



**XII. International Balkan and Near Eastern Congress Series on
Economics, Business and Management
Plovdiv / Bulgaria**

April 20-21, 2019

**University of Agribusiness and Rural Development/Bulgaria
University "St. Kliment Ohridski" Faculty of Economics/Republic of North Macedonia
IBANESS**

PROCEEDINGS

Editors

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FOREWORD

International Balkan and Near Eastern Congress Series brings together many distinguished social and behavioral science researchers from all over the world. Participants find opportunities for presenting new research, exchanging information, and discussing current issues.

We are delighted and honored to host the IBANESS Congress Series in Plovdiv / BULGARIA. Presented papers have been selected from submitted papers by the referees. Sincere thanks to those all who have submitted papers.

We hope that through exchange of the presented researches and experiences, the Congress will enhance communication and dissemination of knowledge in Balkan and Near Eastern Countries.

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Violations Of Trademark Rights From The Average Consumer Perspective

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Abstract: Often, the trademark right as an intellectual property right and a distinctive sign for marking goods and services, is considered as the greatest business advantage of the enterprises. The trademark is a strong instrument for the realization of economic objectives of companies, and through it of the national economy. Trademarks are becoming an indicator of the level of quality of the products and services they refer to. Connecting the consumers with a certain trademark also creates an expected inertness in the opinion and behavior of the consumer. Getting a satisfied consumer who will easily recognize a trademark encourages companies to invest in the product quality, its maintenance, and improvement. Often, trademark rights are a target of various violations, unauthorized usage, associations, imitations, etc. The paper will analyze the violations and adverse effects of trademark violations from the perspective of the average consumer. A research of the average Macedonian consumer will be done regarding knowledge of the trademark rights, how much are the consumers aware of the health and safety risk they take by purchasing and using counterfeit products, how often they purchase counterfeit products, what was the motive for knowingly purchasing counterfeit products, what is the justification, how available were the products, awareness of the consequences etc.. The research results will be compared with the results on the EU level. Based on the research results, future behaviors can be foreseen and can be the basis for defining suitable policies in preventing the negative implications for the consumers, right holders and the country.

Keywords: trademark, violation, counterfeit, average consumer.

1. VIOLATIONS OF TRADEMARK RIGHT AND THE ROLE OF THE “AVERAGE CONSUMER” - IN DISCOVERING THE TRADEMARK RIGHTS VIOLATIONS

The trademark right is a monopoly right which guarantees the holder an exclusive right to use the protected distinctive sign for marking on their products or services and negatively defined it guarantees a right to ban other people from unauthorized use of the same or a similar sign for marking of same or similar types of products or services.

Violations of the trademark right are done to recognized as well as reported trademark rights, by unauthorized use, disposal, limitation, imitation, association or infringement of the right. Unauthorized use, disposal, limitation or infringement of the rights are forms of trademark rights violations which do not cause major dilemmas when detecting them. Major types of trademark rights violations, which cause problems for the courts and the State Office of Industrial Property are the imitation and association. Here the creativity of the violators comes to the foreground who in an attempt not to do a harsh, completely unauthorized use of the trademark, they create a new one which contains minimal differences which are sufficient to make it not completely the same as the already registered trademark, at the same time imitating it or causing association. It is considered that there is an imitation of the trademark if the average consumer of goods i.e. services, no matter the type of the products can see a difference only if they pay particular attention, i.e. if there is a translation or transcription i.e. transliteration of the trademark. The term “average consumer” is a generally accepted formulation which aims at defining the previous knowledge and capabilities of the consumers to see the differences between the trademarks. Those are not the capabilities of the people who professionally deal with certain activity, but ordinary laymen knowledge and distinctions of the majority of the consumers¹. Precisely these are relevant for deciding whether certain activity i.e. certain brand is imitating another brand

