



# Evolution of Brand Protection

## 2022 IACC Meeting – Washington DC

Colette Durst, VP and Chief Trademark Counsel



# Who we are

## Vision

3M Technology Advancing Every Company  
3M Products Enhancing Every Home  
3M Innovation Improving Every Life

## Strengths

 Technology  
 Manufacturing  
 Global Capabilities  
 Brand

## Values

Diversity, equity, and inclusion  
Sustainability  
3M Code of Conduct

## Priorities

 Portfolio  
 Transformation  
 Innovation  
 People & Culture



## Sales:

\$35.4B Worldwide

60% International



96,000  
Employees

4 Business Groups  
One 3M



R&D & Related Investments:  
~ 6%

1/3 of Sales from  
New Products

# 3M at a Glance

## Serving our customers through four business groups

Safety & Industrial

Transportation & Electronics

Health Care

Consumer



Accelerating safety and industry performance by serving the industrial, electrical and safety markets.



Moving transportation and a connected world forward by serving automotive and electronic OEM customers.



Connecting people, insights, science and technology to make better health possible around the world by serving the health care industry.



Innovating to simplify life and work by serving global consumers.

# Managing the Changing Landscape of Counterfeiting – The Importance of Brand Protection Coalitions and Organizations

- Brand owners need to collaborate with each other.
- Brand owners need to collaborate with law enforcement, Customs, universities, government agencies and more.
- Outside counsel need to understand the challenges brand owners face, how brand protection has changed because of COVID-19, who to contact when their clients face counterfeit challenges and how to think outside the box.
- Vendors need to understand what brand owners and outside counsel need and how to meet these needs in a cost-effective way.
- Enjoy time with others who are passionate about anti-counterfeiting.



# Evolution of the 3M COVID-19 Brand Protection Program

## Reactive

1

Individual response to counterfeiting and trademark infringement  
Reactive removal of social media and marketplace enforcement  
Reactive domain name enforcement  
Reactive filing programs.

## Proactive

2

Proactively remove listings from ecommerce marketplaces and posts from social media sites which misuse the 3M mark, fraudulently use the 3M mark, sell counterfeit goods, price gouge (where possible) and more.  
Scrape the Internet for infringing domain names and take down the domain names before they can be used to sell counterfeit respirators or commit fraud. ; gap filling

## Collaborative

3

Global Enforcement and Education Plan (Legal/Sales/Marketing/Outside Counsel)  
Establish Processes for Reporting, Building Awareness, and Reporting Out Quarterly  
Build Relationships with Law Enforcement, Customs, Government Agencies, Prosecutors, Outside Counsel, Trademark Offices, Vendors, Outside Counsel and more.

## Strategic

4

Adopt anti-counterfeiting tools (NPI, rebranding, etc).  
Use of Big Data, AI and Data Analytics to Automate Evidence Collection, Enforcement Action, and Case Management .  
Consistent Digital Surveillance Scanning Marketplaces, Websites, and Social Media  
Publicize strategic wins

# Phase 1 – Fraud

## Impersonation of 3M

- Use of an infringing domain name or e-mail address including “3M”
  - [sales@3mpolska.com](mailto:sales@3mpolska.com) (3mpolska.pl is our real domain name)
  - [www.3muk.com](http://www.3muk.com) (3m.co.uk is our real domain name)
- Sellers or offers appearing on social media sites with “3M” identities
- Use of behind the scenes redirection schemes
  - Fraudulent e-mail originating from what appears to be a real 3M e-mail address

## False Claim of Association with 3M

- Often involve use of fraudulent documents such as “Authorized Distributor Certificates”, downloaded 3M technical documents, etc.

