

# Prevalence of Counterfeiting in Nigeria: Evaluating Consumers' Experience in South-Eastern and South-Western Nigeria

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## Abstract

This study was meant to investigate the prevalence of counterfeiting in Nigeria, evaluating consumers' experiences. The study was a survey which reacted act to a number of consumers of products, drawn in South-Western and South-Eastern Nigeria. A total of 517 participants took part in the study, diet of which 224(43.3

**Index terms**— Counterfeiting, Products, consumers, South- Eastern Nigeria, south-Western Nigeria.

## 1 Introduction

he concept of fraud all over the world has received enormous attention from governmental institutions, private organizations, banking organizations, religious groups, non-governmental organizations e.t.c. Fraud has been with us for a very long time. Very unfortunately, the prevalence and high widespread of fraudulent activities have not been adequately addressed since the problem has even penetrated where it is not supposed to penetrate.

In actual fact, fraudulent activities are not what some government officials get involved in, or what some bank officials have been indicted over, fraud has become what is noticed in every sphere of our lives in Nigeria. A number of fraud cases have been identified with university administrators, religious groups (such as churches), non-governmental institutions etc. This has pointed out that fraud issue is becoming our way of life. For example, bribery and corruption which can be said to be an aspect of fraud or financial crime has become almost a complete way of life for most people in different professions in Nigeria. Specifically, the Nigerian Police have been seriously indicted and it seems that members of the organization do not care about the negative assessment people are painting them with everyday. Some other governmental parastatals such as Nigeria Customs Service, Nigeria Immigration Service, etc. have also been badly painted as regards to corrupt practices.

Aside from this, fraud has been identified with our businessmen/women, manufacturers, traders' etc. going by their involvement in some shady, dangerous business activities such as production or sale of counterfeited products.

Very essentially, the issue of counterfeiting has become a commonplace in Nigeria as at today. Although this problem has been with us long ago but, it is like the problem is getting more grounded every day. However, there is need to elaborate on fraud, and specifically counterfeiting. In the broadcast essence, a fraud is a deception made for personal gain, although it has a more specific legal meaning, the exact details varying between jurisdictions. Many hoaxes are fraudulent, although those not made for personal gain are not best described in this way (<http://en.wikipedia.org/wiki/fraud>). Accordingly, not all frauds are hoaxeselectorat fraud, for example. Fraud permeates many areas of life, including art, archaeology and science. In the broad legal sense, a fraud is any crime or civil wrong for gain that utilizes some deception practiced on the victim as its principal method (<http://en.wikipedia.org/wiki/fraud>).

In the same vein, Wikipedia notes further that, with respect to criminal law, fraud is the crime or offence of deliberately deceiving another in order to damage them-usually, to obtain property or services from him or her unjustly. It is also viewed that fraud can be accomplished through the aid of forged objects, and in the criminal law of common law jurisdictions, it may be called "theft by deception", "larceny by tricks", "larceny by fraud and deception" or something similar (<http://en.wikipedia.org/wiki/fraud>).

# 1 INTRODUCTION

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Fraud has been defined as an intentional misrepresentation of material existing fact made by one person to another with knowledge of this falsity and for the purpose of inducing the other person to act, and upon which the other person relies with resulting injury or damage. Fraud is also expressed to include an omission or international failure to state material facts, knowledge of which would be necessary to make other statements not misleading. Along this line, make a 'misrepresentation' simply means to state as a fact something which is false or untrue; making a material 'omission' is to omit or with hold the statement of a fact, knowledge of which is necessary to make other statements not misleading (<http://www.lectlaw.com/def/fo79.htm>). Accordingly, it is noted that in order to constitute fraud, a misrepresentation must be false [or an omission must make other statements, misleading], and it must be 'material' in the sense that it relates to a matter of some importance or significance rather than a minor or trivial detail.

In the same vein, to constitute fraud, a misrepresentation [or omission] must also relate to an existing fact'. Ordinarily a promise to do something in the future does not relate to an existing fact and cannot be the basis of a claim for fraud unless the person who made the promise did so without any present intent to perform it or with a positive intent not to perform it. Similarly, a mere expression of opinion does not relate to an existing fact and cannot be the basis of a claim of fraud unless the person stating the opinion has exclusive or superior knowledge of existing facts which are inconsistent with such opinion (<http://www.lectlaw.com/def/fo79.htm>).

Further, it is expressed that to fraud, the misrepresentation [or omission] must be made knowingly and intentionally, not as a result of mistake or accident, that is, that the person either know or should have known of the falsity of the misrepresentation [or the false effect of the omission], or that he made the misrepresentation [or omission] in negligent disregard of its truth or falsity. It is also noted that to constitute fraud, the plaintiff must prove the Defendant intended for the plaintiff suffered injury or damages as a result of the fraud (<http://www.lectlaw.com/def/fo79.htm>).

In another dimension, fraud has been coined, to be part of financial crimes. This is the more reason why NVAA (1999) emphasizes that financial crimes include offences commonly called "white collar crime" such as telemarketing scams, investment or pension fraud, financial abuse, and identity theft. And those victims of financial crimes represent a tremendously underserved and poorly understood segment of the victim population.

Accordingly, it is noted that this is due to several factors such as: the initial emphasis of the victims' right movement focused on serious violent crime, with little attention paid to financial crimes; lack of research and understanding regarding the serious emotional impact of these crimes on the victims; lack of consistency in the response of law enforce crimes, etc.

