

Number of Counterfeit Goods Investigations and Trainings (FY 2015-16 – FY 2018-19)⁵⁶

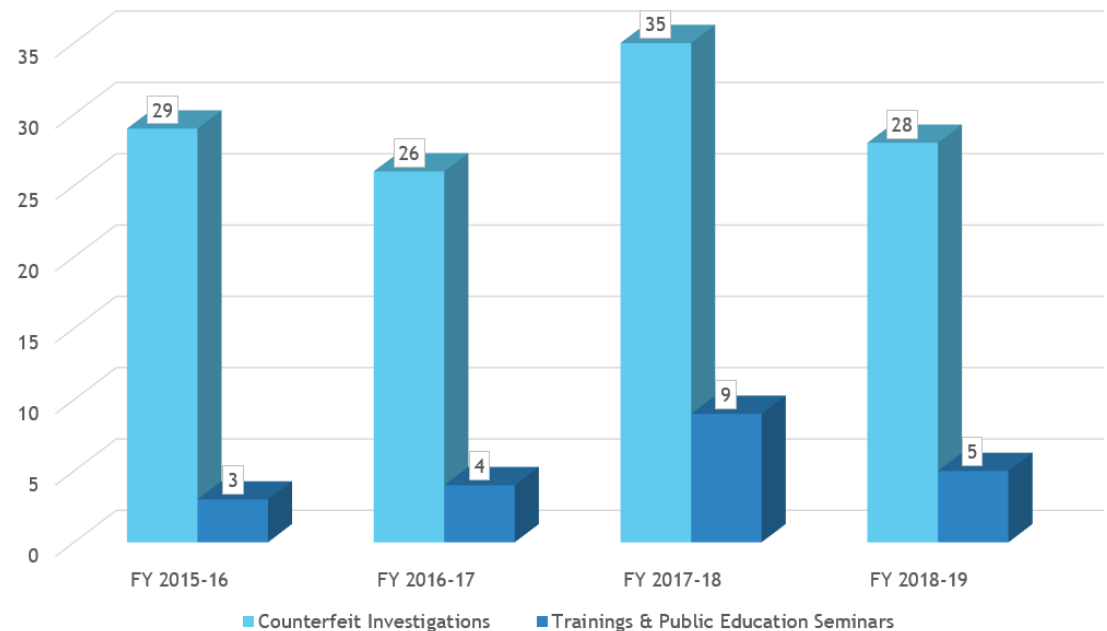
Investigators with the Secretary of State’s Office have been given jurisdiction under Section 39- 15-1190 to conduct investigations into distribution of counterfeit goods and trademark violations, either independently or jointly with other law enforcement entities, throughout the state of South Carolina. Investigators with the Secretary of State are not commissioned law enforcement agents and will refer any criminal evidence findings to the appropriate authorities so they can initiate the actions they deem appropriate.

How Secretary of State’s Office investigators participate in counterfeit investigations:

Investigators have received numerous hours of classroom and field training in the identification of counterfeit merchandise, and are constantly receiving updates on new security features as they are added. Law enforcement agencies call on that expertise whenever they come across items they believe to be counterfeit. Investigators can get law enforcement the probable cause they need to obtain search warrants. This includes assisting in undercover operations by making buys. Also, investigators assist law enforcement with suspect interviews, are available for sworn testimony in court if needed, and the Secretary of State’s office remains available to law enforcement, for any assistance they need, until the case has been resolved.

Trademark violations are discovered through multiple outlets: (a) citizen complaints; (b) law enforcement referrals; (c) complaints from the trademark holder or trademark holder’s representative; and (d) compliance checks. In order to combat counterfeit trafficking, Secretary of State’s Office investigators conduct educational seminars for the public and training seminars for law enforcement. The purpose of the seminars is to educate the audiences on the dangers and negative effects of counterfeit, and to show them how to identify when counterfeit goods are being sold. Law enforcement training partners have included: South Carolina Gang Investigators Association; International Anti-Counterfeiting Association; South Carolina Association of Legal Investigators; Individual Law Enforcement Agencies in South Carolina; and Federal Bureau of Investigation.

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⁵⁶ S.C. House of Representatives, House Legislative Oversight Committee, “Agency Presentation – Charities and Trademarks (October 28, 2019),” under “Committee Postings and Reports,” under “House Legislative Oversight Committee,” under “Secretary of State, Office of the,” and under “Meetings,”

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20\(10.28.19\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20(10.28.19).pdf) (accessed November 27, 2019), slide 116-123. Hereinafter “Charities Presentation.”