## Fraudulent/Unlawful Offers

- Offers claiming to have millions (or even billions or trillions of respirators available for sale)

- Offers to sell respirators at prices significantly higher than 3M’s normal prices for our respirators

## Suspicious Products

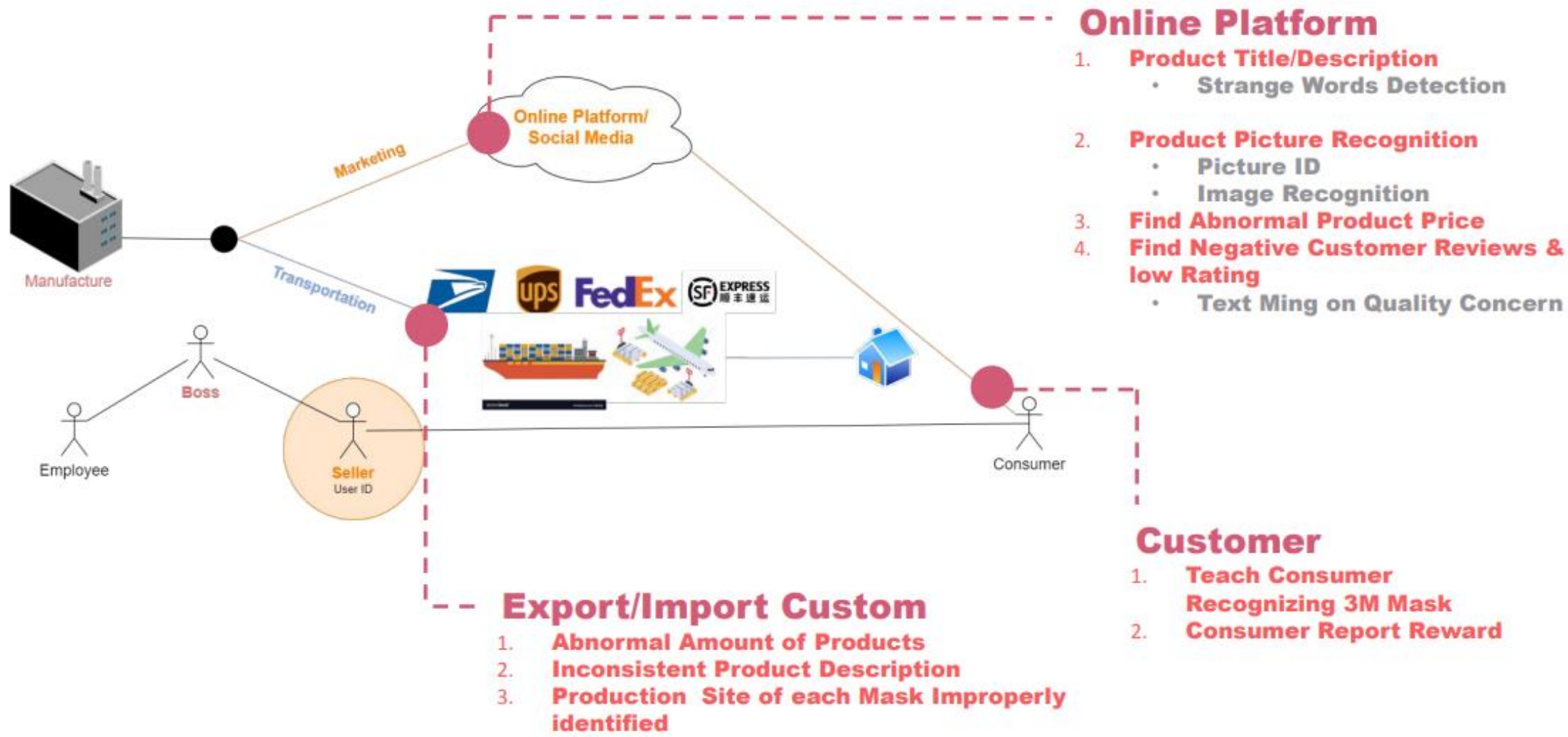
- Requests to authenticate products which have been purchased
- Requests to authenticate products which are being offered on an online marketplace or a stand-alone point of sale website
- Requests to authenticate photos of products being circulated with an e-mail offer

## Improper Conduct by 3M Distributor

- 3M distributor offering products at high price
- 3M distributor selling products outside its territory
- 3M distributor involved in selling products through external agents

