

## *The Increase of e-commerce and the Importance of Online Brand Protection Services*

By Marianna Furtado de Mendonça

The SARS-COV 2 pandemic took many workers to the home office, demanding that the world population stay indoors, consequently reducing the circulation of people in cities, forcing stores to reinvent themselves to stay active. And it was within this scenario that we saw the worldwide increase in sales through e-commerce websites, marketplaces, apps and delivery services.

In Brazil, for example, according to a survey released by the 42nd edition of Webshoppers (Ebit|Nielsen, in partnership with Elo), Brazilian e-commerce registered a 47% growth in the first half of 2020, its highest increase in the last 20 years. In accordance with the survey, sales growth was driven by a 39% increase in the number of orders, to 90.8 million, compared to the first half of 2019. Sales increased 47%, to R\$ 38.8 billion in the same period.

The survey also reveals that e-commerce followers in Brazil grew 40%, reaching 41 million in total, as the need and the increase in confidence about online payments led 7.3 million Brazilians to buy online for the first time. Among these 41 million people who are in e-commerce, 58% are called heavy users (consumers with more than four purchases in the semester), of which 20% have more than ten orders in that period.

In addition, the number of online stores in Brazil, grew 40.7% in 2020. The growth was registered in the 6th edition of the "Brazilian E-commerce Profile", a survey carried out annually by PayPal, a digital payment platform, in partnership with Big Data Corp and that gathered data from the first week of August 2020. The Brazilian e-commerce surpassed the mark of 1.3 million sites. It is the biggest acceleration in the sector since the survey was started in 2015. Last year, Brazil had 930 thousand online stores.

E-commerce sales in Brazil in 2021 are expected to grow 26%, reaching a turnover of BRL110 billion, maintaining the strength of the sector and indicating a consolidation of stores and marketplaces, according to Ebit|Nielsen expectations.

According to the analysis, the performance of e-commerce in 2021 will be driven by the growth in the number of consumers, consolidation of local e-commerce, strengthening of marketplaces and logistical maturity of the sector to streamline delivery in search of operational efficiency.

The survey, conducted in the fourth quarter with consumers who bought online, indicated that 95% of respondents intend to continue shopping online.

According to the numbers of Ebit | Nielsen, the 2021 result will be accompanied by an increase of 16% in the number of orders, to 225 million, and an expansion of 9% in the average value of sales, to BRL 490.

The boost in e-commerce in Brazil also increases the importance and the need to protect trademarks in the digital environment, which, as shown in the above figures, has reached a crucial relevance for businesses and the good reputation of the trademark itself and its respective owners.

If, on the one hand e-commerce and the provision of remote services provided in a digital environment were alternatives to keep businesses active during the pandemic, shortening distances and revolutionizing the way to communicate and reach consumers, bringing new business opportunities, on the other hand it facilitated the actions of offenders and malicious people.

Examples of online misuse of trademarks are diverse: websites designed for the purpose of scamming, operating under a registered domain name containing someone else's trademark; purchase of search terms to practice unfair competition or traffic dispute; unauthorized use of famous trademarks for improper association and piracy, among other threats.

The financial impact brought to business companies by the unauthorized use of trademarks in the digital environment is substantial, resulting in lost revenue, increased customer service costs and exposure to legal liability for neglecting and allowing third parties to use their trademarks to defraud consumers and other bad practices.


Thus, business societies need to be increasingly aware of the fact that, in the digital environment, protecting this investment requires a proactive and strategic approach.

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It is precisely in this scenario that the so-called Online Brand Protection services have proved to be of paramount importance for the strategic management of brand protection in the digital world, preventing the improper use of the trademark by third parties and the consequent damage to the reputation and trust of the client that the unauthorized use of the signal in question would certainly result.

In addition to detecting improper use of the trademark, there are several benefits that Online Brand Protection services can provide, such as: (i) control of the content of social networks, (ii) detection of threats, (iii) identification of how customers see the brand and what they say about it, (iv) detection of improper registration of domain names by third parties, (v) detection of sale of counterfeit products using the original trademark as bait, among others.

Such services aim to strategically manage all aspects of online protection of a trademark, from the registration and auditing of domain names, monitoring the presence of the brand online, adopting extrajudicial measures for brand protection and, when necessary, judicial measures. Experience in providing this service has shown us that, with the right tools, brand protection services in the digital environment appear as an effective alternative to mitigate all forms of trademark abuse on digital channels, providing their owners with the possibility of consistently enforce your brand rights online. It is an investment that brings not only financial returns, but also results in the good image and reputation of a trademark.



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