, 2025, 10:30 am**

The **'laudatory speech'** on the prize winners was made by **Dr. Maria Skottke-Klein**, Vice President of the German Patent and Trade Mark Office.

The Plagiarius prize winners will be presented at the **Special Show "Plagiarius"** from February 07 - 11, 2025 at 'Galleria 0', D02, Frankfurt Trade Fair.

The prize winners 2025 will be presented in the Museum Plagiarius from February 14, 2025.

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www.plagiarius.com:

- Press Release ("**Press**")
- Press Photos ("**Competition**")



Zip-file with all data:

www.plagiarius.de/preistraeger-2025

Content (ZIP-File) - each German and English

Press Release 2025 / Photo: Plagiarius Trophy

Photos of the prize winners 2025 / Captions for press photos 2025

Copyright Photos: Aktion Plagiarius e.V. (www.plagiarius.com)

All photos show: **Left (or middle or above):** Original(s)
 Right (or around or below): Plagiarism(s) / Counterfeit(s)

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