# Phase 2 - Counterfeit

## Illicit Supply Chain Flow Overview



# Using Technology to Enforcement Online

## Working With Vendors

**3M's trademark team works with vendors to assist with:**

- Domain name enforcement
- Online Marketplace enforcement
- Social media enforcement
- Anti-counterfeit investigations

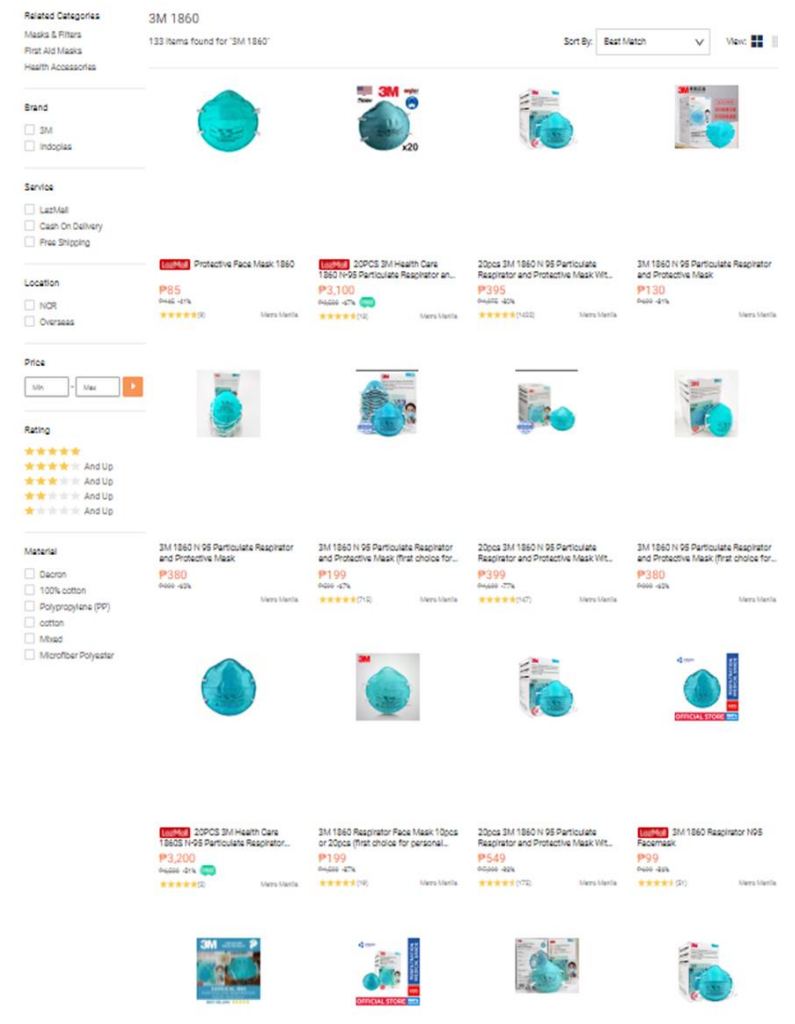
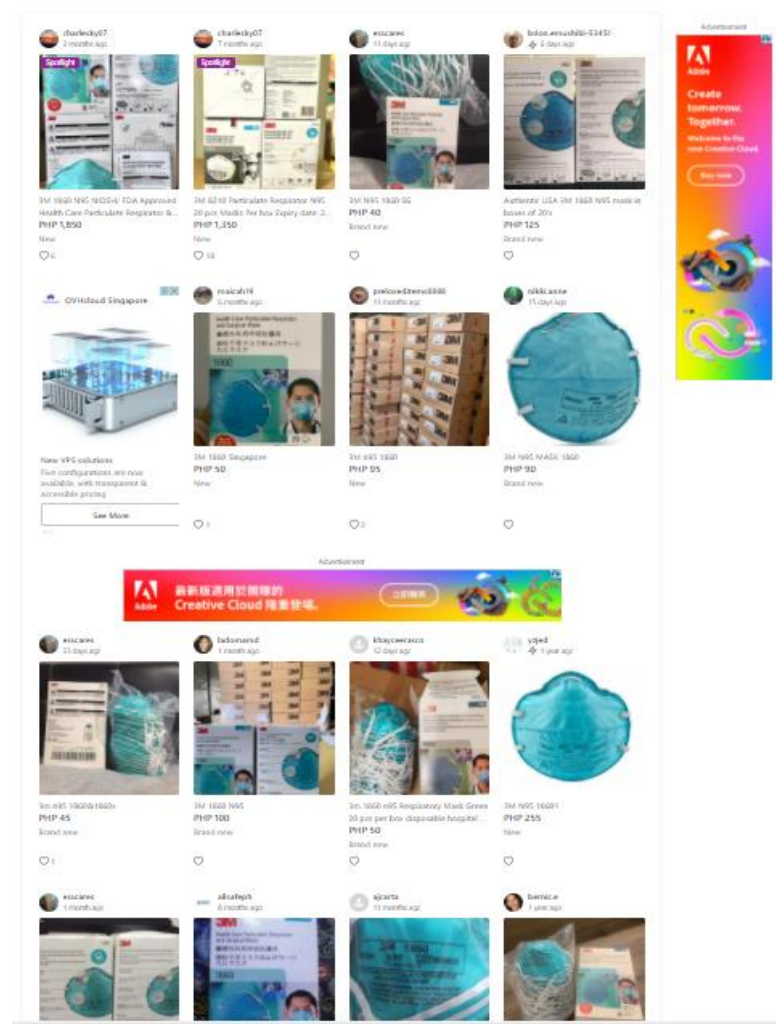
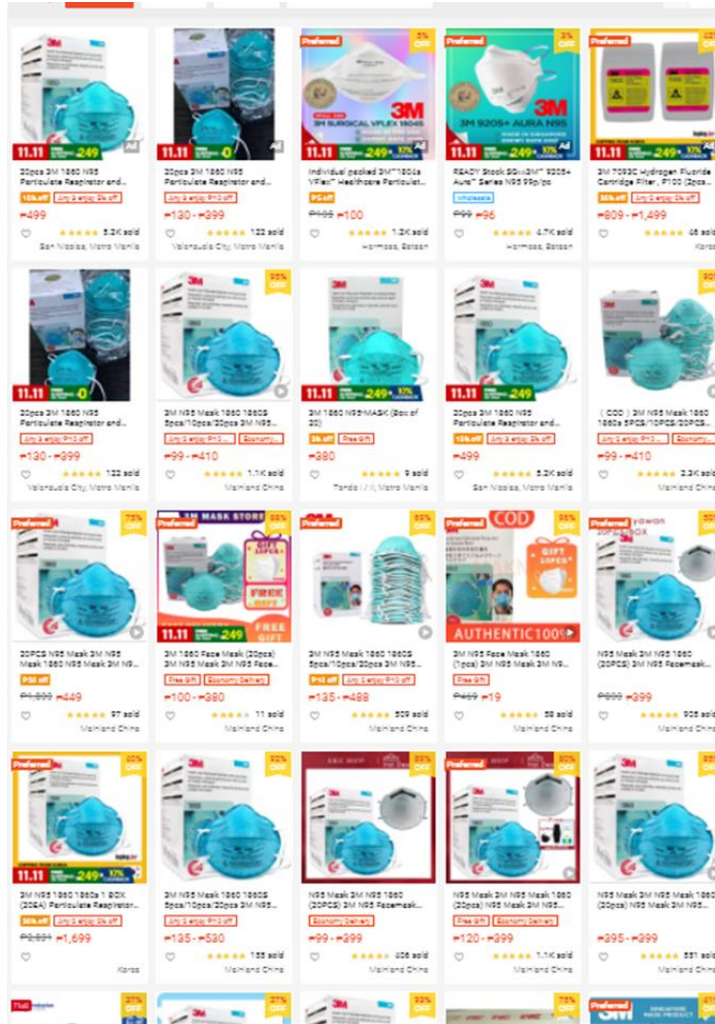


