

**It's a
FAKE!**

LESSON 1: INTRODUCING THE TERMS



(1) In the chart below, try to match the phrases in the first column with the statements that are most close to their meaning.

PHRASES USING THE WORD 'FAKE'	MEANING
With her hair color out of a bottle, her tan from a sun bed and her false eyelashes, she just looks so fake.	He's not genuine; he's a liar.
He's always lying to me about where he's been and who he's spending time with. He's just a fake!	She forged her husband's signature.
The flowers in the vase looked so realistic but actually they were fake.	The painting was a forgery.
She faked her husband's signature on a really important form.	She has an unnatural physical appearance.
I thought the painting was an original work of art by a really famous artist but it turned out to be a fake.	The flowers were artificial.

(2)) Look up the word 'fake' in a dictionary or online. Make a list of all the synonyms (or words with the similar meaning) you can find.

Some of these synonyms will have very negative connotations and associations while others may be neutral. Once you have collected your list, try to sort them into words that have negative associations and words that are more neutral

Look again at your list - which words could be used to describe a product you might buy in a shop, a market or online? For example: **forged** – *I bought a signed copy of David Beckham's autobiography online but when I received it, the signature looked **forged**.*



(3) The history of the word 'fake' helps us understand its significance today. The word was first recorded being used in London criminal slang as an adjective in 1775 to mean 'counterfeit'. In 1812, it was recorded as a verb meaning 'to rob' while in 1851, it was used as a noun to identify a false deal, such as a 'swindle'. In 1888, 'fake' was used as a noun to identify a person trading in false deals – 'a swindler'.

Look at the following extracts taken from classic nineteenth century novels. The synonyms for 'fake' have been highlighted in each extract. In some contexts the word refers to a criminal act but in others it is used to exaggerate a social or personal attitude that is seen to be unacceptable.

Read through each extract deciding whether the highlighted word is referring to a criminal act or to something else.

LESSON 1: INTRODUCING THE TERMS



EXTRACT FROM NOVEL	ILLEGAL ACT OR SOMETHING ELSE?
<p>Mrs. Weston proposed having no regular supper; merely sandwiches, &c., set out in the little room; but that was scouted as a wretched suggestion. A private dance, without sitting down to supper, was pronounced an infamous fraud upon the rights of men and women; and Mrs. Weston must not speak of it again.</p> <p><i>Emma (1815) - Jane Austen</i></p>	
<p>'I scorn the counterfeit sentiment you offer: yes, St. John, and I scorn you when you offer it.'</p> <p><i>Jane Eyre (1847) - Charlotte Bronte</i></p>	
<p>The interval between that time and supper, Wemmick devoted to showing me his collection of curiosities. They were mostly of a felonious character; comprising the pen with which a celebrated forgery had been committed, a distinguished razor or two, some locks of hair, and several manuscript confessions written under condemnation - upon which Mr. Wemmick set particular value as being, to use his own words, 'every one of 'em Lies, sir.'</p> <p><i>Great Expectations (1861) - Charles Dickens</i></p>	
<p>The counterfeits of the past assume false names, and gladly call themselves the future. This spectre, this past, is given to falsifying its own passport. Let us inform ourselves of the trap. Let us be on our guard. The past has a visage, superstition, and a mask, hypocrisy. Let us denounce the visage and let us tear off the mask.</p> <p><i>Les Misérables (1862) – Victor Hugo</i></p>	
<p>Millions of men perpetrated against one another such innumerable crimes, frauds, treacheries, thefts, forgeries, issues of false money, burglaries, incendiarisms, and murders as in whole centuries are not recorded in the annals of all the law courts of the world, but which those who committed them did not at the time regard as being crimes.</p> <p><i>War and Peace (1869)- Leo Tolstoy</i></p>	

LESSON 1: INTRODUCING THE TERMS



(4) Some of these examples from nineteenth century novels include the words forgery and fraud in a criminal sense.

In the twenty-first century producers of forgeries, fakes and counterfeits, in addition to obtaining money by fraud, are often breaking modern copyright or trademark laws, which is a crime in its own right.

