

Food Products: How Plain Packaging Could Make Counterfeiting Easier

World Trademark Review Anti-Counterfeiting 2016: A Global Guide

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As society becomes ever more health conscious, demand has grown for more information – including ingredients and warnings – about the products that we consume. In response, government agencies worldwide are considering regulations to help raise awareness of the risks or health concerns involved with certain products. One such regulation, instituted in some countries and under consideration in others, is plain packaging: the requirement that the packaging of certain products be plain, in order to highlight any warning placed on them. However, these well-intentioned regulations may carry more drawbacks than benefits for both the businesses that sell the goods and their consumers. If implemented, these regulations would interfere with the public's private rights to trademarks, make counterfeiting easier and increase consumers' search costs, as well as the risk of harm from low-quality imitations or counterfeits.

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