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## IMPACT OF ABSENCE OF ANTI-COUNTERFEITING LAWS AND PRESENCE OF LOW PRICE ON CONSUMERS' ATTITUDES TOWARD THE NON-DECEPTIVE COUNTERFEITS IN A DEVELOPING CONTEXT

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### ABSTRACT

Counterfeiting trade is posing a serious threat to the genuine industry all over the world, as it is rapidly growing and expanding in scope. This threat becomes more critical when consumers knowingly buy the counterfeits or fake products. This study examines the impact of low price of non-deceptive counterfeits and absence of anti-counterfeiting laws on consumers' attitude towards the non-deceptive counterfeits and their purchase intentions. To verify the proposed model empirical evidence was collected from a convenience sample of 375 shoppers by using road request survey. Results reveal that lower price of the non-deceptive counterfeits and absence of anti-counterfeiting laws affects both consumers' attitudes toward the non-deceptive counterfeits and their purchase intentions positively. The findings of this study are useful for both policy makers and industry practitioners as they clearly indicate reason of rapid growth and expansion of counterfeiting trade in a developing context.

### KEYWORDS

Absence of Anti-counterfeiting Laws, Attitude, Low Price, Non-deceptive counterfeits, Purchase Intentions.

### INTRODUCTION

The rapid growth of counterfeiting trade is becoming a serious threat to the genuine business all over the world (Bian and Veloutsou, 2007). It captures round about seven percent of the global trade (Ergin, 2010). Since 2005, counterfeiting trade has expanded in value upto \$ 360 billion. It grows approximately at the rate of 22% per annum. Even at the rate of 15 percent per annum counterfeiting trade is expected to grow up to \$960 billion in value by 2015 (Frontier economics, 2011). Previous studies found low price and easy availability as the main reasons for the rapid growth of counterfeits. Consumers prefer to buy counterfeits because of their low price (Bloch, Bush, and Campbell, 1993; Dodge, Edwards, and Fullerton, 1996; Albers-Miller, 1999; Prendergast, Chuen, and Phau, 2002; Harvey and Walls, 2003; Gentry, Putrevu, and Shultz II, 2006; Ergin, 2010). Easy availability of counterfeits provides an opportunity to consumers to buy them (Penz and Stöttinger, 2005; Phau, Sequeira, and Dix, 2009; Stumpf, Chaudhry, and Perretta, 2011). Besides these factors consumers' insensitivity to ethics and word of mouth are important reason persuading consumers to buy counterfeits. Many consumers have favorable attitude towards counterfeits and show little ethical concerns (Lee and Workman, 2011). Word of mouth has positive effect on consumers' attitude towards the counterfeits (Mir, 2011). However, above all these factors absence and weak implementation of anti-counterfeiting laws across the countries is the main force behind the rapid growth of counterfeits. Counterfeits are produced in China, Russia, Argentina, Chile, Egypt, India, Israel, Lebanon, Thailand, Turkey, Ukraine, Venezuela, Brazil, Paraguay, and Mexico. The major reason of counterfeiting trade in these countries is the frail anti-counterfeiting law enforcement (Chaudhry and Zimmerman, 2009). Undelivered punishment to counterfeit traders and buyers encourage the continuation of supply and consumption of illicit products in these countries (Chaudhry and Stumpf, 2011). However, the impact of absence of anti-counterfeiting laws on consumers' attitudes toward the counterfeits has not been addressed sufficiently and most of the work done reflects the western and developed countries perspective. This study intends to fill this gap in literature by recording the impact of absence of anti-counterfeiting laws on consumers' attitudes toward the counterfeits in a developing context. Like other cultural contexts, the purchasing of counterfeits such as pirated CDs is illegal in Pakistan but Pakistani consumers do not follow this legal restriction and are fully involved in the purchasing of counterfeit CDs (Butt, Bhutto, and Siddiqui, 2011). "Pakistan ranks amongst those countries of the world where fake goods and adulterated foodstuffs are sold openly in markets. The sale of counterfeit products, in particular, has become so widespread that according to some circles almost 65% of consumer goods having sold in the country are look-alikes of original products" (Khawaja and Bashir, 2008).