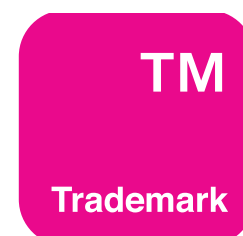
Look at these definitions of the words copyright and trademark. Then, with a partner, work through the task below.

COPYRIGHT protects the authors or creators of original work. This includes literary, dramatic, musical, artistic and other intellectual works, including works of artistic craftsmanship. If you created the work, then in general *only you* have the right to do the following (or let others do the following) –

- make copies of your work;
- distribute copies of your work;
- perform your work (such as plays, poems, dances or music) in public;
- show or play your work (such as films, sound recordings or broadcasts) in public;
- adapt your work (such as books, music or plays) into another form.



TRADEMARK is a distinctive sign used in trade. Trademarks tell us the source of products and services. They are usually words and / or designs. Think of the name of your favourite chocolate bar, your favourite jeans or your favourite social media network – they're all trademarks.



Copyright and trademarks are important examples of what we call “intellectual property” or “IP”. They are a kind of property, protected by the law, that results from artistic creativity or a reputation in business.

Now look at this chart below. In the first column is a description of a new product. Read it carefully with a partner and decide whether you think it could be a breach of copyright law, trademark law, both or neither. Indicate your answer in the second column. In the third column, list any further information you would need before making a final decision.

LESSON 1: INTRODUCING THE TERMS



SCENARIO	BREACH OF COPYRIGHT OR TRADEMARK LAW?	FURTHER INFORMATION REQUIRED?
Mr Roberts manufactures cheap running shoes. He wants them to look like a well-known brand so has copied the NIKE logo and tick symbol into his shoes.		
Rizwan created an original video about his home town which he plans to sell to tourists as a DVD. He did not have the equipment to create his own soundtrack so downloaded a popular song from iTunes and included this in his video.		
Mrs Ojo runs her school's drama department. She photocopied twenty-five copies of a well-known musical and distributed them to students for their rehearsals.		
Mrs Smith has a company producing plastic handbags that she has made look like the high-end brand Prada. The designs are a straight copy and the name of the brand looks exactly like the original.		
Li Wu is a jewellery designer who has produced an original collection of pieces that she called The Lady Gaga Assembly, copied from photos of jewellery worn by the star.		

(5) Extension activity: Choose one of the scenarios in the chart above. Imagine you are a lawyer working for one of the companies whose trademark or copyright may have been infringed by the actions of these people. Draft a letter or an email to them explaining the evidence you have and the reasons you are writing to them. Depending on which one you choose, you may request further information or you may instruct them to remove their product from the market.

LESSON 2: COPYRIGHT PROTECTION



(1) The creators of almost all of our entertainment will have their rights protected by copyright law. This lesson will help you think about what this means.

In the first column of the chart below, is a list of entertainment products that have all been created by an individual or a team. In the second column, try to come up with three examples of this product that you and / or your family may have at home. In the third column, say where the product was purchased.

PRODUCT	EXAMPLE	WHERE IT WAS PURCHASED
Music		
Movies		
Books		
Computer games		
Board games		
Wall poster / picture		

(2) Copyright protects the authors and creators of these original works. It is in general illegal to make a copy of someone's work without permission, save for your own personal use. Discuss these questions with a partner:

- How would you feel if someone copied something you created? Has that ever happened? If so, explain the situation.
- Have you (or your family) ever purchased a product (e.g., music DVD or movie) that you later discovered was a fake? How did it make you feel? What did you (or your family) do about it?
- Have you ever been asked to buy fake products?
- If you bought the fake products – or were tempted – why was this?
- If not, what stopped you?

LESSON 2: COPYRIGHT PROTECTION



(3) Some people justify buying pirated products in a range of ways. In the left hand column below, are a series of these justifications. In the other column are some of the counter arguments. Read through both columns carefully and try to match up the argument that most effectively challenges the so-called justification.