In the same vein, the lack of sufficient data on the extent of fraud victimization was highlighted in a recent report entitled victimization of persons by fraud, based on research supported by the National Institute of Justice. The report, being highlighted by Titus, Heinzelman, and Boyle (1995) noted, in the first place, that FBI's Uniform Crime Reports (UCR) and the Justice Department's National Crime Victimization Survey (NCVS) provide annual tabulations on property and violent crimes, based on crimes reported to the police and surveys of households. However, they do not provide information with regard to the victimization of persons by fraud. In the second place, crimes of fraud are targeted against individuals and employ deception for the purpose of obtaining illegal financial gain. They involve the misrepresentation of facts and they deliberate intent to deceive with the promise of goods services or other financial benefits that in fact do not exist or that were never intended to be provided. This, according to Titus, Heinzelman and Boyle (1995) includes various forms of telemarketing; frauds involving consumer goods or services and frauds dealing with financial advice, insurance coverage, pension, investment or business schemes.

However, efforts have been made to highlight five various examples of financial crimes by NVAA (1999). These examples include: mail fraud; embezzlement; computer fraud; wire fraud; antitrust fraud; reverse mortgage fraud, e.t.c.

In the same vein, White collar crime FYI.com provides some other types/examples of fraud that is also similar to the one provided by NVAA. According to White collar crime FYI.com, types of fraud include: bribery, computer frauds etc. Based on the description of types/examples of fraud provided by NVAA (1999) and white collar crime FYI.com, the emphasis on this particular study is directed at counterfeiting.

Counterfeiting is referred to as the act of manufacturing fake currency or altering genuine currency. The practice dates back to the Civil war, when a third of all U.S. currency was believed to be counterfeit (<http://www.whitecollarcrimefyi.com/counterfeiting.html>). Bosworth and Yang (2002), based on their study titled study titled the Economics and management of Global counterfeiting, raised an observation that their paper was actually focused on the counterfeiting of currency parse, which is a somewhat different though related issue. This vital observation raised by Bosworth and Yang provides an insight into our study, that the study is meant to provide a good illustration of the prevalence of counterfeiting in Nigeria with emphasis on measuring both the prevalence of counterfeit currency 88( D D D D ) C 2012

Year and counterfeiting of privately produced goods in Nigeria. So, this study was hinged upon providing empirically based findings regarding the widespread and nature of the problem identified as counterfeiting.

Essentially, Bosworth and Yang (2002) note that the definition of counterfeiting is crucial not only for understanding the subject, but also in terms of measuring the extent and nature of the problem.

According to them, in practice, boundaries of counterfeiting are blurred for at least two reasons: first, that the definition rests on views about consumer perceptions; second, goods are counterfeit and which are legitimately

parallel trades is not always immediately obvious and may have to be determined under the law. In line with this, the definitional analysis provided by OECD (1998), which was also cited by Bosworth and Yang (2002) shall be considered in this study. It is expressed that counterfeiting encompasses any manufacturing of a product which, so closely imitates the appearance of the product of another to mislead a consumer that it is the product of another. Counterfeiting is, therefore, said to include trade mark infringing goods, as well as copyright infringements. Further, the concept of counterfeiting includes copying of packaging, labeling and any other significant features of the product (OECD, 1998).

In Nigeria as at today, the scale of this problem is not well documented, but it is a common knowledge that there are enormous counterfeit products, either in form of currency (either Nigerian currency or foreign currency) or consumer goods (of various dimensions and types). However, some scholars have identified the scale of counterfeiting in their respective countries. For example, based on the work of , it is suggested that the overall loss to USA companies from IP infringement is around US \$250 Billion a year. The Counterfeiting Intelligence Bureau (CIB) of the International Chamber of Commerce (ICC) calculated that "counterfeiting increased from 3% of world trade in 1990 to more than 5% in 1999, representing about US\$250 Billion in 1999 (ICC/CIB, 1997). In a similar vein, Bosworth and Yang (2002) note that in 1993, the customs service estimated 750,000 jobs were lost amongst US companies. Very importantly, it is wellnoted that while the world trade increased by about 47% from 1990-1999, trade in counterfeit goods rose more than 150% (Bosworth and Yang, 2002). Accordingly, most commentators report a significant growth in counterfeiting in recent years, in which 32.0% of respondents from 145 UK Trading Standards Departments expected the time spent on anticounterfeiting measures to increase over the next years, while only 12.9% expected it to decrease (Clark, 1999).

Narrowing this revelation down to Nigeria, one can say the trend of counterfeiting in the country has been on the increase, although it can be said precisely how much might have been lost to counterfeiting, but the major issue is that counterfeiting is real in Nigeria. It is hard you come across an original product in Nigeria, without not seeing the counterfeiting products alongside. This trend has been noticed in drugs or better put pharmaceutical products. Counterfeiting is also noticed in our currency; it is not difficult to come across fake currencies in Nigerian economy. As a matter of fact, the scale of currency counterfeiting has been well-recognized by banking industry in the country.

In any case, there comes the need to consider some theoretical propositions on counterfeiting. Very essentially, the economic framework provided by Bosworth and Yang (2002) shall be considered in this study. Specifically, the stylized economic model of counterfeiting was focused on. According to this model, two assumptions have been identified (i.) trademarks and branding lead to higher future consumer welfare because they encourage discretionary investments such as RPD, advertising and training; (ii) counterfeit goods cause confusion and therefore reduce consumer welfare (Bosworth and Yang, 2002).

Originally, it is noteworthy that real manufacturers or originator firms are usually known with huge amounts being spent to develop the quality and brand image?. of attention needed counterfeit are of lower quality, it confuses customer about the quality of the originator's guarantee reduces the premium they command. Thus, the counterfeit might have been trading on the name and the quality of the originator's products, which is as a result of imitation of an invention in the absence of patents (usually known as free-rider issue) (Bosworth and Yang, 2002). Very particularly, it is observed that the counterfeiter does not incur the costs of branded product, as the counterfeiter takes part of their market and pays no royalties (Chen, 1996).