The purpose of this study is to examine the impact of absence of anti-counterfeiting laws on consumers' attitudes toward the counterfeits in Pakistan. Pakistan is passing through a bitter economic crisis. In economic crisis, low price may be an important factor motivating consumers to buy the counterfeits. Therefore, along with absence of law this study also examines the impact of low price of counterfeits on consumers' attitudes towards counterfeits and their purchase intentions. This study is distinctive as it examines the impact of a micro factor (low price) and macro-environmental factor (law) on consumers' attitude towards the counterfeits. Most of the previous studies focused on either micro factors or macro factors. Counterfeiting trade becomes a serious problem when consumers knowingly buy the counterfeits. Such counterfeits are known as non-deceptive counterfeits (Grossman and Shapiro, 1988; Bloch, Bush, and Campbell 1993). The focus of this study is on non-deceptive counterfeits only. As in case of non-deceptive counterfeits, consumers are not betrayed, but they are aware of the fake nature of product. This study treats study weak implementation of anti-counterfeiting laws, failure to punish counterfeiters, government ignorance and unconscious or deliberate negligence as absence of law. More specifically, this study intends to address the following question.

*RQ: Does lower price of non-deceptive counterfeits and absence of anti-counterfeiting laws affect consumer attitude towards the non-deceptive counterfeits and their purchase intentions positively.*

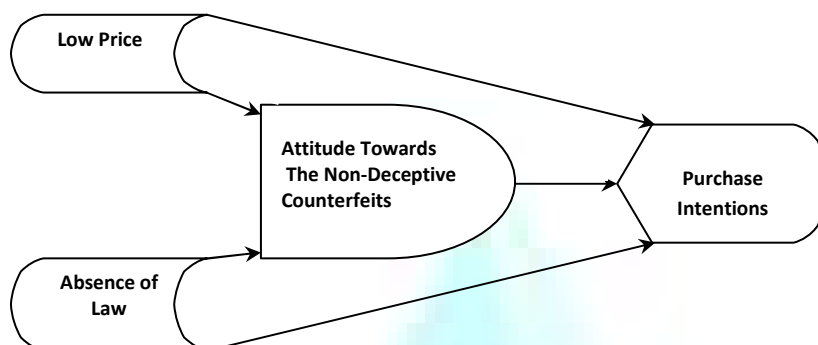
### UNDERLYING THEORIES AND CONCEPTUAL MODEL

#### ATTITUDE TOWARDS COUNTERFEITS

Attitude is an important construct as it explains variations in intentions. Bearden, Woodside, and Clapper (1976) stated that an individual's attitude towards choice objects and situational influence could explain substantial amount of his or her intentions and behavior. Attitude of an individual is his or her inner evaluations of objects, events, and world based on their beliefs (Fishbein and Ajzen, 1975). Attitude affects individuals' intentions that in reaction affect their behavior (Ajzen and Fishbein, 1980). Purchase intentions of an individual are his or her possible plan to purchase the product (Dodds, Monroe, and Grewal, 1991). Purchase intentions are used to predict the purchase behavior of consumer. However, it is not completely a reliable predictor of purchase behavior (Kotler and Keller, 2006). Present study postulates that consumers' attitudes toward the non-deceptive counterfeit products have positive impact on their purchase intentions of the non-counterfeits. Phau and Teah (2009) stated that consumer attitude towards the counterfeits affect their purchase intentions. Some previous studies have found positive relationship between consumer attitude towards the counterfeits and their purchase intentions. For instance, Yoo and Lee (2009) found that consumers' positive attitude towards the counterfeits positively affects their purchase intentions of counterfeits. Generally, consumers hold positive attitude towards the counterfeits (de Matos, Ituassu, and Rossi, 2007; Lee and Workman, 2011). Consumers' positive attitude towards the counterfeits is the results of certain socio-economic, personal, demographic, situational, and psychographic factors. Vida (2007) found that socio-economic variables affect the consumer attitudes towards the counterfeiting that in response affect their willingness to purchase counterfeits. However, the present study focuses on only two factors i.e. low price of the non-deceptive counterfeits and the absence of anti-counterfeiting laws. Cheng, Fu, and Tu (2011) found that when consumers are financially unable to purchase the genuine products at higher price, they turn to counterfeits, which are available at lower prices. Chaudhry and Zimmerman (2009) stated that weak enforcement and improper implementation of anti-counterfeiting laws encourage production and consumption of

counterfeits across the countries. Present study assumes besides the indirect impact, low price of the non-deceptive counterfeits and the absence of anti-counterfeiting laws has direct influence on the consumer purchase intentions. Figure 1 shows the relationships between the constructs of the study.

