

# 1 Prevalence of Counterfeiting in Nigeria: Evaluating Consumers' 2 Experience in South-Eastern and South-Western Nigeria

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## 7 **Abstract**

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

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

## 14 **1 Introduction**

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

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

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

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

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

## 1 INTRODUCTION

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

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

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

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

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

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

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

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

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

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

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

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

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

115 In Nigeria as at today, the scale of this problem is not well documented, but it is a common knowledge  
116 that there are enormous counterfeit products, either in form of currency (either Nigerian currency or foreign  
117 currency) or consumer goods (of various dimensions and types). However, some scholars have identified the scale  
118 of counterfeiting in their respective countries. For example, based on the work of , it is suggested that the overall  
119 loss to USA companies from IP infringement is around US \$250 Billion a year. The Counterfeiting Intelligence  
120 Bureau (CIB) of the International Chamber of Commerce (ICC) calculated that "counterfeiting increased from  
121 3% of world trade in 1990 to more than 5% in 19995, representing about US\$250 Billion in 19995 (ICC/CIB,  
122 1997). In a similar vein, Bosworth and Yang (2002) note that in 1993, the customs service estimated 750,000 jobs  
123 were lost amongst US companies. Very importantly, it is wellnoted that while the world trade increased by about  
124 47% from 19990-19995, trade in counterfeit goods rose more than 150% (Bosworth and Yang, 2002). Accordingly,  
125 most commentators report a significant growth n counterfeiting in recent years, in which 32.0% of respondents  
126 from 145 UK Trading Standards Departments expected the time spent on anticounterfeiting measures to increase  
127 over the next years, while only 12.9% expected it to decrease (Clark, 1999).

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

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

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

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

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

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

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

## 4 B) SETTING

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170 individuals who did not believe software piracy was a moral transgression were likely to pirate software (see  
171 ??olomon and O'Brien, 19990, Glass and Wood, 1996; ??ohen and Cornwell, 1989).

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

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

186 Further established issue is that non-deceptive counterfeits pose little or no health or safety risk to the public  
187 and the buyer, and have apparently little demonstrable impact on genuine (Nia and Zaichkowsky, 2000 cited in  
188 Eisend and Schuchert-Güler, 2006). Accordingly, it is observed that counterfeits may even help to build brand  
189 awareness (Schultz and Saporito, 1996 cited in Eisend and Schuchert-Güler, 2006) and to increase the snob  
190 value for both originals and counterfeits (Barnett, 2005). In a similar vein, it is also observed that counterfeits  
191 can even lead to benefits for society, e.g. when necessary expensive products such as particular drugs become  
192 affordable to poor people (Benshahar and Assaf, 2004; Green and Smith, 2004 cited in Eisend and Schuchert-  
193 Güler, 2006). Wilke and Zaichkowsky (1999 cited in Eisend and Schuchert-Güler, 2006). Essentially, in view of  
194 the fact that precious research has used the terms deceptive and nondeceptive counterfeiting as two quite distinct  
195 concepts ??apiro, 1988a, 1988b cited in Eisend and Schuchert-Güler, 2006), Bosworth (2006) has recently  
196 suggested considering a spectrum of deception that runs from "super-deceptive" (branded and counterfeit goods  
197 appear identical and impossible to fell apart) to completely non-deceptive (all buyers are able to distinguish the  
198 counterfeit from the genuine articles). Indeed, the quality of counterfeits has improved over the years and it is  
199 becoming more difficult for consumers to identify them (Centry, et al, 2006 cited in Eisend and Schuchert-Güler,  
200 2006). The degree of deceptiveness apparently depends on the consumer's awareness, knowledge, and experience

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

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

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### 214 3 Methods a) Design

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

### 218 4 b) Setting

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

221 Based on the questionnaire, item that reads "Do you believe that there are counterfeit products in Nigeria", 193  
222 (37.3%) indicted "Yes"; 208(40.2%) indicated "No" while 116 (22.4%) indicated "can't say". The questionnaire  
223 item that reads "Do you buy counterfeit products", 245 (47.4%) of the participant indicated "Yes", 165 (31.9%)  
224 indicated "No" while 107 (20.7%) indicated can't say. Specifically, consumers of products of various types were  
225 targeted for the study.

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## 226 5 d) Instrument

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

231 The section B of the questionnaire was set to measure knowledge of items/products that have been  
232 counterfeited. The scale was termed as the "knowledge of counterfeit products scale," developed and designed by  
233 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).