¹ The Supreme Commercial Court Off. 311/67 is right to state that “The average consumer is the immediate consumer and not an intermediary in the sale (for example a pharmacist – if some medicine is in question). The Decision of the Supreme Commercial court Off. 632/65 states that “The question when it is considered that a mark (trademark) is similar to another one is a factual matter and the similarity assessment depends on how the average buyer of the goods i.e. the service user reacts to such occurrence. Or according to the verdict of the Supreme Commercial court Off. 2859/68, “In terms of the circumstance whether both marks are similar, the opinion of an expert-painter cannot be relevant, when they give opinion about the similarity from the position of their profession, who can see the circumstances which the average consumer cannot see, when they do not pay particular attention to it, but the important thing is what the average consumer can see.”

and thus causing consumer confusion. Association, on the other hand, is legally not defined term which it seems is broader than the imitation. The similarity in appearance is not a prerequisite for the existence of the association. The conceptual similarity of the trademark, the subordination of colors, text, contours, even a different name pronunciation can lead to an association that another trademark is in question i.e. another producer which can cause confusion with the consumers (average).

Of course, it must be taken into consideration the type of trademark in question. If both trademarks are well known then the possibility of association does not exist², but if the newer trademark is anonymous, unfamiliar on the market, then it can be an association. Determining the consumers' attention can be done by surveys, advertising agencies data, interviews, etc. A clear understanding of the term "average consumer" is of crucial importance for both the subjects participating in the trademark rights protection and in the first creation and even more for the companies when creating the trademarks. In both procedures, the creative one and the remedial one, the focus of attention is on the consumer and his perception.

The violations of the trademark rights as a social evil have unfavorable effects for the consumers, rights holders and the country in general. Hence, a damage analysis is necessary which is carried out for all subjects which are directly or indirectly related to trademark rights. And ultimately the conditions in Macedonia can be analyzed by analyzing the attitudes, perceptions, and preferences of the Macedonian average consumer.

2. UNFAVORABLE EFFECTS OF THE TRADEMARK RIGHTS VIOLATIONS FOR THE CONSUMERS

The emergence of the counterfeit products completely undermines all functions of the trademark. The unfavorable effects for the consumers can refer to two directions, one referring to the increase of the health and safety risk and the other to obtain products with significantly lower usefulness than the original. The widespread counterfeit products in almost all industries and sectors make the first unfavorable effect to manifest in very serious forms with dangerous consequences for the consumers.

Industries, where health and safety of consumers are directly affected by consumption or using of counterfeit products under already existing and established trademarks, are mainly the pharmaceutical industry, chemical industry, food and beverage, automobile industry, electronic, etc.

This, in particular, if taking into consideration the guarantee function of the trademark by which with every purchase of a product or using of service marked with certain trademark, the consumer builds a sense of security for the accuracy of the functioning of the object. Hence, it is expected that the greatest danger comes from the counterfeit medicaments which can be found on the market. So even 9% of all counterfeit products seized by the Customs administration of the USA in 2014 referred precisely to medicine and products for personal care. They can be too strong, too weak, with expired shelf life or diluted which directly affects the health of the consumer and the user³. The medicine preparations are attractive for counterfeiting because they have a very high price⁴, they can be more easily transported abroad and can be easily marketed especially in the developing countries. The expansion of the counterfeit products of which a significant part was found on the European market under foreign trademark was harshly criticized at the European Parliament and the Council and the Directive 2001/83/EU and the Directive 2011/62/EU⁵ were adopted.

² Decision 10-168/4-2015 Tm 2013/348 from 25.08.2015 which rejects the objection of Heineken claimed against the published trademark application TM 2013/348 from 25.04.2013 for the mark Zlaten Dab, in which it is explicitly stated that the possibility for causing confusion with the average consumer, including the possibility for association with the registered trademark Heineken is excluded and because the fact that the trademark Zlaten Dab is a well-known trademark in the Republic of Macedonia, as a result of many years of presence on the market starting from the year 2000, intense advertising by relevant electronic and printed media, organizing prize games for the consumers, the amount of invested funds for marketing campaigns and obtained recognition for the product quality.