JUSTIFICATION FOR BUYING PIRATED PRODUCTS	COUNTER ARGUMENT
The music and movie production companies are so rich they don't need all the money from us buying their expensive versions.	Piracy is akin to theft. Millions of pirate copies of movies, games and music are made each year, which has a huge impact on people who work in the creative industries.
The artists don't even get any of the money from the purchase of official DVD and downloads.	Many popular films and music are freely available on radio and television. If you really care about poverty, then people need jobs in safe working conditions. Illegal traders who do not pay taxes and don't pay a fair wage to workers control piracy. It's these people who keep people poor.
It's not like we're stealing from a person. These big companies don't suffer from a few hundred copies being made of their movies and music.	The people who are employed producing pirate copies of movies, music and games have no workers' rights and often work in unsafe conditions. Child labor is used to produce some pirate and counterfeit goods and people who sell the products are at risk of arrest. Piracy is part of an illegal economy.
We're helping poor people because otherwise they wouldn't be able to hear or see any of this popular stuff.	The production companies employ a large number of people whose salaries and wages are paid partly by the sales of music and movies.
We're keeping people in employment by producing this alternative economy.	Copyright law ensures that artists receive a percentage of the sales price when a DVD or download is purchased. If we buy pirated versions, the artists don't receive any money. Criminals sometimes use IP crime to finance other criminal business activities.

(4) If you have access to the Internet, watch these video clips about Valérie Kaboré and Wanjiru Kinyanjui, filmmakers from Burkina Faso in West Africa from Kenya in East Africa:



LESSON 2: COPYRIGHT PROTECTION



After watching these clips, make a list of all the ways in which a national filmmaking industry can reduce poverty and unemployment in countries in the developing world.

How does piracy damage such industries? Why is copyright law so important to these filmmakers?

(5) Look at the statements below and discuss with your partner which ones you think are true and false.

STATEMENT	TRUE or FALSE
Copyright does not last forever.	
If a product is in the 'public domain' it means it is freely available to be copied.	
If you're not making money out of a website, you can upload any video or music that you like.	
You can use a short clip lasting up to one minute from a movie or video clip in your own movie or website without asking permission.	
Copyright status is only for well-known, professional authors, musicians, artists and filmmakers.	
You bought an official DVD of a Star Wars movie in a shop. It would be illegal to then sell it on EBay.	
You read an online article on a news website about the health risks of smoking. If you quote from the article in your school essay on this topic you will be breaching copyright.	
You write a brilliant poem that wins a national competition. You did not register your poem before you submitted it to the competition. You are no longer eligible to protect it by copyright.	

(6) **Extension:** In a group of four, use a dictionary to define the words below. Some of these words are included in the answers from the activity above. Once you have found definitions for each word, decide as a group which four words you think are the most important to help young people understand the significance of copyright law. Then each person in the group chooses one word to illustrate as a poster in order to raise young people's awareness of this topic:

- Copyright
- Fair use
- Public Domain
- File-sharing
- Piracy
- Plagiarism
- Infringement

LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



(1) Read through these different scenarios and think about the characters involved in each. In pairs and groups, role-play some of the scenarios thinking about how the different characters might respond and why.

Scenario #1: Carmen works on a market stall selling pirate DVDs. A young woman approaches the stall bringing back a DVD that she bought the day before which didn't play properly. She asks for her money back. Carmen refuses.



Characters x 2

Carmen is twenty years old. She has a two-year-old child who is looked after by her mother when she's at work. A man called Mr Carlos owns the market stall but Carmen has only met him once. The stall is set up and packed away each day by Mr Carlos' son but he is never around during trading hours.

The young woman shopper does not realise the goods are pirated. She has a receipt for her purchase and says this entitles her to a refund for faulty goods. She says Carmen can send the DVD back to the manufacturer.

Scenario #2: Nigel is in a bar with his old school-friend Daniel. Daniel explains that he is building a web site through which people will be able to watch films and TV programmes, especially new cinema releases. The web site will carry advertisements, which Daniel believes will earn a lot of money. He asks Nigel to help with the creation of the site and to publicize it to his family and friends. Nigel is concerned that the films and programmes will be pirated copies.