The issue that is paramount in counterfeiting is that the originator's brand image may be damaged, thereby reducing their intangible assets, market valuation and their returns on discretionary investments (Bosworth and Yang, 2002). However, the stylized model argues the consumer is better off without counterfeits and those trademarks and other IPRS are fundamental to ensuring a level playing field for competition (Bosworth and Yang, 2002).

The stylized view argues further that trademarks provide valuable information to consumers in a number of ways, i.e. that (i) the good is the product of the manufacturer in question; (ii) the purchase at one time will generally be identical to the same brand purchased at another time-continuity in the level of quality, (iii) avoid confusion amongst consumers, reducing consumers search cost; (iv) encourage the IP owner to invest in further product development and quality improvement (Bosworth and Yang, 2002).

The stylized model of counterfeiting has provided a good picture of the dynamics of counterfeiting. Now, there is a need to look into some Based on the study conducted by Higgins and Makin (2004) on college students' software piracy as influenced by the role of social learning theory being conditioned by the effects of low self-control, it was observed that the growth in the use of microcomputers makes life easier for many in the world. However, the growth has also parallel the growth in software piracy (Glass &Wood, 1996 cited in Eisend and Schuchert-Güler, 2006). Accordingly, software piracy occurs when an individual illegally copies commercially available software in order to avoid fees, or when an individual makes unauthorized copies of an organization's internally developed software for personal use or distribution Britz, 2004). This behaviour is most common among college students (Solomon &O' Brien, 1990; Sims, Cheng, and Teegan, ) who are majoring in liberal arts subjects ??Hoolinger, 1998;Husted, 2000) and who have previous software piracy or computer experience (Hinduja, 2001).

Eining and Christensen (1991) note that favourable attitudes toward software piracy and associating with peer who engage in pirating software play an important note in the behaviour. Some other studies show that

individuals who did not believe software piracy was a moral transgression were likely to pirate software (see Solomon and O'Brien, 1999, Glass and Wood, 1996; Cohen and Cornwell, 1989).

In another study, Nia and Zaichkowsky (2000 cited in Eisend and Schuchert-Güler, 2006) examined the impact of counterfeit goods on the image of and the desire to own 25 luxury brands. The study was designed to investigate the reasons for buying well-known brand names, such as the need to satisfy a "symbolic meaning and a mechanism of "expressing one's values", which compared the dominance dimensions of image (i.e. quality, status symbol, price, durability, exclusiveness, commonness, fun and prestige). The findings of the study showed that originals were significantly more favourably rated than counterfeits (Nia and Zaichkowsky, 2000 cited in Eisend and Schuchert-Güler, 2006). Still based on the findings of Nia and Zaichkowsky, the findings revealed also that: (i) those not among counterfeits believe such goods have a lower image than those who own them; (ii) non-owners tend to have higher incomes than counterfeits owners.

In another vein, it is noted that more important issue concerning counterfeiting is the conscious act on the part of the customer to seek and purchase a fake product. Deceptive counterfeiting therefore occurs when the consumer believes that she/he is buying a particular brand of a product, produced by a particular manufacturer, which in fact turns out to be a product of some other marketer, (Chakraborty, 1997; Gentry, et. al 2006 cited in Eisend and Schuchert-Güler, 2006).

Further established issue is that non-deceptive counterfeits pose little or no health or safety risk to the public and the buyer, and have apparently little demonstrable impact on genuine (Nia and Zaichkowsky, 2000 cited in Eisend and Schuchert-Güler, 2006). Accordingly, it is observed that counterfeits may even help to build brand awareness (Schultz and Saporito, 1996 cited in Eisend and Schuchert-Güler, 2006) and to increase the snob value for both originals and counterfeits (Barnett, 2005). In a similar vein, it is also observed that counterfeits can even lead to benefits for society, e.g. when necessary expensive products such as particular drugs become affordable to poor people (Benshahar and Assaf, 2004; Green and Smith, 2004 cited in Eisend and Schuchert-Güler, 2006). Wilke and Zaichkowsky (1999 cited in Eisend and Schuchert-Güler, 2006). Essentially, in view of the fact that precious research has used the terms deceptive and nondeceptive counterfeiting as two quite distinct concepts (Hapiro, 1988a, 1988b cited in Eisend and Schuchert-Güler, 2006), Bosworth (2006) has recently suggested considering a spectrum of deception that runs from "super-deceptive" (branded and counterfeit goods appear identical and impossible to tell apart) to completely non-deceptive (all buyers are able to distinguish the counterfeit from the genuine articles). Indeed, the quality of counterfeits has improved over the years and it is becoming more difficult for consumers to identify them (Gentry, et al, 2006 cited in Eisend and Schuchert-Güler, 2006). The degree of deceptiveness apparently depends on the consumer's awareness, knowledge, and experience

Based on the analysis above, this study was therefore upon to understand prevalence of counterfeiting in Nigeria, measuring its extent among Nigerian consumers. The study was specifically meant to understand the products that have been identified to have been counterfeited in Nigerian market settings among consumers of these various types of products. It was also the hope of the study to examine the extent of availability of these counterfeited products among consumers. It is believed that the study findings will be an eye-opener as regards the prevalence of counterfeiting products in Nigerian Market environments. The study is expected to raise awareness to the nature and extent of the problem of counterfeiting. Since there have not been adequate studies being carried out empirically on counterfeiting, it is expected that the study findings would serve as a point of reference as to the scale of counterfeiting in Nigeria.