³ On 16.04.2015 the Food and Medicine Bureau of the United States of America issued an announcement for discovered counterfeit Botox (a popular product in the cosmetic industry) <http://www.fda.gov/Drugs/DrugSafety/ucm443217.htm>

⁴ A target in the United States of America is the counterfeiting of expensive medicaments which are used for fighting cancer which directly threatens the patients' health <http://eur-lex.europa.eu/legal-content/HR/TXT/HTML/?uri=CELEX:32011L0062&qid=1444729573149&from=EN> www.fda.gov/Drugs/DrugSafety/DrugIntegrityandSupplyChainSecurity/ucm298047.htm

⁵ The Directive 2011/62/EU of the European Parliament and Council from 08.06.2011 for amending the Directive 2001/83/EC which refers to medicine used in humans, in order to prevent the import of counterfeit medicine in the legal supply chains.

The food and beverage industry, especially in the developing countries, is a target of violations of the trademark rights so the consequences can range from a negative impression about the quality of the food or beverage, to serious health disorders even death. This is especially common with the alcoholic drinks which have a higher price on the market, and thus are more attractive for counterfeiting⁶.

The unfavorable effects from the consumption of the products which violate the foreign trademark can be expressed and by obtaining products with significantly lower quality. But here a difference should always be made in terms of whether consumers are being confused without their knowledge about the real origin of the product or they knowingly buy and use product which they know that is a counterfeit product. The latter knowingly accept the risk, and at the expense of obtaining product under foreign trademark they risk enjoying the rights which they would usually have when they would buy an original product (mostly rights which guarantee protection in case of material and legal shortcomings of the product, including returning the paid price or replacing the product with a new correct product, and so on.). The second category of consumers can appear also as a protector of people who produce or distribute products which violate the trademark rights. It is most common with products which use does not present some threat to consumer's health even though it is not excluded⁷.

3. TRADEMARK RIGHTS VIOLATIONS FROM THE ASPECT OF THE AVERAGE MACEDONIAN CONSUMER AND THE AVERAGE EUROPEAN CONSUMER

Regarding the knowledge of the trademark rights, how aware are the consumers about the health and safety risk they take by purchasing and using counterfeit products, how frequently they purchase counterfeit products, what were the motives for knowingly purchasing counterfeit products, what is the justification, how available were the products, the awareness of the consequences and so on will be analyzed by the research conducted by the authors in the Republic of North Macedonia and the research conducted in the EU.

So far, the questions were not researched in the RSM, and they have a solid potential not just for discovering the current condition, but also for predicting the future behavior and defining the appropriate policies in preventing the negative implications for the consumers, rights holders and the country.

For the purpose of the research a survey was conducted as a procedure for collecting the primary data on a sample of 378 respondents, consumers from the territory of the Republic of North Macedonia at the age of 15-65 years, adequately represented by eight statistical regions. The total population in the country at the age of 15-65 years is 1.381.352 citizens⁸. According to the calculations, the minimum number of respondents according to the given parameters was 271 respondents. For equal representation of the respondents' data from the basic demographic indicators were used and the division to 8 statistical regions of the Republic of North Macedonia (Vardar, East, South-west, South-east, Pelagonija, Polog, North-east and Skopje region). The eight statistical regions are created by grouping the municipalities as administrative units of lower order⁹. The minimal number of respondents according to the number of population and the used formula, by regions was at least 20 for the Vardar region, 24 for the East region, 29 for the South-west region, 23 for the South-east region, 31 for the Pelagonija region, 42 for the Polog region, 23 for the North-east region and at least 79 for the Skopje region. In the research, 378 respondents were directly surveyed from every region and everywhere there was an equal or over a minimal number of respondents.

⁶ Only in Russia it is assumed that 30% to 40% of the alcoholic drinks are counterfeit, and in 2012, 17.302 people died from alcohol poisoning most of which were counterfeit drinks. But, interesting is the fact that even 94% of the respondents are aware that consumption of counterfeit alcohol can cause death, but the main factor for the purchase of this type of alcohol is the lower price. Even 63,4% of the consumers state that the main criterium when purchasing alcohol was the fact that it is from a well-known trademark. Zoya Kotelnikova, Consumption of counterfeit alcohol in contemporary Russia: The role of cultural and structural factors, 2014 <http://www.hse.ru/data/2014/08/06/1314159630/47SOC2014.pdf>

⁷ Using of forbidden and harmful clothing or shoes colors can cause serious dermatological damage. The counterfeit sunglasses can be dangerous for people's health if they do not provide the necessary UV protection. http://www.uibm.gov.it/attachments/no_to_fake_clothing.pdf

⁸ Census of the population, households, and apartments in the Republic of Macedonia, 2002, State Statistical Office, Republic of Macedonia, Skopje, May 2005.

