



## ***FOR IMMEDIATE RELEASE***

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### **TECHNOLOGY LEADERS EXPLORE METHODS TO EFFECTIVELY MITIGATE EFFECTS OF GRAY MARKET FRAUD, COUNTERFEIT**

#### **Industry Experts at AGMA's Quarterly Meeting Discuss Strategies to Curb Illegitimate Activities**

**LOS GATOS, Calif., December 23, 2010** – The [Alliance for Gray Market and Counterfeit Abatement](#) (AGMA), a non-profit organization dedicated to addressing gray market, [counterfeiting](#) and warranty and service abuse of branded goods around the globe, recently held their quarterly industry forum on gray market fraud, counterfeit issues, intellectual property rights and warranty and service abuse. Hosted by Microsoft in Mountain View, Calif., a main focus of the conference was implementing methods to curb the effects of illegitimate activities.

Speaking to this general theme, Steve Studhalter, senior program manager, anti-piracy investigations for Microsoft legal and corporate affairs, gave a presentation titled "Leveraging Intelligence to Drive Criminal Enforcement." Studhalter discussed how Microsoft leverages new business intelligence tools to aid in the reporting and investigation of IP theft.

According to FTI-International Risk's Michael di Pretoro, counterfeit and gray market investigations can be financially draining to companies. Speaking to AGMA members, di Pretoro outlined an all encompassing approach that encourages cooperation between marketing, legal, sales, manufacturing, security, logistics, government relations and enforcement departments within a company to help manage investigations at every level.

A 40 billion dollar industry impacting everything from hair care to tractors, the gray market can disrupt legitimate distribution and provide consumers and businesses with products that may not comply with U.S. regulatory requirements, or that were created for different regions or cultures. According to Mark Schonfeld from Burns & Levinson LLP, effective remedies against gray market activity use copyright, trademark and patent law. Mr. Schonfeld reviewed recent legal cases for AGMA members which utilized these remedies successfully to curb gray market activities.

In a presentation titled, "Hot Issues in Counterfeiting Law and Their Impact on Enforcement Efforts," Milton Springut of Kalow & Springut LLP noted that global operations and sourcing, as well as internet marketing, have made counterfeiting an easier undertaking. However, recent legal decisions have expanded options for investigations and litigation. Mr. Springut outlined simple but important factors that can positively affect litigation efforts, including how defaced or removed serial numbers and UPC codes on legitimate products may be deemed counterfeit product. Mr. Springut also encouraged issuing cease and desist letters while avoiding a declaratory judgment action, in order to maximize monetary awards in counterfeiting cases.

According to AGMA president, [Ram Manchi](#), "By working together collaboratively, AGMA member companies are in an excellent position to better understand both the issues at hand as well as how we can improve our own internal practices and partner relationships to reduce the effects these problems have on our customers and partners."

AGMA provides a platform for sharing collaborative strategies, brand protection programs and effective processes which address the growing threats of counterfeiting, gray market fraud and service and warranty abuse in the IT sector. At AGMA's quarterly conferences, members and guests receive invaluable insights to combat, deter and prevent the global impact of the gray market and counterfeiting on their intellectual property rights.

AGMA's next quarterly meeting will be held on January 19-20 at Deloitte & Touche in San Jose, Calif. To learn more about AGMA's initiative or to become a member, please visit [www.agmaglobal.org](http://www.agmaglobal.org).

### **About AGMA**

AGMA is a non-profit organization comprised of influential companies in the technology sector. Incorporated in 2001, AGMA's mission is to address gray market fraud, parallel imports, counterfeiting, software piracy, and service abuse of technology products around the globe. The organization's goals are to protect intellectual property and authorized distribution channels, improve customer satisfaction and preserve brand integrity.

AGMA welcomes any technology manufacturer, as well as persons or entities that own or hold intellectual property rights to finished goods outside the technology industry; product and service providers, government and law enforcement who provide goods and/or services to combat gray market fraud, counterfeiting and warranty and service abuse threats. AGMA uses a variety of avenues to cultivate change in the marketplace, including event speaking, educational initiatives, benchmark studies, industry guidelines, and, where appropriate, public policy advocacy. To learn more about AGMA's initiatives or to become a member, please visit [www.agmaglobal.org](http://www.agmaglobal.org).

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