FIG. 1: PROPOSED MODEL OF CONSTRUCTS OF THE STUDY



### LOW PRICE

Previous researches on the causes of counterfeiting trade show that majority of consumers want to purchase authentic products but higher price of authentic products force them to buy the counterfeits or fakes (Chuchinprakarn, 2003; Chaudhry et al., 2009). Low price of the counterfeits motivates consumers to buy them (Dodge, Edwards, and Fullerton, 1996; Albers-Miller, 1999; Prendergast, Chuen, and Phau, 2002; Harvey and Walls, 2003). Consumers like to buy counterfeits especially when there is a significant difference in prices of the real and fake products (Gentry, Putrevu, and Shultz II, 2006; Ergin, 2010). Present study posits that low prices of the non-deceptive counterfeits have a positive impact on consumer attitudes toward the counterfeits. Staake and Fleisch (2008) found that alike deceptive counterfeits lower prices of the non-deceptive counterfeits positively affects the consumer attitude towards such products. Attitude explains the significant amount of purchase intention and behavior (Bearden et al., 1976), but it cannot explain them 100 percent. Therefore, present study also theorizes that low price of the counterfeits directly impacts the consumers' purchase intentions. Why do consumers prefer to buy low priced counterfeits rather than authentic products? Previous studies identified certain reasons. First, when consumers have low-income level they buy counterfeits (Prendergast et al., 2002; Stumpf et al., 2011). Second, some consumers desire to adopt affluent lifestyles but are financially unable to purchase the premium brands which affluent people use, so they buy the counterfeits of original brands to meet their desires (Gistri et al. 2009). Third, some consumers are price sensitive and they prefer to purchase the low priced counterfeits (Haque, Khatibi, and Rahman, 2009; Gino, Norton, and Dan, 2010).

### ABSENCE OF LAW

Consumers' positive attitude towards the counterfeits and pirated products is the outcome of weak enforcement and improper implementation of anti-counterfeiting laws across the countries (Chaudhry and Zimmerman, 2009). Undelivered punishment to sellers and consumers of counterfeits encourage continued production and consumption of fake products (Chaudhry and Stumpf, 2011). This study posits that absence of anti-counterfeiting laws has positive impact on consumers' attitude towards the non-deceptive counterfeits. Present study treats weak enforcement and improper implementation of anti-counterfeiting laws as the absence of law. Although the Trade Marks Act 1994 clearly increased penalties for those involved in counterfeiting yet law enforcement in this area in UK remains random. Unsystematic law enforcement in the area of counterfeiting encouraged counterfeiting business grew in scope and covered a large area from clothes, CDs, shampoos to vehicle components in UK (Vagg and Harris, 2000). In some countries like USA, counterfeiting problem is expanding in scope either due to lack of proper legal system or due to lack of proper law enforcement. In most of the countries, counterfeiting related laws are not properly implemented due to incompetency and corruption (Hilton, Choi, and Chen, 2004). To discourage counterfeit business in USA Congress passed the Trade Market Counterfeiting Act (TCA) of 1984. However, it failed to stop counterfeiters from transporting the counterfeits into USA. The main reason of this failure is a small chunk of counterfeiters received penalties (Amendolara, 2005). Like other countries, same situation is in Pakistan. Consumers continue to purchase counterfeits and pirated CDs due to the lack of anti-counterfeiting law enforcement (Butt et al., 2011). In case of China situation is worst, as most of the Chinese consumers are unacquainted of legal issues related to counterfeiting (Safa and Jessica, 2005). This study also postulates that absence of anti-counterfeiting law has direct impact on consumers' purchase intentions of the non-deceptive counterfeits.