Along this line of thoughts, it was expected that the study participants would be differed on products that have been counterfeited in Nigerian market environments. It is also expected that this study would reveal the difference among the study participants on the extent of counterfeited products.

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### 3 Methods a) Design

The study was a survey research, which was made to specifically adopt the ex-post facto design. The design was found appropriate because the authors were not involved in active manipulation of variable (s) of interest. All that was done in the study for the participants was to distribute the questionnaires to them.

### 4 b) Setting

The study was carried out in two majorly identified zones in Nigeria. In terms of working status, 254 (49.1%) indicated they were still schooling while 264 (50.9) indicated they were workers.

Based on the questionnaire, item that reads "Do you believe that there are counterfeit products in Nigeria", 193 (37.3%) indicated "Yes"; 208(40.2%) indicated "No" while 116 (22.4%) indicated "can't say". The questionnaire item that reads "Do you buy counterfeit products", 245 (47.4%) of the participant indicated "Yes", 165 (31.9%) indicated "No" while 107 (20.7%) indicated can't say. Specifically, consumers of products of various types were targeted for the study.

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## 5 d) Instrument

The study data were collected through questionnaire format. The questionnaire was designed to have three (3) sections in all. The sections were section A, Section B and Section C. The section A was meant to elicit information on some personal features of the study participants. These features include gender, age, marital status, educational status, religious affiliations, and working status.

The section B of the questionnaire was set to measure knowledge of items/products that have been counterfeited. The scale was termed as the "knowledge of counterfeit products scale," developed and designed by the authors of the study. It is a 25 item scale, having a response format of Yes (2), No (1), and Can't Say (0).

The scale items were developed through focus groups discussions and literature search. Originally, a pool of 37 items was developed. Through a number of procedures such as a content analysis and construct validity, the scale items dropped from 37 items to 25. In the first place, based on the content analysis of obtained responses the 37 items pooled through focus group discussions and literature search were given out to six (6) experts is the Department of Economics and Department of Business Administration in Olabisi Onabanjo University, Ago-Iwoye.

(Consumer behaviour/Marketing experts). Three (3) experts were drawn from each Department. Items in the scale were retained in the instrument if considered by the experts. This procedure was justified by the assertion that the use of expert technique is an acceptable method for achieving content validity (Nunnally, 1998). Based on the expert ratings, 29 items were yielded. These items were items that had received above 80% support (i.e. 8 judges' support) from expert ratings. Therefore, using a 4-point Likert type format, the items were therefore put in a questionnaire format and subjected to items analysis in order to improve the construct validity. With this, the psychometric properties of the scale were ascertained (i.e. for the 29-item measure) and items with wide distribution of response alternatives and a significant item-total correlation were selected for the main study (See Rust and Golombok, 1995). Based on the original pool of 29 items, 25 items with the least item-total correlation of 0.57 were chosen. The alpha reliability of the 25-items scale was found to be 0.88 and the (split-half reliability, using the Spearman-Brown formula yielded a 0.82 coefficient. In the scale, however, high scores indicate high knowledge of items/products that have been counterfeited, while low scores indicate low knowledge of items/products that have been counterfeited.

The section C of the questionnaire was meant to assess the perceived extent of availability of the counterfeited products/items, developed by the authors of this study. This is a continuation of Section B. The scale was designed to know the perceived extent of availability of the products/items identified in Section B. The scale has an overall question that goes as thus: to what extent do you think the following products/items being counterfeited have been made available. The Year scale items include "Computer software", "Shoes", "Cloths", "Television sets", "Computer hardware", "Cell accessories", "Power strips", "Lights", "electrical tools and appliances". The scale was made to have a response format ranging between "very much available" (b) to not very much available. The scale is a 25-item measure in which high scores indicate high level of availability, while low scores indicate low level of availability. A Cronbach's alpha of 0.91 and a Split-half reliability, using Spearman-Brown formula of 0.87 were reported for the scale.

## 6 e) Procedure

The study participants were sampled in different locations within Nigeria. The locations were both in South-Eastern part and South-Western part of the country. Specifically, the study participants were chosen randomly at these locations because of their closeness/nearness to the market settings that have been identified to display and sell counterfeit products/items.

The market settings selected purposefully in South-Western part of Nigeria included computer village, Ikeja, Lagos state; Oshodi market, Lagos state; Yaba market, Lagos state; Aleshinloye, Ibadan, Oyo state; Dugbe market, Ibadan, Oyo state, New Gbagi market, Ibadan, Oyo state.

The market locations have been notoriously identified as places where counterfeited wares/products are displayed for sale. The market settings selected purposefully for the South-Eastern part of Nigeria included Aba market, Abia state, and Onitsha market, Anambra state. The market locations have also been notoriously identified as places where counterfeited wares/products are also being displayed for sale.

A total number of 600 copies of questionnaire were produced and distributed to the randomly selected study participants for the two purposefully selected regions. This indicated clearly that only 300 copies of questionnaire were distributed in each region.

The study participants were employees of different work settings in and around the market locations for the study, and students of some institutions of learning such as Universities, Polytechnics, and Secondary Schools etc. The work settings included banking organizations, secondary school institutions; insurance organizations, some other business organizations such as cyber cafés, business centers, wares selling, car dealing business, etc.

## 7 f) Statistical Analysis

The study utilized descriptive and inferential statistics. The descriptive statistics was meant to obtain some summary information on some relevant variables, which included means ( $\bar{X}$ s), Standard Deviation (S D),

Frequency (F) and Percentage (%). The inferential statistics was meant to test the stated hypothesis. The statistical test of t-test for independent measures was employed.