Characters x 3

Nigel is nineteen years old. He lives with his family and is a student on a computer science course. He doesn't have much money.

Daniel is the same age but has been working since he left school at sixteen. He has a little bit more money. He knows that what he is proposing is illegal, but he needs Nigel's skills to finish the web site.

LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



Scenario #3: Marco gives his girlfriend Hathai a box set of DVDs of her favourite TV series. He buys it from a kiosk in the city's high street. She is very excited to receive it but when she plays them at home, none of them work properly.



Characters x 2

Marco doesn't have much money but likes to buy his girlfriend the best things he can. He wanted to impress her with this present. He doesn't like confrontations with people and doesn't want to get anyone into trouble.

Hathai doesn't want to upset her boyfriend who she knows is very generous but she thinks she has to tell him that they didn't work. She thinks they have a responsibility to stop the same thing happening to other people.

(2) For discussion

Thinking about these scenarios, what can you identify as some of the key problems with dealing with pirate copies?

How might you be able to overcome some of these problems?

Make up your own scenarios showing how pirated products can create difficulties for those who trade them and those who buy them.

(3) Here are some arguments why we should think about the people behind the pirated goods. Read through these points carefully. Do you think they are right? Choose **THREE** points that you think are the most serious and present them to your class in one of the following formats:

- a poster
- a poem
- a radio or TV advert

Piracy....

... Is wrong: Artists, authors and performers, and all the people who work with them to produce enjoyable or valuable products deserve to be paid. Pirates do not pay anything back to the people who make the work.

... Could be expensive: Downloading or streaming from illegal websites could put you at risk for identity theft and malware - which can steal your personal or credit card information.

... Is illegal: Piracy is illegal and obtaining pirated products supports criminals.

LESSON 3: PROBLEMS WITH TRADING PIRATE PRODUCTS



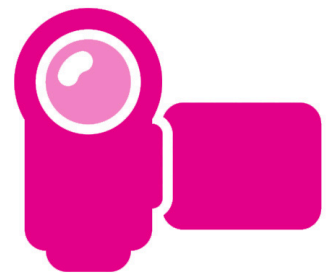
... **Costs the public:** People who deal in pirate and fake goods do not pay taxes, meaning less money for schools, hospitals, parks and other social programs.

... **Supports bad working conditions:** People who manufacture pirate and counterfeit products do not pay their employees fair wages or benefits, impose poor working conditions and sometimes even use forced or child labor.

... **Supports organized crime:** The profits from sales of pirated goods have been linked to organized crime.

... **Hurts legitimate companies:** Many copyright works, especially films and computer games, cost a lot to make, because many skilled people are involved. People who manufacture pirated goods seek to profit unfairly from another person's investment. The lost sales and profits that result from this unfair competition translate into lower wages and lost jobs, and reduced numbers of new works.

(4) **Extension:** Revisit your role-play scenarios and try to draft a script based on some of the different characters. To help illustrate more vividly the negative impact on families of pirating, you can develop, change and create new characters. If you have access to stills cameras or video cameras try to capture visually some of the key scenes. Keep these images safe as they could be used in the final presentation at the end of this unit of work.



LESSON 4: LEGALITY AND ETHICS

(1) Legality means an act is in accordance with the law. Ethics is about concepts of right and wrong behaviour. Some actions may be legal but in some people's opinion not ethical. For example, testing medicines on animals is legal in many countries but some people believe it is not ethical. With a partner, read through this list of actions and discuss which ones you think are against the law and which ones are unethical. Is this always the same?

- Telling a lie
- Not wearing a seatbelt when travelling in a car
- Carrying a knife in public
- Riding a bicycle without lights at night
- Buying a pirated DVD
- Skipping the fare on a bus
- Chopping down a very old tree on your property
- Working a thirteen hour shift at work without a break
- Eating meat
- Killing a chicken

How does the seriousness of these different actions depend on the circumstances? Explain your views.

(2) Read these two case studies of innovative start up companies then discuss the question below.

