

## **Fake Louis Vuitton bags & Rolex watches on vacation: What you need to know!**

You want to buy a counterfeit product at your vacation destination and bring it home? Be careful.

### **The answer in detail**

#### **What risks are in store if you buy a counterfeit designer item?**

Counterfeits are copies of products that infringe protected brands, designs, indications of origin or patents, and imitate the name or appearance of the original product. Purchasing or trading in counterfeits (e.g. with counterfeit watches or medicines) has been increasing steadily in recent years, thus causing financial losses for the original manufacturers. At the same time, counterfeits can pose a serious risk to consumers' health and lives, especially when it comes to medicines, but also in the case of everyday objects.

The origin of counterfeit products is often unknown. The producer works under cover, and their compliance with quality and other manufacturing standards cannot be checked. Alongside these practical risks, there are also legal risks for purchasers and importers of counterfeit goods. The holder of the rights that have been violated by the counterfeits can take legal action against the purchaser or importer.

#### **Destruction of counterfeit items at customs**

It is forbidden to bring counterfeit products into Switzerland for commercial purposes. Even for private use, goods that infringe on design or trademark rights may not be imported. Customs notifies the original manufacturer and applies for the destruction of the counterfeit items.

#### **Reminder letters and claims for damages from rights holders**

If you buy or import counterfeit items, you may receive a warning letter from the rights holder (original manufacturer). Typically, this letter is combined with the demand for payment of compensation in the amount of several hundred Swiss francs. Otherwise, criminal charges, a house search, or a legal sentence may be the consequence.

#### **Legal consequences**

In addition to the destruction of the item in question and obligations to pay damages, buying a counterfeit item can also have legal consequences. The import of counterfeit goods (with the exception of counterfeit designer and brand products for purely private use) is punishable with imprisonment of up to one year or a fine of up to CHF 1,080,000.

Our fact sheet summarizes the legal consequences of importing counterfeit products.

1. True or False: Counterfeit products are exact replicas of original items, including brand names and designs.
2. True or False: Purchasing counterfeit goods can lead to financial losses for the manufacturers of genuine products.
3. True or False: Counterfeit medicines can pose health risks to consumers due to potential quality and safety issues.
4. True or False: The origin of counterfeit products is always known and can be easily traced.
5. True or False: Legal risks are only associated with the producers of counterfeit goods, not with purchasers or importers.
6. True or False: Customs authorities may seize and destroy counterfeit items even if they are for personal use.
7. True or False: Buyers of counterfeit items are exempt from receiving warning letters or claims for damages from rights holders.
8. True or False: Criminal charges are not a consequence of purchasing counterfeit goods.
9. True or False: Importing counterfeit designer and brand products for private use is universally allowed in all countries.
10. True or False: The legal consequences for importing counterfeit products may include imprisonment and fines of up to CHF 1,080,000.