234 The scale items were developed through focus groups discussions and literature search. Originally, a pool of  
235 37 items was developed. Through a number of procedures such as content analysis and construct validity, the  
236 scale items dropped from 37 items to 25. In the first place, based on the content analysis of obtained responses  
237 the 37 items pooled through focus group discussions and literature search were given out to six (6) experts  
238 is the Department of Economics and Department of Business Administration in Olabisi Onabanjo University,  
239 Ago-Iwoye.

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

253 The section C of the questionnaire was meant to assess the perceived extent of availability of the counterfeited  
254 products/items, developed by the authors of this study . This is a continuation of Section B. The scale was  
255 designed to know the perceived extent of availability of the products/items identified in Section B. The scale has  
256 an overall question that goes as thus: to what extent do you think the following products/items being counterfeited  
257 have been made available. The Year scale items include "Computer software", "Shoes", "Clothes" "Television sets",  
258 Computer hardware; "Cell accessories", "Power strips"; "Lights"; electrical tools and appliances". The scale was  
259 made to have a response format ranging between "very much available" (b) to not very much available. The  
260 scale is a 25 -item measure in which high scores indicate high level of availability, while low scores indicate low  
261 level of availability. A Cronbach's alpha of 0.91 and a Split-half reliability, using Spearman -Brown formula of  
262 0.87 were reported for the scale.

## 263 6 e) Procedure

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

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

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

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

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

## 282 7 f) Statistical Analysis

283 The study utilized descriptive and inferential statistics. The descriptive statistics was meant to obtain some  
284 summary information on some relevant variables, which included means (Xs), Standard Deviation (S D),

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

287 **8 III.**

288 **9 Results**

289 The study results are stated in this section. The results are shown below: D D D D  
290 N=517, "Yes"=indicating items/products that have been counterfeited while "No" indicated items/ products  
291 that have not been counterfeited.

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

302 Also, as regards to radio/ tape/cassette player, 182 (35.2%) identified that there were counterfeited tapes  
303 around, 244 (45.7.2%) identified that there were no counterfeited radio/tape/cassette players while 91 (17.8)  
304 identified that they can't say. Based on cell phones, 299 (44.3%) of the study participants identified cell phones  
305 as having counterfeits around; 196 (37.9%) identified cell phones as having no counterfeits while 92 (17.8%) noted  
306 that they can't say.

307 In a similar vein, still based on the study results, 226 (43.7%) expressed that there were counterfeited writing  
308 materials (e.g. biro, etc), 196 (37.9%) expressed that there were no counterfeited writing materials while only  
309 92 (17.8%) expressed that they can't say. The results showed similarly that 197 (38.1%) of the participants  
310 identified beauty products (e.g. cream, soap etc.) as having counterfeits; 219 (42.4%) identified that they had  
311 no counterfeits while 101 (19.5%) noted that they can't say. 261 (50.5%) of the study participants identified  
312 pharmaceutical products as having counterfeits; 171 (33.1%) identified that they had no counterfeits while  
313 92 (17.8%) noted they can't say. In a similar vein, 2002 (39.1%) of the study participants identified that  
314 there were counterfeited bicycles/ bikes while 86 (16.6%) noted they can't say. 209 (39.8%) noted that there  
315 were counterfeited computer hardware; 191 (36.9%) noted that there was no counterfeited computer hardware  
316 while 120 (23.2%) noted they can't say. The results also revealed that 2002 (39.1%) of the study participants  
317 viewed currency (noted and coins) as having counterfeited; around 189 (36.6%) of the participants expressed that  
318 counterfeited currency is not available while 126 (24.4%) indicated their indecisiveness to this.

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

333 Further, the results showed tat 177 (34.2%) of the study participants expressed that counterfeited television sets  
334 were very much available; 99 (19.1%) expressed they were available; 76 (14.7%) expressed their indecisiveness to  
335 this; 50 (2.9%) expressed it was not much available while 15 (9.7%) expressed they were not very much available. It  
336 was vividly revealed also that 117 (22.6%) of the study participants identified that counterfeited pharmaceutical  
337 products were very much available; 95(18.4) identified that counterfeited pharmaceutical products were very  
338 much available; 95(18.4) identified that counterfeited pharmaceutical products were much available; 137(26.8%)  
339 identified that they were less available; 78(15.1%) identified that their indecisiveness; 60(11.6%) identified that  
340 they were not much available while 30 (5.8%) identified that they were not very much available. Based on food  
341 materials (i.e. conned food products), only 37(7.2%) of the study participants indicated that they were very much  
342 available; 66(12.8%) indicated that they were much available; 133 (25.7%) indicated they were less available; 78  
343 (15.1%) indicated they were not sure; 110(21.3%) indicated they were not much available while 93 (18%) indicted  
344 they were not very much available.