## Best Practices

- Develop internal and external systems to ensure efficient use of resources
- Remain agile for changes in enforcement landscape
- Develop a way to measure and track efforts
- Multi-function and multi-organization collaboration



# Online Enforcement – Marketplaces



# Domain Name Enforcement – Reactive to Proactive

## More than 400 fraudulent domain names impersonating 3M or content with fraudulent offers or selling counterfeits removed

1870-3mmask.com	3mdirect.site	3mmaskcn.com	3mnetherlands.nl	3msveriige.se	directs.nl	mmmcovid19.com	sf-medical.de
3m.agency	3mdirectscontact.nl	3m-maskdistributor.com	3mone.com	3msverrige.se	distribuidor-3m-mexico.com	mmmnerland.com	Sha-apsinc.com
3m.capital	3mdisposablemask.com	3mmaske.com	3mpoland.eu	3mtechnikbv.com	distribuidor3m-mx.com	mmm-security.systems	shit3m.ru
3m.care	3mdistribuidora.com	3mmaske.com.tr	3m-poland.eu	3mtechnikbv.org	distribuidor3mx.com	mmmuk.uk	sinclairsanitarypartners.com
3-m.eu	3mdistribuidoramexico.com	3mmasken.com	3mpolsk.pl	3mtechnologies.gq	distribuidora3mdemex.com	monthianmedicare.com	supplierdirect3m.com
3m.farm	3mdistribuidoramx.com	3mmaskexport.com	3mpolska.co	3m-technologyusa.com	distribuidora3mdemexico.com	mrnm-com.com	surgicalfacemarsk.com
3m.gmbh	3mdistribuidormx.com	3mmaskfactory.com	3mpolska.com	3m-technologyusa.co	distribuidorasglobales.com	my3m.be	swissonomedical.ch
3m.healthcare	3mdistributorcompany.jp	3mmaskforvirus.com		3mtrading.info	distribuidorde3m.com	n953m.com	technikbv.com
3m.limited	3mdmasks.com	3m-maski.ru	3mpolska.eu	3mtradings.com	dmbsupply.com	n95cubrebocas.com	tti3m.com
3m.sale	3m-europe.de	3mmaskllc.com	3mpolska.group	3m-uk.com	dreside.com	n95mask3m.com	us-3m.com
3m.services	3m-europe.uk	3mmaskn95.com	3mpolska.ltd	3muk.eu	easywaypharmacy.com	n95maskeal.club	us-mmm.com
3m.solutions	3mfacemask.icu	3mmasks.app	3mpolska.org	3muk.uk	facemasksbest.com	n95maskealisveris.club	venta3m-alpublico.com
3m.support	3mfacemask.info	3mmasks.co.uk	3mpolskapl.com	3mukhealthcare.com	fulfillmen.com	n95maskeilekorun.club	ventaalpublico3m.com
3m021.net	3m-facemask.net	3mmasks.in	3mpolskapl.eu	3mus.us	get3mmasks.com	n95maskesatinal.club	walsamo.com
3m-1860.com	3m-facemasks.com	3mmasksoutlet.com	3m-portugal.com	3musalt.com	honestppe.supply	n95maskesiparis.club	wellbefore.com
3m1860.net	3m-ffp1.fun	3mmasksupply.com	3mproductos.com	3mvaldrespirator.com	http3m.com	n95masks3m.com	xn--3m-wy1ei6nf8yd3svpl.com
3m-1860mask.com	3m-ffp1.site	3m-medical.com	3mprotect.com	3mvalverespirator.com	https-3m.com	n95respiratorsale.com	zmgroup.us
3m1860sn95facemask.com	3mfrance.boutique	3mmedicalmask.com	3m-respirator.ru	3mventas.com	instockn95masks3m1860.com	nextfacemask.com	Fordppe.com
3m-1860s-n95-face-mask.com	3m-france.fr	3mmedicpharma.com	3m-respirator-score.ru	3mwholesale.ca	insumos3mex.com	ortoponto.com.br	3mdct.com