⁹ According to article 3 and annex to the Decision for establishing a nomenclature of territorial units for statistics – HTEC of the Government of the Republic of Macedonia, Official Gazette of R. Macedonia no. 158/2007.

For obtaining credible and relevant data for calculation of the number of respondents, the calculator Raosoft (<http://www.raosoft.com/samplesize.html>) was used. The confidence level was given value 90%, the margin of error is 5%. There are no data for research of such type and about asked questions of such or similar format to the Macedonian consumers, which confirms the originality of the obtained results and their analysis value.

An excellent basis for comparison between the condition in the Republic of North Macedonia and in the European Union and the perception of the average European citizen was offered by the Report of the Institute for harmonization of the internal market of the European Union after the conducted research in 2013¹⁰. The possibility to ask part of the questions to the Macedonian individual as a consumer provided a real picture of the Macedonian versus European condition in terms of trademark rights from the consumers' aspect.

Further on in the paper, the results of certain questions will follow from the research conducted in the Republic of North Macedonia, compared with the results from the research in the EU.

3.1. Knowledge of trademark rights and the perception for the safety aspect from using counterfeit products

The first question from the questionnaire for the consumers refers to the knowledge of the term trademark. 84,39% of the Macedonian consumers chose the correct answer to the question of what is a trademark "a trademark is a logo or any other mark which serves for identifying products and services by the consumers". 15,08% gave a wrong answer and declared that a trademark is "an invention in all areas of the technology, which is new, which contains an inventive contribution and which can be applied in the industry", what is a definition for a patent, while only 0,53% did not give an answer. It is almost an equal degree of knowledge as the average result in the European Union¹¹.

Regarding the rights of the holders by registering the trademark, 12,43% wrongly declared that every subject can easily use the mark, while 87,04% declared that the trademark provides an exclusive right to using the mark on the product itself, on the packaging, in the marketing campaigns and so on, only by the right holder.

The respondents expressed the greatest knowledge to the question about what is a counterfeit product. Even 90,74% identified a counterfeit product as a product which contains a mark identical or similar to a protected trademark without the right holder's knowledge. The rest of them declared that a counterfeit product is a product for which the legal fees to the state had not been paid¹².

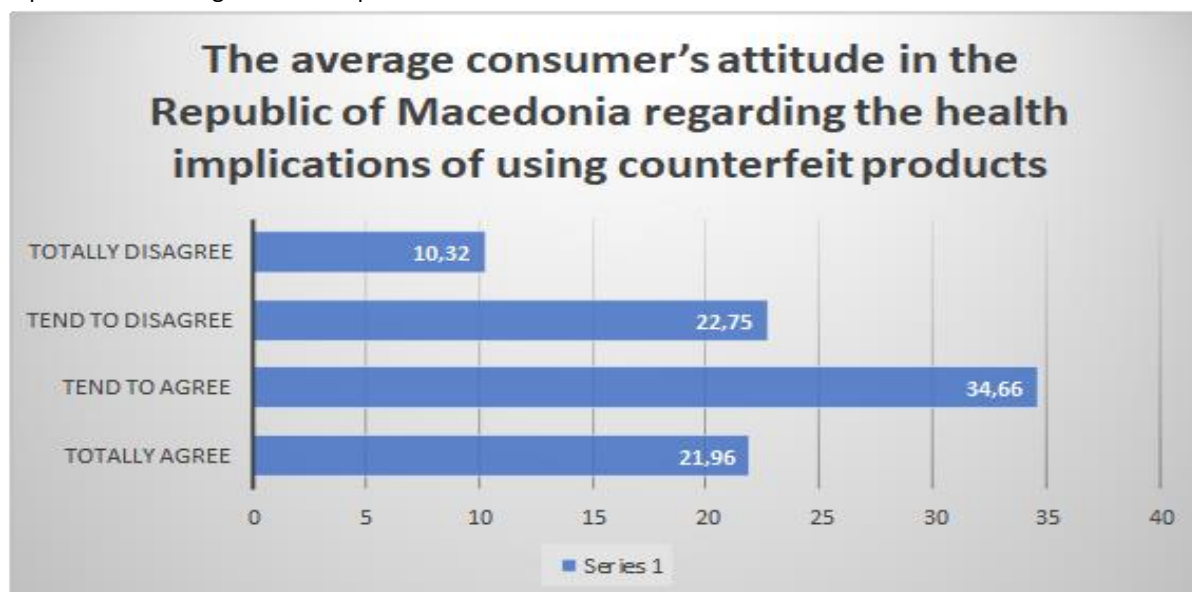
For 56,61% of the consumers in the Republic of North Macedonia buying counterfeit products can negatively reflect on the health of the consumers. The amount of the family income does not influence on the perception of the consumers regarding the health implications from using counterfeit products. The youngest population has the lowest degree of awareness regarding the health risks (49%) whereas that percentage is 67% with the oldest population.