### 8 III.

## 9 Results

The study results are stated in this section. The results are shown below: D D D D

N=517, "Yes"=indicating items/products that have been counterfeited while "No" indicated items/ products that have not been counterfeited.

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The result on table 1 showed the results of the response of the study participants that have been counterfeited. The results showed clearly that 229 (44.3%) of the study participants, identified computer software as having been counterfeited; 196 (37.9%) indicated they can't say. The results showed also that 241 (46.6%) indicated that there were counterfeited shoes; 181 (35%) indicated there were no counterfeited showed also that 182 (35.2%) expressed that there were counterfeited clothing materials; 244 (47.2%) expressed that there were not counterfeited clothing materials while 91 (17.6%) expressed they can't say. Based on television sets, 241 (46.6%) noted that there were counterfeited television sets; 181 (35%) noted there were no counterfeited television sets while 95 (18.4%) noted that they can't say.

Also, as regards to radio/ tape/cassette player, 182 (35.2%) identified that there were counterfeited tapes around, 244 (457.2%) identified that there were no counterfeited radio/tape/cassette players while 91 (17.8) identified that they can't say. Based on cell phones, 299 (44.3%) of the study participants identified cell phones as having counterfeits around; 196 (37.9%) identified cell phones as having no counterfeits while 92 (17.8%) noted that they can't say.

In a similar vein, still based on the study results, 226 (43.7%) expressed that there were counterfeited writing materials (e.g. biro, etc), 196 (37.9%) expressed that there were no counterfeited writing materials while only 92 (17.8%) expressed that they can't say. The results showed similarly that 197 (38.1%) of the participants identified beauty products (e.g. cream, soap etc.) as having counterfeits; 219 (42.4%) identified that they had no counterfeits while 101 (19.5%) noted that they can't say. 261 (50.5%) of the study participants identified pharmaceutical products as having counterfeits; 171 (33.1%) identified that they had no counterfeits while 92 (17.8%) noted they can't say. In a similar vein, 2002 (39.1%) of the study participants identified that there were counterfeited bicycles/ bikes while 86 (16.6%) noted they can't say. 209 (39.8%) noted that there were counterfeited computer hardware; 191 (36.9%) noted that there was no counterfeited computer hardware while 120 (23.2%) noted they can't say. The results also revealed that 2002 (39.1%) of the study participants viewed currency (noted and coins) as having counterfeited; around 189 (36.6%) of the participants expressed that counterfeited currency is not available while 126 (24.4%) indicated their indecisiveness to this.

Therefore, a critical look at the results on table1 showed clearly that many of the study participants expressed that the identified products/ items in the study have their counterfeits available. The table 2 above showed the results of the responses of the study participants in relation to the extent of availability of the identified counterfeited products/items. The table 2 vividly showed that 105 (20.3%) of the study participants indicated that counterfeited computer software/software piracy was very much available; 132 (25.2%) indicated they can't say; 100 (19.3%) indicated that it was not much available while to (13.5%) indicated it was not very much available. In a similar vein, 123 (23.8%) of the study participants indicated that counterfeited shoes were very much available; 93 (18%) indicated they were available; 51 (9.9%) indicated they were less available; 126 (24.4%) indicated they cannot say; 78 (15.1%) indicated that were not much available while 46 (8.9%) indicated they were not much available. As regards to counterfeited clothing, 105 (20.3%) of the study participants expressed that it was very much available; 126 (24.4%) expressed it was less available; 78 (15.1%) expressed their indecisiveness; (i.e. can't say) 46 (8.9%) expressed it was not much available. The results also showed that 82 (15.0%) of the study participants indicated that counterfeited belts were very much available; 183 (35.4%) indicated they were much available; 80 (15.7%) indicated they were not very much available.

Further, the results showed tat 177 (34.2%) of the study participants expressed that counterfeited television sets were very much available; 99 (19.1%) expressed they were available; 76 (14.7%) expressed their indecisiveness to this; 50 (2.9%) expressed it was not much available while 15 (9.7%) expressed they were not very much available. It was vividly revealed also that 117 (22.6%) of the study participants identified that counterfeited pharmaceutical products were very much available; 95(18.4) identified that counterfeited pharmaceutical products were very much available; 95(18.4) identified that counterfeited pharmaceutical products were much available; 137(26.8%) identified that they were less available; 78(15.1%) identified that their indecisiveness; 60(11.6%) identified that they were not much available while 30 (5.8%) identified that they were not very much available. Based on food materials (i.e. conned food products), only 37(7.2%) of the study participants indicated that they were very much available; 66(12.8%) indicated that they were much available; 133 (25.7%) indicated they were less available; 78 (15.1%) indicated they were not sure; 110(21.3%) indicated they were not much available while 93 (18%) indicted they were not very much available.

The results on table 2 showed also that 172 (38.3 %) of the study participants indicated that counterfeited cell accessories very much available; 94(18.2%) indicated that they were much available; 86(16.6%) indicated that they were less available; 80(15.5%) indicated they were not sure; 65(12.6%) indicated they were not much available while 20 (3.9%) indicated they were no very much available. Similarly, as regards to counterfeited currency (noted & coins), 121 (23.4%) of the study participants expressed that indicated that they were very much available; 123 (23.8%) expressed they were much available; 113(21.9%) expressed they were less available; 46(8.9%) expressed they were not sure; 63(12.2%) expressed they not much available while 51(9.9%) expressed they were not very much available. In terms of counterfeited CDs or DVDs, 155(30%) noted that they were very much available; 103 (19.9%) noted that were much available; 78(15.1%) noted that they were less available; 77(14.9%) noted that they were not really sure; 26(5%) noted that were not much available while 78(15.1%) noted they were very much available.