3m1860stock.com	3mfrance-fr.eu	3mmex.com	3m-respiratorymaskonline.com	3m-wholesale.site	jansenholding.com	outlook-secure.email	3monline.cz
3m-610.com	3mgermany.de	3m-mexico.com.mx	3mrussia.ru	3plysurgicaland3mn95facemask.co	khautrang3m.top	pharma-phio-mexico.jimdosite.com	3mvietnam.ltd
3m-8210.com	3mglobalseverllc.com	3mmexico.mx	3msafety.de	m	legal-mmm.com	pid-guatemala.com	3m.center
3m8210mask.com	3m-gmbh.com	3mmm.com	3msafety.us.com	3rmnedeland.nl	logoproduct.com	ppesupplynow.net	Supplierdirects3m.com
3mask.co.uk	3mggroup.org	3mmm.uk	3msafty.com	3rmnederland.nl	maskarilla3m.com	protectly.co	3mdeuschlang.de
3mask.fr	3m-health.com	3m-mmm.com	3mschweiz.ch	alantadeshealthsupplies.com	mask-3m.com	protector3m.com	3mdeustchlands.de
3masks.net	3mhealthcare.eu	3mmuk.uk	3m-science.com	announcement-3m.com	mask-3m.ru	resp3m.ru	3mdetuschlands.de
3maszk.hu	3mholland.com	3m-n95.co	3m-spain.com	announcements-3m.com	masker3m.com	resp-3m.ru	Saefey1ppe.com
3mbelgie.com	3mholland.nl	3m-n95mask.com	3mspain.com.es	bfoods-aps.com	maski-3m.ru	respers3m.ru	3Mdeutschland.de
3mblacklist.com	3mincovid.com	3mn95mask.net	3mstock.co.uk	biomaske.com	maskis3m.ru	respirator3m.com	respirator3m.com
3mbranch.co.uk	3m-indonesia.com	3m-n95mask-covid19.com	3mstore.co.uk	buy3mmasks.com	masks3m.com	respiratori3m.ru	respiratori-3m.ru
3mbulgaria.com	3m-istanbul.com	3mn95-masks.com	3msuomi.com	buy3mproducts.com	masksby3m.com	respirators-3m.com	respiratory3m.cz
3mbuynow.com	3mjmask.com	3m-n95masks.com	3m-supplier.com	buymedical3m1860.com	maskservices.de	ress3m.ru	rinnovare.us
3mchinamask.com	3mjss.com	3m-n99.com	3msupplier.nl	canadianppesafetysupplies.com	matthiasmaurer.com	saeguard-3m.com	safeguard-3m.com
3m-colombia.com	3mkn95mask.com	3mnamlong.com	3msupplierdirect.com	centurionnetwork.com	medical-supply.tech	sales-3m.com	sales-mmm.com
3mcompanyltd.com	3m-logistics-	3mnedarland.nl	3msuppliersdirect.com	chamberoflions.net	medic-kits.com	sales-mmm.com	saless.agency
3m-covid19.center	distribution.jimdosite.com	3mnedarlands.nl	3msuppliers-direct.com	chinamask3m.com	medic-pad.com	sanoxamerica.com	serverllc.net
3mcupshapedvalvemask.com	3mlogistique.com	3mnedeland.nl	3msuppliersdirects.com	clinicalsuppliesusa.com	medmask-3m.ru		
3mdenmark.dk	3mmask.co.uk	3mnedelands.nl	3msurgicalmasks.com	cov.care	m-logistics-		
3mdeustchland.de	3mmask.in	3mnederlan.nl	3msverge.se	covid-19nffp3mask.com	distribution.jimdosite.com		
3mdeutschlland.de	3m-mask.pl	3mnederlands.nl	3msverige.com	covidmask3m.com	mmm.eu.com		
3mdirect.com.au	3m-mask.ru	3mneiderland.nl	3msveriges.se	dia-foot.com	mmm-c.icu		

# 3M Covid Website – Customer Alerts

## Counterfeit Alerts

Read the latest on increasing reports of counterfeiting and fraud involving 3M respirators.