¹⁰ The survey was conducted from 21.05.2013 to 27.05.2013 among a total of 26.549 respondents in 28 countries with a total population of 412.555.712 citizens. European citizens and intellectual property: Perception, awareness and behavior, Office for Harmonization in the internal market (trademarks and designs) November 2013.

¹¹ 86% of the respondents agreed with the declaration that the trademark can be a logo or anything else which can help the consumers identify products or services while 9% gave a wrong answer and the rest did not give any answer.

¹² So, one respondent also pointed out in an observation that "the product they purchased was not counterfeit but only an attempt to be similar to another product" which a wrong perception of the term counterfeit product.

Graph 1: The average consumer's attitude in the Republic of North Macedonia regarding the health implications of using counterfeit products



Source: Authors' own research

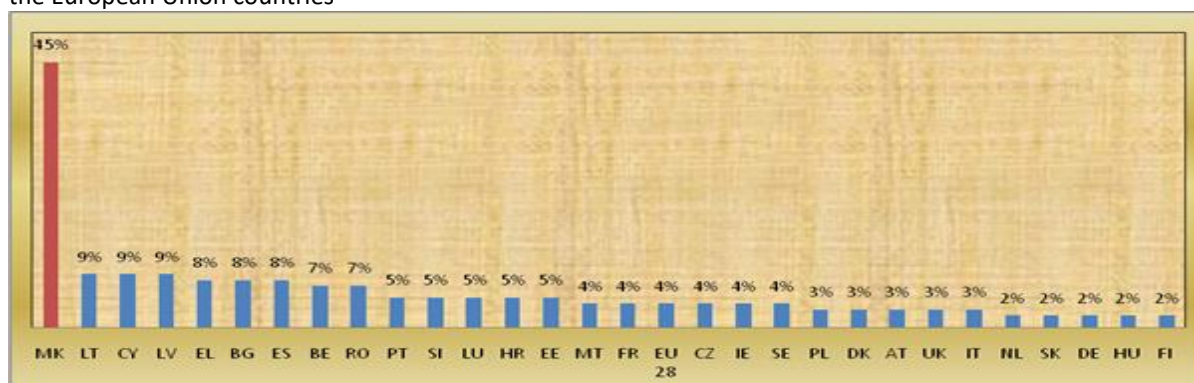
In the European Union, 67% of the respondents declared that buying counterfeit products can negatively reflect on the health of the consumers. The increase of 6% compared to the data from the EU in 2011 should be noted which means that the awareness of the average consumer has increased regarding the dangers of purchasing and using counterfeit products.

Indisputable is the fact that the awareness of the average Macedonian consumer regarding the health dangers as a result of buying and consuming counterfeit products is lower than the European average, especially with the youngest population to 30 years old.