Therefore, a good look at the results on table 2 revealed vividly that many of the study participants noted that most of the counterfeited products/items identified in the study were much more available in Nigerian markets environment.

IV.

## 11 Hypothesis Testing

The only hypothesis for the study stated that there would be significant difference between consumers in South-western part and South-Eastern part of Nigeria on extent of availability of counterfeited product/items. The hypothesis was tested by t-test for independent measures, and the result is shown in table 3. The result on table 3 reflected the difference between consumers in south-western part and southeastern part of Nigeria on extent of availability of counterfeited products. The result showed vividly that there was a significant difference between consumers in south-western and south-eastern parts of Nigeria on extent of availability of counterfeited products ( $t(515) = 5.13, P < .001$ ). The result showed clearly that consumers in south-western part of Nigeria reported significantly higher on extent of availability of counterfeited products than consumers in south-eastern part of Nigeria. The result revealed vividly that consumers in south western part of Nigeria reported a Therefore, the hypothesis was fully supported by the V.

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## 13 Discussion

The study was meant to understand the prevalence of counterfeit ting fraud in Nigeria, measuring its extent among consumers. The study was purely a survey research, which reached out to a number of consumers both in south western and south eastern part of Nigeria. The study has been able to discover some products that were found counterfeited and displayed in Nigeria market places.

The study identified so many products in Nigeria markets that have counterfeits. These products were found to include computer software, shoes, clothing materials, belts, television sets, beauty products, pharmaceutical products, computer hardware, cell accessories, CDs/DVDs/Cassettes, etc. The study results revealed clearly that all of those products were identify by the study participants to have been counterfeited. Majority of the study participants noted that the product identified in the study have been found to have their counterfeit in Nigeria market environments. Specially, based on the study results, it was revealed that items such as computer software, beauty products, cell phones, pharmaceutical products, computer hardware, cell accessories, etc. have their counterfeits available.

The results of the study showed further that the identified products were indicated to be much more available in Nigerian market environments. Specifically, the results showed that based on extent of availability, products such as computer software, television sets, bags, pharmaceutical products, cell accessories, currency, CDs/DVDs, computer hardware, etc. were identified in the study to have their counterfeits much more available in Nigerian market environments. A look at these results, therefore, showed that counterfeiting business is real in Nigeria.

The only hypothesis tested in study, which stated that there would be significant difference between consumers in south-western and south eastern parts of Nigeria on extent of availability of counterfeited products was found supported. The results revealed that there was actually a significant difference between consumers in south-western ad south-western and south-eastern parts of Nigeria on extent of availability of counterfeited products. Specifically, based on the direction of the results, it was shown that consumers in south-western part of Nigeria reported significantly higher on extent of availability of counterfeited products than consumers in south western part of Nigeria. This indicated that consumers in south western part of Nigeria identified that counterfeited products were found more in their zone/region than consumers in south-eastern part of Nigeria would have noticed much availability of counterfeited products, which might have been a source of blessing or worry to them. Essentially, more individuals are resident in south-western Nigeria, and for example, Ibadan, a city within south-western Nigeria is said to be the largest in black Africa. In actual fact, based on the pilot study conducted before the commencement of the final study, some of the sampled participants expressed good feelings toward counterfeited products. They were of the view that counterfeited products are cheap and so they are afford able unlike their originals which they thought were more expensive for them to purchase. The sampled participants expressed that items such as computer software, computer hardware, shoes, pharmaceutical products, etc. were

more expensive if they were to be bought as originals but their counterfeits are very cheap and available and so anybody could afford them.

A critical look at the last sentence above reflected that some of the consumers who purchased counterfeits felt that the products were much available and as such their prices are such that it is be affordable for them. This now means that more and more individuals could be interested in buying counterfeits knowing fully well that there are originals.

## 14 VI.

## 15 Conclusion

The study has really been an eye-opener as to the understanding of prevalence of counterfeiting in Nigeria. It has been observed that, despite identifying that counterfeiting is an aspect of fraud, counterfeited products are still very much around with us. A number of products that have been originally produced also have counterfeited a long side. In Nigeria, a number of products have been found to have been that counterfeited. Mention any product that is marketed well that does not get its counterfeit; this case could be worrisome for the originator firms, because some or most of the profits that could have been accrued to them are diverted to the producers and marketers of counterfeited products.

The study has clearly shown that a number of products such as computer software, computer hardware, cell phone accessories, clothing materials, cell phones, pharmaceutical products, beauty products (i.e. cream, soap, etc.) have been found counterfeited. This now indicated that it may be a difficult task for potential consumers to differentiate between the originals and fake. The study has also clearly portrayed that based on knowing the extent of availability of counterfeited products, more study participants expressed that most of the identified counterfeited products in the study were found to be more available for people to buy. The study findings also revealed that there was significant difference between consumers in southwestern part and south-eastern part of Nigeria on extent of availability of counterfeited products. The findings clearly showed that consumers in south-western part of Nigeria reported more availability of counterfeited products than consumers in south-eastern part of Nigeria. This indicated that consumers in south-western part of Nigeria expressed that counterfeited products were much more available for consumers to buy in south-eastern part in Nigeria.