**3M Science.**  
**Applied to Life.™**

**COUNTERFEIT ALERT – NOT A PRODUCT RECALL**

February 24, 2022

Dear Valued Customer,

Recently, we have received reports of fraud related to the following three 3M surgical respirator models:

- 3M™ Health Care Particulate Respirator and Surgical Mask 1860;
- 3M™ Health Care Particulate Respirator and Surgical Mask 1860S; and
- 3M™ Aura™ Health Care Particulate Respirator and Surgical Mask 1870+.

These have included reports of fake/counterfeit product as well as fraudulent offers where product is offered but not delivered. We have been working with law enforcement to get counterfeit respirators off the market. These enforcement actions have resulted in the seizure of millions of counterfeit model 1860, 1860S, and 1870+ surgical respirators.

In evaluating offers for these respirators, please consider some common signs of counterfeit:

- All 3M model 1860, 1860S, and 1870+ respirators imported into the United States from any other country are likely to be counterfeit. 3M is not currently importing these respirators and has never offered them for sale in the United States.
- All 3M model 1860, 1860S, and 1870+ respirators should be viewed with caution. These respirators are not currently being imported into the United States.
- Do not rely on certification for 1860, 1860S, and 1870+ respirators. These respirators are not currently being imported into the United States.
- Beware of fraudulent offers where product is offered but not delivered. We have been working with law enforcement to get counterfeit respirators off the market.
- 3M does not use a "Per" on its respirators. Respirators bearing the "Per" are counterfeit.

With regard to model 1860, 1860S, and 1870+, please consider the following Lot Codes:

	Lot Codes
Model 1860	B18077, B19029, B19063, B19206, B19240, B19130, B19133, B19155, B19161, B19206, B19314, B19345, B19355, B20010, B20013, B20014, B20016, B20018, B20020, B20021, B20022, B20025, B20035, B20060, B20119, B20132, B20134, B20235, B20245, B20281, B20670, B20679, B27233, R12216, R20008, R20025, R20102, R20144, R20150, R20183, R20190, R20265, R20271, R20294, R20328
Model 1860S	B19791, B20020, B20522, B20659, B20670, B20679, B20791, R20522, R20545, R20641
Model 1870+	C193041, C190241, C193361



**MODELS 1860, 1860S, 1870+ (PDF, 308 KB)**

**MODEL 8210 (PDF, 168 KB)**

**3M Science.**  
**Applied to Life.™**

**COUNTERFEIT ALERT – NOT A PRODUCT RECALL**

February 24, 2022

Dear Valued Customer,

Recently, we have received reports of fraud related to the following standard respirator models:

- 3M™ Particulate Respirator 8210 (N95)
- 3M™ Aura™ Particulate Respirator 9205+ (N95)
- 3M™ Aura™ Particulate Respirator 9210+ (N95).<sup>1</sup>

These have included reports of fake/counterfeit product as well as fraudulent offers where product is offered but not delivered. We have been working with law enforcement to get counterfeit respirators off the market.

With regard to these standard respirator models, we have identified counterfeit product bearing the following Lot Codes:

	Lot Codes
Model 8210	17284, 49260, 49082, 5100, AAC078, A10062, A13091, A14098, A18193, A19264, A19289, A19290, A19309, A20016, A20043, A20286, A1C078, B15060, B17070, B20070, B20071, B19225