Case Study #1

A company in Panama, South America bottles fresh spring drinking water. The water is sourced ethically with no negative impact on the environment. Research was undertaken to ensure the water was safe to drink and that pipelines did not cause damage to the natural environment. Over two hundred workers are employed legally in the bottling factory where their working conditions meet government standards. The water is exported as a trademarked brand to nearby South American countries and the company continues to make profit. (see: <http://www.wipo.int/ipadvantage/en/details.jsp?id=3697>)



Case Study #2

A company based in the USA and Nigeria has produced an ingenious electronic gadget which looks like a football and captures kinetic energy when played with. This energy can then be used to power small electronic devices such as reading lamps or mobile phones. Research was undertaken to ensure children could play with the ball safely, especially in wet conditions. The raw materials required to manufacture the ball were sourced legally and with care for the environment. The product has created legal employment for people and an increasing number of people in the developing world have benefited from the electricity created. (see: <http://www.wipo.int/ipadvantage/en/details.jsp?id=3688>)

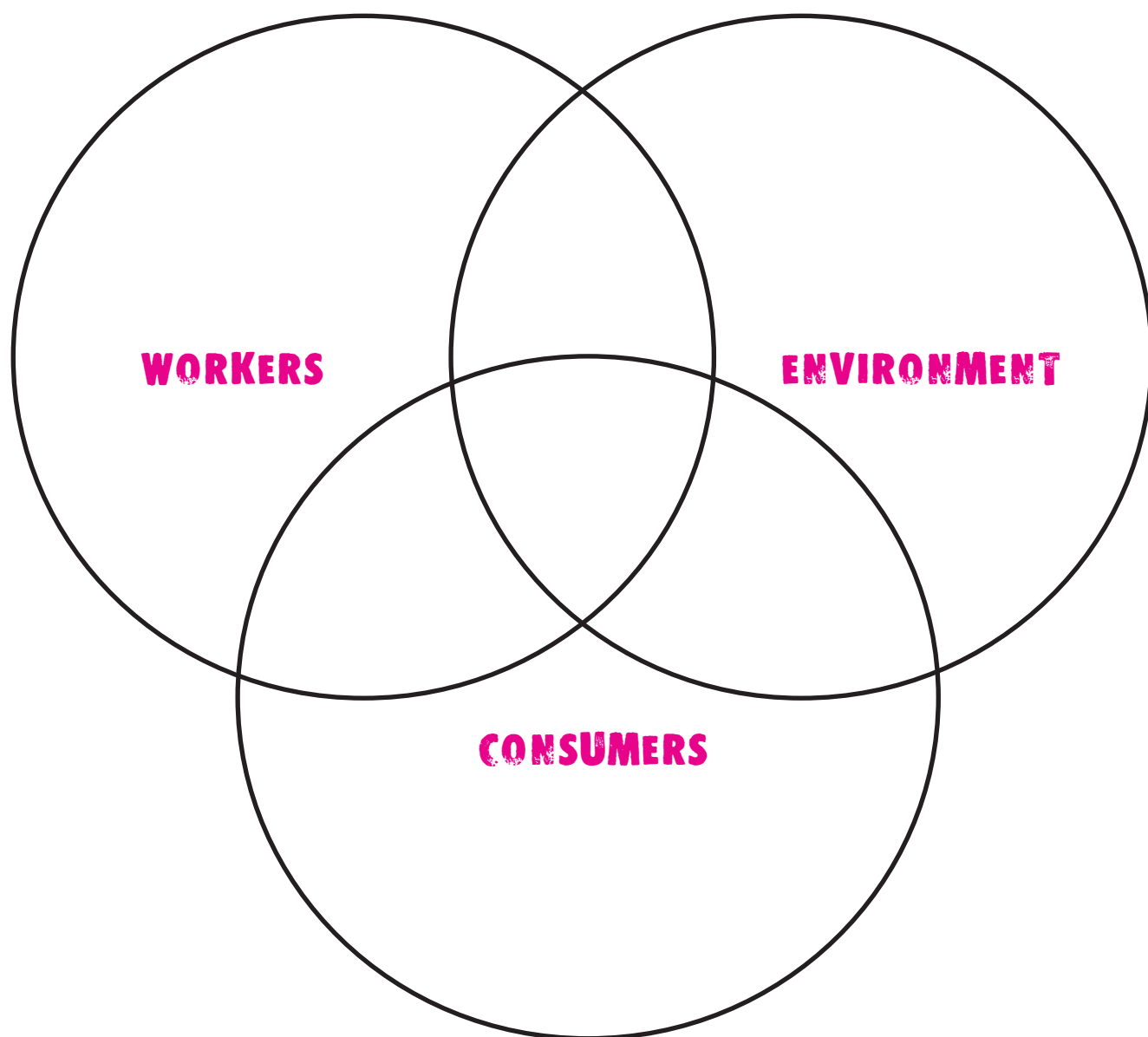


Discuss

Imagine if a counterfeiting organisation copied the branding of the bottled water and the football gadget. What do you think would be the negative consequences and possible dangers for the workers, the consumers and the environment?

LESSON 4: LEGALITY AND ETHICS

2) Look at this Venn diagram setting out three groups that can be affected by fake products. With a partner, try to place the words and phrases below into the appropriate section or subsection of the diagram. Remember that some factors may impact on more than one group.



Raw materials dangerously sourced
 Poor working conditions
 Unregulated production
 Illegal pay
 Poor quality of product
 Natural environment destroyed

Pollution
 Toxic elements in products
 Waste products from manufacturing unsafely discarded
 Unpaid taxes
 Lost job opportunities
 Loss of income

Discuss

Now think about the Intellectual Property owner or the creator(s) of the original product. How do you think this person (or team of people) is affected by the creation of fake goods?

LESSON 4: LEGALITY AND ETHICS



(3) In the first column of the chart below, are a series of quotes from a range of sources. Some raise legal problems – that is, they breach the law. Others raise ethical problems – that is, they disregard common concepts of right and wrong.