3.2. Frequency of purchases, origin, transport and preferred counterfeit products

When the Macedonian consumers were asked whether they had knowingly bought a counterfeit product in the last 12 months, even 45% of them declared that they had knowingly decided to buy a counterfeit product at least once. Such result is far above the worst result in the European Union countries, where the highest percentage of the respondents who declared that they had knowingly bought a counterfeit product is 9% in Lithuania, Cyprus and Latvia, and 8% in Greece, Bulgaria, and Spain. It is eleven times above the average in the European Union.

Graph 2: Frequency of consciously purchase of counterfeit products in the Republic of North Macedonia and the European Union countries



Source: Authors' own research compared with the research conducted by OHIM European citizens and intellectual property: Perception, awareness, and behavior, (trademarks and designs) 2013

Still, despite the low number of acknowledgments for knowingly bought counterfeit products in the European Union countries, if the number of buyers who believe that buying counterfeit products is a smart and economical way of availability with funds and as an act of protest is compared, it is more than clear that the number is far above the actual number.

This is due to the ethical principles and legal limitations for trade with counterfeit products, as well as the difficulties to recognize in front of a stranger who conducts the interview that the respondent was involved in some illegal action¹³.

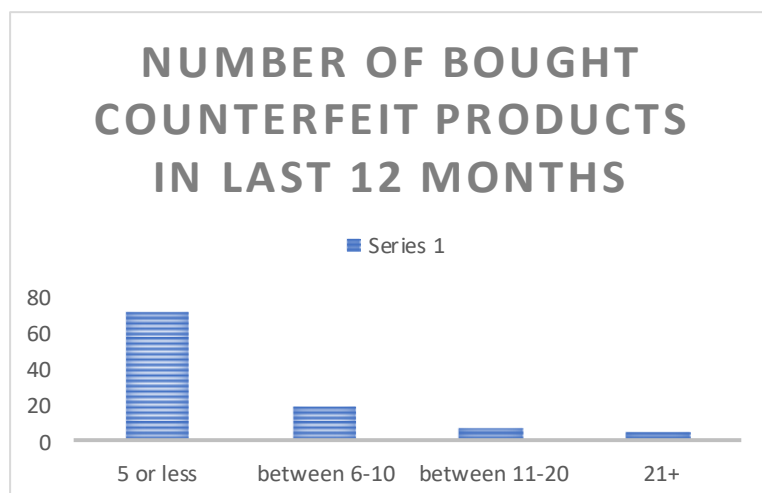
It is more than obvious that in the Republic of North Macedonia the recognition that the consumer had bought a counterfeit product is acceptable and that there is no fear of public condemnation as is the case in other European Union countries. It is noticeable that the younger population in a higher number of cases had decided to knowingly buy counterfeit products. So, from the consumers aged 15 to 30 years old, 47% declared that they had knowingly bought a counterfeit product, from those aged 31 to 45 years old the percentage is 44%, and 39% of the respondents above 46 years old.

Unlike the number of respondents in the Republic of North Macedonia who declared that they knowingly bought a counterfeit product in the last 12 months (44,70%), the number of respondents who bought a counterfeit product as a result of misconception or deception in the last year is lower and it is 29,89%¹⁴. And again, as in the case of knowingly buying counterfeit products, the purchase of counterfeit products as a result of misconception or deception in the Republic of North Macedonia is almost five times higher above the Union average. Interesting is the fact that part of the consumers who declared that they were misled or deceived to buy a counterfeit product, and also knowingly bought a counterfeit product, the majority declared that in most of the cases they knowingly bought a counterfeit product which confirms that the dominant manner of buying counterfeit products is voluntary.

Regarding the number of counterfeit products bought in the last 12 months, the highest number of the respondents i.e. 71,35% responded that they bought 5 products, and 18,54% from 6 to 10 products. Only a small part responded that they bought over 11 products.

The data about the number of purchased products during the last 12 months cannot be compared to the EU data, so they remain to be compared as data in future research.

Graph 3: Number of bought counterfeit products in a year



Source: Authors' own research

¹³ European citizens and intellectual property: Perception, awareness and behavior, Office for Harmonization in the internal market (trademarks and designs), page 53 and 54.

