



# Best practices for dealing with piracy and counterfeiting in India

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*How to approach counterfeiting problems in India and the advantages and disadvantages of criminal and civil enforcement.* Perhaps the most pertinent question before anti-counterfeiting efforts are undertaken is how a company discovers its brand is being pirated or infringed in the first place. An answer to that question affects innately the kind and scope of investigation that will be undertaken, and what information the investigator will be tasked with finding. Pravin Anand and Binny Kalra talk about the fineness of hiring investigators, tracing leads and choosing legal strategies at the outset. Simple cease and desist letters may work on a small scale, but that 'low cost solution' can lead to the loss of surprise. Plaintiffs can then be prevented from seeking an ex parte order, and counterfeiters may themselves file counter suits for groundless threats in their own jurisdiction. Perhaps the most important aspect of enforcement is its deterrent value. Scaring away potential infringers is half the battle won. *This article was published in INTA Daily News May 2015.* [Read more](#)