345 The results on table 2 showed also that 172 (38.3 %) of the study participants indicated that counterfeited  
346 cell accessories very much available; 94(18.2%) indicated that they were much available; 86(16.6%) indicated  
347 that they were less available; 80(15.5%) indicated they were not sure; 65(12.6%) indicated they were not much  
348 available while 20 (3.9%) indicated they were no very much available. Similarly, as regards to counterfeited  
349 currency (notes & coins), 121 (23.4%) of the study participants expressed that indicated that they were very  
350 much available; 123 (23.8%) expressed they were much available; 113(21.9%) expressed they were less available;  
351 46(8.9%) expressed they were not sure; 63(12.2%) expressed they not much available while 51(9.9%) expressed  
352 they were not very much available. In terms of counterfeited CDs or DVDs, 155(30%) noted that they were  
353 very much available; 103 (19.9%) noted that were much available; 78(15.1%) noted that they were less available;  
354 77(14.9%) noted that they were not really sure; 26(5%) noted that were not much available while 78(15.1%)  
355 noted they were very much available.

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

359 IV.

## 360 **11 Hypothesis Testing**

361 The only hypothesis for the study stated that there would be significant difference between consumers in South-  
362 western part and South-Eastern part of Nigeria on extent of availability of counterfeited product/items. The  
363 hypothesis was tested by t-test for independent measures, and the result is shown in table 3. The result on table  
364 3 reflected the difference between consumers in south-western part and southeastern part of Nigeria on extent of  
365 availability of counterfeited products. The result showed vividly that there was a significant difference between  
366 consumers in south-western and south-eastern parts of Nigeria on extent of availability of counterfeited products  
367 ( $t (515) = 5.13, P < .001$ ). The result showed clearly that consumers in south-western part of Nigeria reported  
368 significantly higher on extent of availability of counterfeited products than consumers in south-eastern part of  
369 Nigeria. The result revealed vividly that consumers in south western part of Nigeria reported a Therefore, the  
370 hypothesis was fully supported by the V.

## 371 **12 Global Journal of Human Social Science**

### 372 **13 Discussion**

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

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

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

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

## 16 VII. IMPLICATIONS/ RECOMMENDATIONS

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

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

### 411 14 VI.

### 412 15 Conclusion

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

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

### 431 16 VII. Implications/ Recommendations

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

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

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

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

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

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

477 Further, another mechanism for controlling counterfeiting is licensing management. Essentially, it is observed  
478 that one source of counterfeiting is the overproduction of goods under license (Bosworth and Yang 2002). However,  
479 properly regulated licensing may offer opportunities that deflect potential counterfeiting (Bosworth and Yang,  
480 2002). Therefore, offering a licensing opportunity to a potential counterfeiter lowers the results to counterfeiting,  
481 as long as the contract is properly designed and enforced.

482 Accordingly, license counterfeiting can be controlled by: 1. Constructing a legally binding contract between  
483 the parties, stipulating the actions of each party of the other branches the contract and, in particular, specific  
484 punishments to licensees who exceed agreed production quotas; 2. Inspecting and supervising the production and  
485 marketing of the goods produced under license (Bosworth and Yang, 2002). Last but not the least, as regards to  
486 managing enforcement, another mechanism for controlling counterfeiting as cited in Bosworth and Yang, (2002)'s  
487 work on Economics and Management of Global counterfeiting, it is expressed that responsibility for enforcement  
488 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).

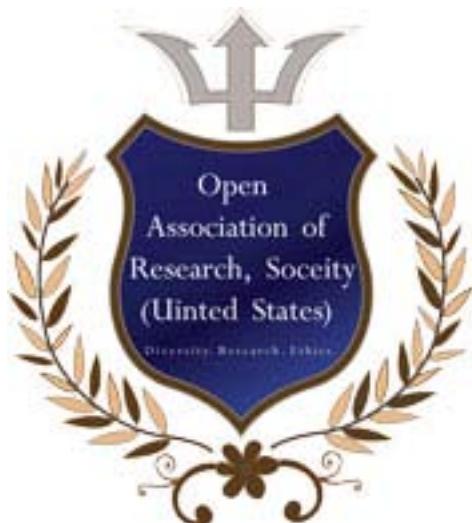


Figure 1:

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<sup>1</sup>© 2012 Global Journals Inc. (US)

<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	Electrical tools and appliance	204 (39.5%)	23 (45.6%)	77 (14.7%)
19	Automobile manufacturing	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/Cassettes	105(20.3%)	55(10.6%)	55(10.6%)	132(25.5%)	100(19.3%)	70(13.5%)
	Players						
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	11.06			
	3				
Consumers in south- eastern	260 69.2	9.50	51	5.1	<..00
	3		5	3	1

Figure 5: Table 3 :



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