Read them all through carefully and decide whether they raise a legal or an ethical problem – or both.

The fake goods were sold at markets across London, as well as Kempton Market in Surrey and car boot sales around the country. Items were also sold on eBay and on a Facebook page. - News report, Havering London Borough Council, 16 September 2014 http://www.havering.gov.uk/Pages/News/Ring-leader-of-counterfeit-goods-outfit-sentenced-to-30-months-in-prison.aspx	<p>LEGAL PROBLEM</p> <p>OR</p> <p>ETHICAL PROBLEM</p> <p>OR</p> <p>BOTH?</p>
The analysis shows that criminal networks and organized crime thrive via counterfeiting and piracy activities. - Source Research report, Organisation for Economic Co-operation and Development, 2007 http://www.oecd.org/sti/38707619.pdf	
We were able to buy must-have items such as a fake Louis Vuitton satchel for £15, counterfeit Jimmy Choo shoes for £10, fake Beats headphones for £5 and a “Nike England” shirt for £20, all way below prices for the real thing. - Source Newspaper article, 15 June 2014: http://www.mirror.co.uk/news/uk-news/counterfeit-street-sunday-mirror-investigates-3695230	
Based on our investigations, we have confirmed that there are counterfeit ... products in the market that are not equipped with protective devices to meet Canon’s designated quality standards. As a result, when they are used with cameras or video camcorders, or charged, they can cause overheating, leakage, ignition, rupture, and other malfunctions in the products they are used with. In the worst case, not only could these counterfeit products damage the cameras and video camcorders in which they are used, but also could cause fire, burns, blindness and other serious accidents and injuries. - Source Product Advisory, Canon U.S.A., Inc.: http://www.cla.canon.com/cla/en/consumer/product_advisories/ProdAdv/0901e02480b7cdf4	
“If you are selling fake things, you are hurting the city, hurting legitimate businesses.” - Source Newspaper article, New York Times, 9 October 2006 http://www.nytimes.com/2006/10/09/nyregion/09bazaar.html?pagewanted=1&r=1&	
We are seeing a significant increase in the manufacture, trade and distribution of counterfeit, stolen and illicit medicines and medical devices. Patients across the world put their health, even life, at risk by unknowingly consuming fake drugs or genuine drugs that have been doctored, badly stored or that have expired.” – Source Interpol http://www.interpol.int/Crime-areas/Pharmaceutical-crime/Pharmaceutical-crime	