On the bases of proposed model and above discussion, following hypotheses are stated:

- H<sub>1</sub>. Lower the price of non-deceptive counterfeits, positive the attitude towards them
- H<sub>2</sub>. Lower the price of non-deceptive counterfeits, positive the impact on purchase intentions
- H<sub>3</sub>. Absent the anti-counterfeiting laws, positive the attitudes toward non-deceptive counterfeits
- H<sub>4</sub>. Absent the anti-counterfeiting laws, positive the impact on purchase intentions
- H<sub>5</sub>. Positive the attitudes toward non-deceptive counterfeits, positive the impact on purchase intentions.

### METHOD

A road request (Mall intercept survey) was conducted in the Capital city of Pakistan. Shoppers were intercepted at shopping malls and requested to fill the questionnaire. Survey was conducted in two phases. In phase one, 150-convenience sample was surveyed to examine the validity and reliability of the measurement instrument of the study constructs. The exploratory factor analysis (EFA) section of this study shows the details of phase one. In second phase, 375-convenience sample of shoppers consisting of 58.9 percent male and 41.1 percent females were surveyed. Maximum respondents had income level between Rs.21000-31000 per month. Majority of respondents' ages were between 21 and 27. Average respondents were Graduates. The impact of counterfeiting was examined across different product categories particularly foci of this study was digital products such as cameras, mobile devices, Data traveler devices, digital diaries etc. These products were mentioned in the questionnaire and all the terms used in the questionnaire were defined and explained in the opening statement.

To measure the consumers' attitudes toward the non-deceptive counterfeits scales were adapted from de Matos et al. (2007), Yoo, and Lee (2009). To measure the Low price construct items were adapted from Lee and Workman (2011), Yoo and Lee (2009) and de Matos et al. (2007). To measure the absence of law construct items were adapted from Chaudhry and Stumpf (2011), Lee and Workman (2011) and Phau and Teah (2009). To measure the purchase intentions items were adapted from de Matos et al. (2007). Low price, absence of law and attitude constructs were measured on five point likert scale whereas purchase intentions were measure on three point comparative scale.

### EXPLORATORY FACTOR ANALYSIS

For the purpose of exploratory factor analysis (EFA) data was collected from a convenience sample of 150 shoppers. Data from Smaller sample size such as 150 respondents is adequate for EFA if the factor loadings of maximum items is greater than 0.80 (Tabachnick and Fidell, 2007). Kaiser-Meyer-Olkin (KMO) test was conducted which examines the adequacy of sample. Its value should be between 0 and 1. However, value closer to 1 reflects that the patterns of correlation among the items of constructs are compact. In the present study KMO value is .637 which shows that patterns of correlation among the items are comparatively



compact (Field, 2000). Only those items were included in the questionnaire for main survey whose factor loadings were more than 0.60. Cronbach alpha was used to measure the reliability of the items of the constructs. Table 1 shows the factor loadings of the items, reliability, Eigen value, KMO, and other important values of the EFA.

TABLE 1: MEASUREMENT ITEMS OF STUDY CONSTRUCTS

Constructs	Measurement	Factor Loadings	Reliability
Attitude	Non-deceptive counterfeit products attract me as they are available at lower prices	.814	.679
	Buying non-deceptive counterfeit products benefits the economically stretched consumers	.821	
	There is little chance of being caught when purchasing a non-deceptive counterfeit product	.686	
	I prefer to buy non-deceptive counterfeit products because genuine products are over priced	.845	
Purchase Intentions	I think about a non-deceptive counterfeit product as a choice when buying personal and household products	.741	.705
	I will buy a non-deceptive counterfeit product	.755	
Low Price	I prefer to buy non-deceptive counterfeit products because price of genuine brands is very high	.770	.720
	Without non-deceptive counterfeit products many people will not be able to buy certain products	.782	
	I Like to purchase non-deceptive counterfeit products if I cannot afford genuine products.	.816	
	Low priced non-deceptive counterfeit products generally benefit the lower income consumers	.722	
Absence of Law	Non-deceptive products are available in my local area	.788	.684
	In every shop, non-deceptive counterfeit products are available	.798	
	There is no legal problem in obtaining a non-deceptive counterfeit Product	.781	
	Legal enforcement agencies do not bother the selling and buying of non-deceptive counterfeit products	.817	
	Law enforcement agencies do not discourage the sale of non-deceptive counterfeit Products	.815	
Percentage of variance			26.133
Eigenvalue			3.920
KMO			.637
Barlett's test of sphericity			.000