## 16 VII. Implications/ Recommendations

The study has shown the prevalence of counterfeiting in Nigeria. The study has revealed clearly that there are some firms whose preoccupation is to produce what other firms have originally produced in a substandard manner. The study has shown some of the products in Nigerian markets that have been found counterfeited. The implication of this therefore is that as time goes on, if care is not taken, most of the originator firms of the identified products would be displaced in Nigerian, particularly the counterfeits of their products would be displaced in Nigeria, particularly the counterfeits of their products are found very cheap and easy to purchase. In the case, it means that serious and urgent efforts are needed to tackle this ugly phenomenon. One particular reason why counterfeiting trading thrives very well in Nigeria is because of the poorly financial status of most Nigerians. Nigerians have been identified to be poor going by what earn a day in terms of dollar rate. This has been found ridiculous to the international community. Now what do we really expect from these poor people, who earn very low compared to their counterparts in other developed and even developing countries? Where would they find the money with to which buy original products, if at all, they are interested in them Nigerians are really suffering and this is what some firms have capitalized upon, thinking that if they produce substandard products that are very cheap and affordable, consumers would definitely purchase them.

However, this study is not encouraging counterfeiting in all its ramifications. Genuine efforts are needed to tame the ugly yields of counterfeiting trading Nigerian market environments. On a good note, this study takes a further look at the same anti-counterfeiting measures as highlighted in Bosworth and Yang (2002) work titled the Economics and Management of Global Counterfeiting.

Essentially, it is observed that counterfeiting should be tackled within a general, consistent and synergistic package of measures to ensure the protection of corporate IP (Chen, 1996). In particular, the company must: -1. Continuously monitor the need for IP protection and the form this should take (i.e. patents, designs, trademarks, trade secrets, etc.). 2. Know and bear in mind the legal and administrative rules for IPRs (i.e. First to invest versus first to apply); 3. Develop strategies to manage IP (i.e. who should "own" the right -the parent or subsidiary / how to minimize the tax burden and whether to develop a "universal" or series of "national" marks); 4. Undertake early assessment of the value of each element of IP, Ideally, separating the value of the asset from the value added by IPRs; 5. Establish a mechanism to evaluate the returns to continued protection, and renew protection as appropriate (i.e. preventing premature lapse of rights); 6. Develop a framework to monitor infringement and, where appropriate, pursue a case against infringers; 7. Maintain access to legal experts in IPRs.

Further, still on Bosworth and Yang (2002)'s study on the Economics and Management of Global counterfeiting, it is observed that other measures to fighting counterfeiting includes: instigation of cases against counterfeiting; anti-counterfeiting technologies; licensing management; managing enforcement, etc. specifically, as regards to instigation of cases against counterfeiting, it is maintained that while the originator must maintain distinctiveness



and protect their brand, they may not pursue every claim of counterfeiting, and certainly not to the bitter end. This is not to say that, in some instances, high profits legal cases are not warranted, but each case should be considered both on its own merits and in terms of the combined effects of all such activities on the value of the brand. (Bosworth and Yang, 2002).

Based on anti-counterfeiting technologies, it is emphasized that they are increasingly being used to protect and authenticate products (OECD, 2000; ). In a case, OECD (2000) argues that the technology must be "cost-effective, compatible with the distribution of the product, consumer-friendly, resistant and durable". Similarly, Peticolas et al (1999) argue that, while there are no general solution, there are a "wide range of tools, which if applied intelligently should be sufficient to solve most of the problems that we meet in practice.....". Accordingly, such technologies range from, "simple cost effective printing technologies through optical technology, biotechnology, chemical and electronic fields. The technologies can be covert or overt, where covert devices constitute a key trade secret of the enterprise and should form a carefully guarded secret.

Further, another mechanism for controlling counterfeiting is licensing management. Essentially, it is observed that one source of counterfeiting is the overproduction of goods under license (Bosworth and Yang 2002). However, properly regulated licensing may offer opportunities that deflect potential counterfeiting (Bosworth and Yang, 2002). Therefore, offering a licensing opportunity to a potential counterfeiter lowers the results to counterfeiting, as long as the contract is properly designed and enforced.

Accordingly, license counterfeiting can be controlled by: 1. Constructing a legally binding contract between the parties, stipulating the actions of each party of the other branches the contract and, in particular, specific punishments to licenses who exceed agreed production quotas; 2. Inspecting and supervision the production and marketing of the goods produced under license (Bosworth and Yang, 2002). Last but not the least, as regards to managing enforcement, another mechanism for controlling counterfeiting as cited in Bosworth and Yang, (2002)'s work on Economics and Management of Global counterfeiting, it is expressed that responsibility for enforcement lies with the businesses affected and, "Businesses should set up an effective system of their own to monitor the flow of counterfeit goods and keep the relevant institution of their governments well informed" (Chen, 1996).



Figure 1:

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<sup>2</sup>Prevalence of Counterfeiting in Nigeria: Evaluating Consumers' Experience in South-Eastern and South-Western Nigeria

Those settings have been identified by Nigerian Government, Stakeholders, Governmental Institutions and International Community as where counterfeit products are usually found (either being produced, distributed or sold).

c) Participants

A total of 517 participants took part in the study. The participants were made up of 224 (43.3%) males and 293(56.7%) females, with a mean age of 35.59yrs (SD = 12.58). In terms of marital status, 214 (41.4%) of the participants were never married while 303 (58.6%) have been married. In respect of educational status, 55 (10.6%) of the participants did not have formal education; 124 (24%) were primary school certificate holders; 101 (19.5%) were secondary school certificate holders; 143 (27.7%) were holders of Ordinary National Diploma National Certificate of Education; 58 (11.2%) were holders of Higher National Diploma while 36 (7.0%) were holders of First Degrees. In term of religious affiliations, 229 (44.3%) of the participants were Christians; 208 (40.2%) were Muslims while 80 (15.5%) were traditionalists.