¹⁴ The average of consumers in the European Union who declared that they bought a counterfeit product as a result of delusion or deception is 6%. Still, the percentage is far above the average in countries like Bulgaria 19% and Romania 23%.

When asked to indicate the place from where the consumers had bought the counterfeit products, when multiple answers were available, the consumers almost equally replied that it is the informal markets (street sellers, stalls, beach sellers, etc.), trade objects as part of the legal sale system and internet purchase¹⁵.

Graph 4: Place from where counterfeit products are purchased

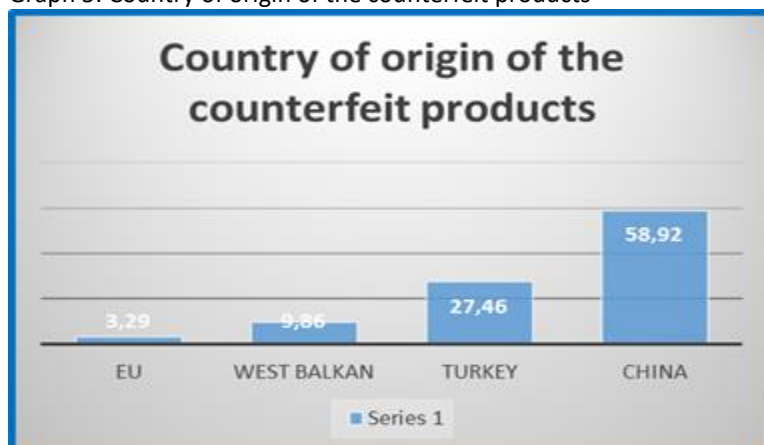


Source: Authors' own research

The Internet as e media in the Republic of North Macedonia has significantly increased its presence so according to the data from the State Statistical Office, from 33,8% households with internet access in 2009, in 2018 the percentage has increased to 79,3%. And the number of people who ordered i.e. bought products/services on the internet anytime had increased from 11,4% in 2012 to 31,6% in 2018.¹⁶

The majority of the respondents pointed the Asian countries as e place of origin of the counterfeit products they had bought. Even 86,38%, of which China has a dominant place with 58,92%.

Graph 5: Country of origin of the counterfeit products



Source: Authors' own research

Consumers in the Republic of North Macedonia show the highest tolerance for the purchase of counterfeit clothing, shoes and sportswear, and the least tolerance for the purchase of medicine, cosmetics, and

¹⁵ In the future, it is realistic to expect that the internet trade will increase even more. In the most developed countries like Japan, USA, UK, in 2013 a greater share in using the Internet had the "online" purchase than using social media. In the Republic of Macedonia, 63,2% of the population is using the Internet, and 16,5% has a credit card. Macedonia is ranked on the 41st place according to UNCTAD B2C E-commerce index 2014. UNCTAD B2C E-commerce index 2014 is measured in 130 countries in the world and is based on four indicators: using the Internet, servers safety, using credit cards and postal services. Information economy report 2015, Unlocking the Potential of E-commerce for Developing Countries, United Nations 2015, page 13, 18 and 101, available at http://unctad.org/en/PublicationsLibrary/ier2015_en.pdf

¹⁶ Announcement "Using of information-communication technologies in households and by individuals", State Statistical Office of the Republic of Macedonia, 30th October 2015 and Using of information-communication technologies in households and by individuals, Announcement "Using of information-communication technologies in households and by individuals, 2018", State Statistical Office of the Republic of Macedonia 22nd of October 2018 <http://www.stat.gov.mk/pdf/2018/8.1.18.29.pdf>

cigarettes. Consumers' sticking to those categories of counterfeit products for which there is the least probability to negatively influence the health of the consumers is evident.

