

## Intellectual Property Investigations: Anti-Counterfeiting and Diversion

K2 Integrity is a global risk, compliance, investigations, and monitoring firm—built by industry leaders, driven by interdisciplinary teams, and supported by cutting-edge technology to safeguard our clients' operations, reputations, and economic security.

### Addressing Client Needs

As companies face persistent threats like counterfeiting, grey market diversion, and illicit trade, it is critical for them to take the appropriate steps to protect their brands, reputations, and intellectual property. From pharmaceutical products to medical device technologies to consumer goods, the failure to protect key corporate assets can result in significant harm to the health and safety of customers and the brand owner's reputation.

### Our Clients Include:

- ▶ Public and Private Companies
- ▶ Fortune 500 Corporations
- ▶ Law Firms

### Our Approach

When a brand owner identifies a serious counterfeit or diversion issue, K2 Integrity works to quickly and effectively develop actionable intelligence on bad actors through the appropriate combination of open-source research and data analysis, evidentiary test purchases, and human source inquiries. Our intelligence gathering is instrumental in helping clients trace counterfeit product back from its point of entry to its source and to understand the methods by which their products are being diverted.

K2 Integrity helps clients get smart about a counterfeiter's background, including bringing to light the bad actor's associated business network and geographic footprint, as well as any previous involvement in counterfeiting or diversion schemes. In instances where a client is contemplating litigation, we also search for assets to help determine the likelihood of potential monetary recovery.

For complex investigations that proceed to litigation, we work closely with our client's internal stakeholders and outside counsel to support the litigation from the first phase through post-judgment recovery, ensuring that our clients are supported and well informed at every step.

Each investigation is tailored to the needs and priorities of the client and takes into account the client's industry and geography. K2 Integrity brings together a multidisciplinary team of professionals who understand the unique complexities of protecting a company's brand and its products—leveraging the investigative acumen of practitioners with backgrounds in law enforcement, investigative journalism, and the prosecutorial and intelligence sectors, along with subject-matter expertise in data analytics, cyber crime, and forensic accounting, to help secure and protect valuable assets from both internal and external threats.

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## Clients rely on our ability to:

- Quickly and efficiently develop actionable intelligence on the businesses and individuals involved in counterfeiting or diversion schemes wherever they are located.
- Work closely with internal stakeholders and outside counsel as appropriate.
- Coordinate and execute civil seizure orders.
- Identify sizable assets held by counterfeiters or diverters, either to assess the feasibility of monetary recovery or for post-judgment enforcement.

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## Anti-Counterfeiting Case Studies

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### An International Investigation into Counterfeit Surgical Supplies

K2 Integrity was retained to investigate the supply chain of several surgical products manufactured by an international pharmaceutical company after counterfeit versions were found in U.S. hospitals. As these products are routinely used in surgery, a non-sterile and ineffective counterfeit posed serious health concerns.

Through a combination of open-source research and on-the-ground intelligence gathering, evidentiary test purchases, surveillance, and civil seizures, K2 Integrity worked with the client and outside counsel to trace the path of the counterfeits from the United States through the Middle East and ultimately to India, where the counterfeiter's operation was successfully shut down.

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### An Investigation into Counterfeit Prescription Medication

Working on behalf of a major pharmaceutical company, K2 Integrity was retained to investigate a vast and well-organized network of prescription drug traffickers selling counterfeit prescription medications. The investigation has included the following broad components:

- **Open-Source Research:** K2 Integrity conducted open-source and public-records-based research into defendants and other individuals of interest.
- **Planning and Execution of Federal Civil Seizure Orders:** K2 Integrity planned, organized, and executed over 25 civil seizures across seven states, in coordination with law enforcement, outside counsel, and computer forensics technicians.
- **Data Review and Analysis:** K2 Integrity conducted review and analysis of materials obtained from third parties, including banking data, telephone records, casino records, emails, and mobile communications, among other sources. K2 Integrity also ingested and analyzed hundreds of thousands of banking transactions to support counsel in documenting suspected fraud, identifying new leads, and tracing assets.

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## Key Contacts



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