(4) Extension: If you have access to the Internet, search this database of case studies to find examples of innovative brands successfully producing new trademarked products whilst protecting the environment and respecting workers’ and consumers’ rights:

http://www.wipo.int/ipadvantage/en/search.jsp?ins_protection_id=&focus_id=573

Make a list of three of your favourite products giving reasons for your choice.

LESSON 5: AWARENESS-RAISING CAMPAIGNS



(1) In a fair and just society, the rights of workers should be protected. Look at this list of possible workers' rights.

- Fair wages
- Regular breaks during shifts
- Holiday pay
- Sickness pay
- Healthy and safe working conditions
- Trade union membership
- Maternity / Paternity leave
- Pension scheme



Now talk through these questions with your partner, giving your reasons where appropriate.

- a) Are there any words you aren't sure of? If so, look them up in a dictionary.
- b) Which three of the rights listed do you think are the most important and why?
- c) Are there any rights you think should be added?
- d) Do you think workers' rights are protected where you live?

(2) In this lesson, you will create a public, awareness-raising campaign drawing attention to how workers rights are negatively affected by piracy.

Piracy and counterfeiting can have a negative impact on workers' rights in two key ways:

When consumers buy fake goods, the legitimate companies lose business. This means that workers who are employed by these legal companies can lose their jobs.

Illegal traders do not pay their employees fair wages or offer them any employment benefits. These workers therefore have poor working conditions, and are often forced labor or child labor.

Focusing on these two elements, make a list of people you think should hear about this? This could be your target audience for your campaign.

(3) The target audience of your campaign could also include one of the following:

- Consumers who buy cheap, fake goods or download illegal copies of films and music;
- Family members of people who work for companies producing goods or services (such as entertainment) protected by IP;
- Parents of teenagers who are about to embark on the world of work;
- Parents of children who would hate to think of their child being forced to work in dangerous conditions

With your partner, decide on the target audience of your campaign. Draft a profile of the typical person you are aiming at. How old are they? What is their connection with piracy? Why should they care about it? Why is it relevant to them? What do you want them to know? What are the key messages you want to communicate about IP protection?

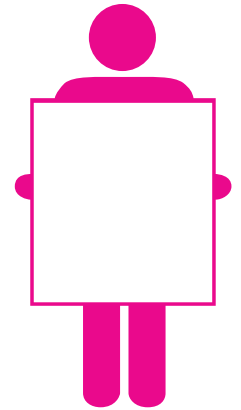
LESSON 5: AWARENESS-RAISING CAMPAIGNS



(4) Look through magazines for adverts for well known products that would be protected by copyright – it might be a popular new movie, a computer game, business software or a new music album. Choose one of these to work from and create a new promotional poster showing how pirated versions of this product are bad for workers. Be imaginative. Go back through this lesson to remind yourself of the key issues and keep in mind at all times your target audience. Use these prompt questions to help you plan your poster:

- Is the language appropriate for your audience?
- Is the message clear and concise?
- Do you need to source images to make your message loud and clear?
- Have you cleared copyright on any images you want to use?

(5) A public awareness-raising campaign will need more than just one poster to get your message heard. With a partner, brainstorm ideas about how else you can let people know about the dangers of piracy for workers. If you have video or stills images from your role plays earlier in this unit of work, perhaps these can be included in your campaign too.



Use these questions to get you thinking about where your target audience might see and hear your messages:

- What social media do your target audience use?
- What sort of places does your target audience visit?
- How can you make your message eye-catching?
- How can you involve celebrities or politicians in spreading the word?

When you're ready, create a presentation for your classmates to share your campaign ideas.