## RESULTS AND HYPOTHESES TESTING

Responses of 375 shoppers surveyed in the second phase of this study were used for model and hypotheses testing. Enter method of regression was applied to examine the impact of low price of non-deceptive counterfeits and the absence of anti-counterfeiting laws on consumers' attitude towards the non-deceptive counterfeits and their purchase intentions. Table 2 shows the overall details of regression results. First, the impact of low price of non-deceptive counterfeits and absence of anti-counterfeiting laws on consumer attitude towards the non-deceptive counterfeits was examined.  $F_{(2, 372)} = 53.952$  and  $R = .474$  indicate that model is significant at the 5 percent level of significance as  $p < .05$ .  $R^2 = .225$  indicates that low price of non-deceptive counterfeits and absence of anti-counterfeiting laws account 22.5 percent variation in consumers' attitudes toward the non-deceptive counterfeits. Low price of non-deceptive counterfeits with  $p = .002$  ( $p < .05$ ),  $\beta = .474$  and  $t = 10.260$  supports the hypothesis ( $H_1$ ) that lower the price of non-deceptive counterfeits, positive the attitude towards them. Similarly, absence of anti-counterfeiting laws with  $p = .000$  ( $p < .05$ ),  $\beta = -.147$  and  $t = -3.181$  supports the hypothesis ( $H_3$ ) that absent the anti-counterfeiting laws, positive the attitudes toward non-deceptive counterfeits. In other words, these results verify the statement that the presence of low price and absence of anti-counterfeiting laws positively affect the consumer attitudes toward the non-deceptive counterfeit products across the different product categories in developing countries like Pakistan.

Second, the direct impact of low price of non-deceptive counterfeits and absence of anti-counterfeiting laws on consumers' purchase intentions was examined.  $F_{(2, 372)} = 36.162$  and  $R = .403$  indicate that model is significant at the 5 percent level of significance as  $p < .05$ .  $R^2 = .163$  indicates that low price of non-deceptive counterfeits and absence of anti-counterfeiting laws account 16.3 percent variation in consumers' purchase intentions of the non-deceptive counterfeits across different product categories. Low price of non-deceptive counterfeits with  $p = .000$  ( $p < .05$ ),  $\beta = .406$  and  $t = 8.451$  supports the hypothesis ( $H_2$ ) that lower the price of non-deceptive counterfeits, positive the impact on purchase intentions. Similarly, absence of anti-counterfeiting laws with  $p = .026$  ( $p < .05$ ),  $\beta = -.107$  and  $t = -2.238$  supports the hypothesis ( $H_4$ ) that absent the anti-counterfeiting laws, positive the impact on purchase intentions.

Third, the relationship between consumers' attitudes toward the non-deceptive counterfeits and their purchase intentions was measured.  $F_{(1, 373)} = 65.931$  and  $R = .388$  indicate that model is significant at the 5 percent level of significance as  $p < .05$ .  $R^2 = .150$  indicates that positive attitude towards the non-deceptive counterfeits accounts 15 percent positive variations in consumers' purchase intentions of the non-deceptive counterfeits. Consumers attitude towards the non-deceptive counterfeits with  $p = .000$  ( $p < .05$ ),  $\beta = .388$  and  $t = 8.120$  supports the hypothesis ( $H_5$ ) that positive the attitudes toward non-deceptive counterfeits, positive the impact on purchase intentions.

TABLE 2: IMPACT OF LOW PRICE OF NON-DECEPTIVE COUNTERFEITS AND ABSENCE OF ANTI-COUNTERFEITING LAWS ON CONSUMER ATTITUDE AND PURCHASE INTENTIONS

Interaction between variables	$\beta$	t	R	$R^2$	df1	df2	F	P
Attitude	1.874	10.179	.474	.225	2	372	53.952	.000
Low Price	.474	10.260						.000
Absence of Law	-.147	-3.181						.002
Purchase intentions	1.027	7.791	.403	.163	2	372	36.162	.000
Low Price	.406	8.451						.000
Absence of Law	-.107	-2.238						.026
Purchase Intentions	.783	9.048	.388	.150	1	373	65.931	.000
Attitude	.388	8.120						.000