Chart 1: Tolerance for the purchase of counterfeit products by categories

	Clothing/shoes		Sportswear		Cigarettes		Phones and phone accessories/IT equipment		Vehicle parts (brakes, car tires, etc.)		Cosmetics/medicine	
yes	27,25	59,79	22,22	55,56	3,70	10,85	10,05	37,04	5,56	17,99	3,17	7,94
Probably yes	32,54		33,33		7,14		26,98		12,43		4,76	
Probably no	23,81	39,15	24,07	43,39	29,89	87,83	30,95	61,64	31,22	80,69	21,96	90,21
Never	15,34		19,31		57,94		30,69		49,47		68,25	
Did not respond	1,06		1,06		1,32		1,32		1,32		1,85	

Source: Authors' own research

The data provide detecting the categories of goods and services which are most affected and directing of future activities of state bodies exactly towards those categories which are the most attractive as counterfeit goods for consumers. The results from the conducted survey correspond to the data from the State Statistical Office according to which the largest part of the individuals who ordered/bought products and services online for private use decided precisely for clothing and sportswear, while the food products, medicine, drugs have the least share.¹⁷

CONCLUSION

The emergence of counterfeit products completely undermines all functions of the trademark. The unfavorable effects for the consumers can be reflected by the increase of the health and safety risk, and also in terms of obtaining products with significantly lower usefulness than the original. Especially important is the aspect of whether the purchase of counterfeit products is done as a result of confusion or knowingly. The latter is important because in such a situation the consumer can take up the role of protector of people who produce or distribute products which violate the trademark rights. Locating the main drivers and stimulating factors for the increase of counterfeiting trademark are of great importance in order to detect areas where enhanced insight and control are necessary to prevent the rights violations in the future.

The Macedonian consumer shows an equally high degree of knowledge of trademark rights as well as the consumer from the European Union. The Macedonian consumer is highly aware of what is a counterfeit product. The youngest population shows the least concern about the health effects of using counterfeit products. Generally, the consumers' attitude in terms of health dangers is on a lower level than the average value in the European Union for around 10%. Reinforced efforts are needed by the country for warning the consumers about the safety risks from consumption of counterfeit products. High 45% of the respondents in the RM in the last 12 months had knowingly bought a counterfeit product, eleven times above the European average, and far above the worst result in the European Union countries (9% in Lithuania, Cyprus and Latvia, 8% in Greece, Bulgaria, and Spain). The doubt that consumers in the European Union were not fully honest in answering the questionnaire is also proof that in the Republic of North Macedonia there is a widespread social acceptance of purchasing counterfeit products. The fear of public condemnation is minimal. Also, the number of purchases as a result of misconception is five times above the average in the Union. Still, the purchase of counterfeit products knowingly is dominant. Equally represented was the purchase from trade objects, informal markets and online. As a country of origin in 58% of the cases, China was pointed out, and in 27% Turkey and precisely the import of products from these countries should be expected to cause the highest number of trademark rights violations. The readiness for the purchase of clothing, shoes, and sportswear is the highest, 60%, i.e. 56%, so these products are mostly expected to be the subject of interest for counterfeiting by

¹⁷ Even 66,9% of the purchases included clothing, sportswear, 16,8% included event tickets, 16,5% hotel accommodation, 15,6% included books, magazines, newspapers, e-books. Foods products 8,7%, medicine, and drugs 8,1% were purchased significantly less. The announcement "Using of information-communication technologies in households and by individuals", T-05 Individuals who ordered/bought products or services online for private use, State Statistical Office of the Republic of Macedonia, 30th October 2015 <http://www.stat.gov.mk/PrethodniSooptstenijaOblast.aspx?id=77&rbrObl=27>

the perpetrators. It is the industry related to the production of clothing, shoes, and sportswear that suffers the greatest damage. Only a small part of the respondents showed readiness to purchase counterfeit cigarettes, cosmetics, medicine, and vehicle parts. Based on that, it can be concluded that the average Macedonian consumer more often and knowingly buys counterfeit products, unlike the average European consumers. It can be attributed also to the lower purchasing power of the average Macedonian consumer, compared to the average EU consumer as well as the absence of public condemnation of using counterfeit products. It can be concluded that RSM has a lot more to do in order to raise the public awareness of the consumers about the negative consequences from buying counterfeit products for their health and safety and also for the industrial rights holders and the country.

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