Figure 2:

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1

S/N	Products/items	Yes	No	Can't say
1	Computer software	229 (44.3%)	196(37.9%)	92 (17.8%)
2	Shoes	241(46.6%)	181(35%)	95(18.4%)
3	Clothing materials	182(35.2%)	244(47.2%)	91(17.6%)
4	Belts	229(44.3%)	196(37.9%)	92 (17.8%)
5	Television sets	241(46.6%)	181 (35%)	95 (18.4%)
6	Radio/Cassette player	182(35.2%)	244(47.2%)	91 (17.8%)
7	Cell phones	299(44.3%)	196(37.9%)	92 (17.8%)
8	Biro/writing	226(43.7%)	196(37.9%)	92 (17.8%)
9	Beauty products (cream, soap)	197 (38.1%)	219 (42.4%)	101(19.5 %)
10	Pharmaceutical Products	261(50.5%)	171 (33.1%)	92 (17.8%)
11	Bicycles/Bikes	202 (39.1%)	229 (44.3%)	86 (16.6%)
12	Food materials (canned food)	304(58.8%)	151 (29.2%)	120 (23.2%)
13	Computer hardware	206 (39.8%)	191 (36.9%)	120 (23.2%)
14	Cell accessories	232 (44.9%)	244 (43.3%)	61 (11.8%)
15	Power strips	299 (57.8%)	151 (29.2%)	67 (13%)
16	Lights	241 (46.6%)	176 (34%)	100 (19.3%)
17	Lamps	207 (40%)	234 (45.3%)	76 (14.7%)
18	Ele c trical tools and ap- pliance	204 (39.5%)	23 (45.6%)	77 (14.7%)
19	Automobile manufactur- ing	201 (38.9%)	206 (39.8%)	110 (21.3%)
20	Music	152 (29.4%)	259 (50.1%)	106 (20.5%)
21	CDS/DVD/Cassettes	139 (26.9%)	271 (52.4%)	107 (20.7%)

Figure 3: Table 1 :

2

S/N	Items/Product	V MA	MA	LA	CS	NMA	NVMA
1	Computer Software	105(20.3%)	132 25.2%)	55(10.6%)	55 (10.6%)	100(19.3%)	70(13.5%)
2	Shoes	123(23.8%)	93 (19%)	51 (9.9%)	126(24.4%)	78 (15.1%)	46(8.9%)
3	Clothing	105(20.3%)	126(24.4%)	93(18.0%)	78(15.1%)	46(8.9%)	73(14.1%)
4	Belts	82(15.9%)	183(35.4%)	80(15.5%)	35(6.8%)	56(10.8%)	81(15.7%)
5	Television sets	177(34.2%)	99(19.1%)	76(14.7%)	100(19.3%)	50(2.9%)	15(9.7%)
6	Radio/Tapes/Cassette Players	105(20.3%)	55(10.6%)	55(10.6%)	132(25.5%)	100(19.3%)	70(13.5%)
7	Cell phones	93 (18%)	123(23.8%)	51(9.9%)	126(24.4%)	78(15.1%)	46(8.9%)
8	Writing materials	93 (18%)	105(20.3%)	73(14.1%)	128(24.8%)	76(14.8%)	42(8.1%)
9	Beauty products (Cream. Soap etc.)	67(13.0%)	61(11.8%)	233(45.1%)	31(6%)	105(20.3%)	20(39%)
10	Bags	129 (25%)	202(39.1%)	86(16.6%)	55(10.6%)	30(5.8%)	15(2.9%)
11	Pharmaceutical	117(22.6%)	95(18.4%)	137(26.8%)	78(15.1%)	60(11.6%)	30(5.8%)
12	Bicycles/bikes	56(10.8%)	72(13.9%)	147(28.4%)	41(7.9%)	93(18%)	108(20.9%)
13	Food materials (i.e. Canned products)	37 (7.2%)	66 (12.8%)	133(25.7%)	78(15.1%)	110(21.3%)	93(18%)
14	Computer hardware	193(37.3%)	92(17.8%)	85(16.4%)	81(15.7%)	25(4.8%)	41(7.9%)
15	Cell accessories	172(33.3%)	94(18.2%)	86(16.6%)	80(15.5%)	65(12.6%)	20(3.9%)
16	Power strips	75 (14.5%)	75(14.5%)				
17	Lights	103(9.9%)	93(18.0%)	61(11.8%)	156(30.2%)	68 (13%)	36 (7%)
18	Lamps	80 (15.5%)	63(12.2%)	63(12.2%)	163(12.2%)	96(18.6%)	52(10.1%)
19	Electrical tools and appliances	57(11.0%)	56(10.8%)	46(8.9%)	218(42.2%)	105(20.3%)	35(6.8%)
20	Automobile	25(4.8%)	60(11.6%)	95(18.4%)	56(10.8%)	172(33.3%)	109(21.1%)
21	Music	75(14.5%)	100(19.3%)	167(32.3%)	35(6.9%)	65(12.2%)	75(14.5%)
22	Currencies (notes and coins)	121(23.4%)	123(23.8%)	113(21.9%)	46 (8.9%)	63 (12.2%)	51 (9.9%)
23	Compact Disc (CD); DVD	155 (30%)	103 19.9%)	78 (15.1%)	77 (14.9%)	26 (5%)	78 (15.1%)

[Note: Note : VMA=Very Much Available =6; MA = Much Available=5; LA= Less Available=4; CS= can't say=3; NMA= Not Much available =2; NVMA= Not Very Much Available=1.]

Figure 4: Table 2 :

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**3**

Group	N	SD	df	t	P
	X				
Consumers in south- western part	257 73.8 3	11.06			
			51	5.1	<..00
Consumers in south- eastern	260 69.2 3	9.50	5	3	1

Figure 5: Table 3 :



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