## DISCUSSION

Counterfeiting trade is appearing as a serious threat to the genuine industry across the countries (Bian and Veloutsou, 2007). It is rapidly growing and expanding in scope. Various factors such as low price and easy availability of counterfeits, materialism and so on have been identified as main reasons for the growth of counterfeits across the different cultural contexts. Chaudhry and Zimmerman (2009) stated that major cause of rapidly growing and expanding counterfeiting trade in different countries is due to their frail anti-counterfeiting law enforcement. Undelivered punishment to counterfeit traders and buyers encourage the supply and consumption of counterfeits (Chaudhry and Stumpf, 2011). Besides fragile anti-counterfeiting legal system, low price of counterfeits is counted as a main reason behind the growth of counterfeiting trade. Consumers across the cultural contexts like to buy counterfeits because of their low prices (Bloch et al., 1993; Dodge, et al., 1996; Albers-Miller, 1999; Prendergast et al., 2002; Harvey and Walls, 2003; Gentry et al., 2006; Ergin, 2010). Present study examined the impact of these two vital factors on consumer attitude towards the non-deceptive counterfeits in the Pakistani context. "Pakistan ranks amongst those countries of the world where fake goods and adulterated foodstuffs are sold openly in markets. The sale of counterfeit products, in particular, has become so widespread that according to some circles almost 65% of consumer goods having sold in the country are look-alikes of original products" (Khawaja and Bashir, 2008). Pakistani consumers do not follow the anti-counterfeiting laws and are fully involved in the purchase of counterfeit CDs (Butt et al., 2011). Counterfeiting becomes a

serious threat especially when consumers knowingly buy illicit products (Mir, 2011). Such illicit products are named as non-deceptive counterfeits (Bloch et al., 1993).

The results of the present study reveal that the low price of non-deceptive counterfeits have positive affect on both consumers' attitude towards the non-deceptive counterfeits and their purchase intentions. This finding is consistent with previous studies conducted in different cultural contexts. Consumers hold positive attitude towards the fake products, as they are available significantly at lower prices. Consumers prefer to purchase fake products, as original products are expensive (Gentry et al., 2006; Chaudhry et al., 2009; Ergin, 2010). Similarly, results reveal that weak anti-counterfeiting law enforcement, deliberate negligence of law enforcement agencies to halt the counterfeiting supply and consumptions lays the positive effects on consumer attitudes towards the non-deceptive counterfeits and motivate them to purchase and consumer fake products without any fear. This finding is in line with the findings from western contexts. Unsystematic law enforcement in the area of counterfeiting encouraged counterfeiting business grew in scope and covered a large area from clothes, CDs, shampoos to vehicle components in UK (Vagg and Harris, 2000). To discourage counterfeit business in USA Congress passed the Trade Market Counterfeiting Act (TCA) of 1984. However, it failed to stop counterfeiters from transporting the counterfeits into USA. The main reason of this failure is a small chunk of counterfeiters received penalties (Amendolara, 2005). In short, empirical findings answered the research question posed in this study that lower price of non-deceptive counterfeits and absence of anti-counterfeiting laws affect consumer attitude towards the non-deceptive counterfeits and their purchase intentions positively. The results of this study imply that governments should implement the anti-counterfeits laws and regulations strictly to halt this phenomenon. However, at the same time genuine industry should not make unnecessary increase in the prices of their products. High prices of genuine products force most of the consumers to embrace the counterfeits particularly in developing countries like Pakistan.

## CONCLUSION

This study examined the impact of absence of anti-counterfeiting laws and low price of non-deceptive counterfeits on the consumers' attitudes toward the non-deceptive counterfeit products and their purchase intentions. The empirical evidence verified that both of these factors motivate consumers to purchase and consumer fakes particularly non-deceptive counterfeits. The findings of this study are useful for both policy makers and industry practitioners as they clearly indicate reasons of rapid growth and expansion of counterfeiting trade in developing and developed contexts.

This study is not without limitations. First, this study used convenience sampling that makes the generalization of findings skeptical. Second, weak law enforcement, negligence of government agencies to halt the counterfeiting supply and consumption and other related variables were treated as a single construct i.e. absence of law. Future studies should examine the impact of these factors separately.

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