# 3M Covid Website – Customer Alerts – Updated 21<sup>st</sup> Oct 2021

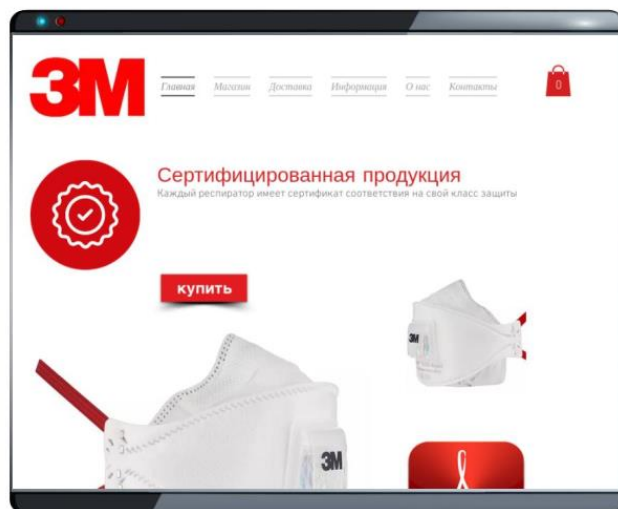
	Lot Codes
Model 1860	B15180, B18077, B19022, B19029, B19063, B19206, B19240, B19130, B19133, B19155, B19161, B19206, B19267, B19314, B19345, B19355, B20010, B20011, B20013, B20014, B20016, B20018, B20019, B20020, B20021, B20022, B20025, B20035, B20060, B20100, B20119, B20132, B20134, B20150, B20174, B20183, B20235, B20237, B20245, B20266, B20281, B20322, B20351, B20670, B20679, B21013, B21021, B21041, B27233, R12216, R15236, R19333, R20008, R20025, R20051, R20102, R20138, R20144, R20150, R20155, R20183, R20190, R20227, R20265, R20271, R20294, R20328, R21036, R30868
Model 1860S	B19155, B19791, B20020, B20522, B20541, B20659, B20670, B20679, B20791, R20522, R20545, R20641
Model 1870+	C192331, C193041, C190241, C193361, C200771, C200221



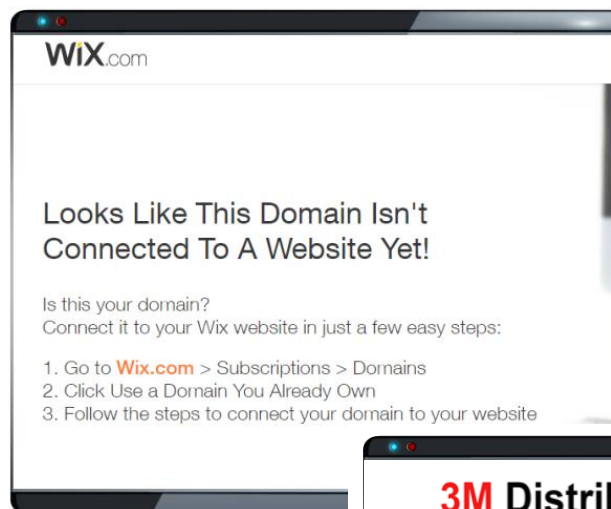
**Lot Code**



# Expanded Use of Technology to Take Down Websites



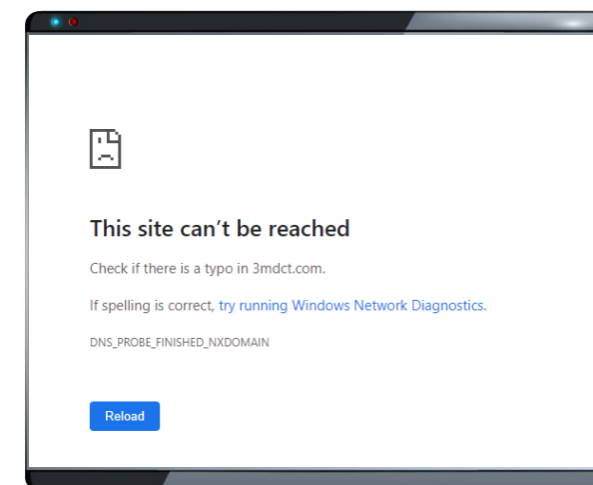
Before Takedown



After Takedown



Before Takedown



After Takedown