Brand Protection SOP: Brand Protection Overview

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> **i** Who is this for: Brand Team

> **✓** Objective: Overall understanding of what Brand Protection is and the procedures to remove 3P sellers and rogue listings

Article information and steps.:

Brand Protection

OVERVIEW

The overall goal of Brand Protection is to mitigate the presence of third-party sellers on our listings as well as get rid of third-party sellers that create/list on rogue listings for our branded products that we are not listed on.

There have been multiple software changes internally regarding how to best go about Gating Procedures. (Gating = Removal of Third-Party Sellers) Because of this, this SOP will include an overall overview of why we Gate, how we have Gated in the past, what the overall accomplishment is, and how things could be changing in the future.

WHY GATE?

When third-party sellers win buy box on an Amazon listing, they are getting the sale, and we are not. The only way we receive a sale is if we win the buy box when a customer purchases the item. Our ultimate goal is to be the only seller on the listing so that we always win buy box.

WAYS TO GATE

There are multiple ways to remove third-party sellers from a listing including Transparency, Sending Channel Policies, Performing Test Buys and Actioning Claims, and Shutting Down Rogue Listings.

ROGUE LISTINGS

Rogue Listings are ASINs that we are not listed on that other sellers have created without permission and utilize the brand's trademarks. Examples of brands that have multiple of these are Impact Confections, Goetze's and Toxic Waste.

We have software that will help us identify these listings since they are all live on Amazon without our prior knowledge. IP secure allows us to do this through ASIN Discovery. You type in keywords for the system to scan Amazon for, and they come back with ASINs that utilize those keywords on their listing.

We gate rogue listings by filing a claim on the entire ASIN and getting the ASIN shut down on Amazon.

TRANSPARENCY

Amazon Transparency is a program that brands can enroll in to get unique product codes that are added to each individual unit sold on Amazon to prevent counterfeit products or products not sold by us from reaching customers.

You need a UPC for each product and some sort of difference between what we sell and what other sellers sell such as packaging, stickers, or inserts.

You also have to get the brand's permission. Once the Brand Specialist gets permission from the brand, they will let Matt know and he will enroll the products in Transparency. This takes about 60-90 days to complete and start to see results.

Status of Transparency:

Enrolled > In OPR (in review) > Protected

Once products are in OPR, other sellers will be notified that they have 30 days to sellout of current inventory that is at Amazon or in their fulfillment centers. They cannot send in anymore inventory.

Transparency is the best way to gate third party sellers off of listings because they can never relist on that ASIN. However, it has to be for listings we are listed on and is up to the brand if they participate or now.

SENDING CHANNEL POLICIES

We send Channel Policies to warn sellers that they are no longer allowed to sell our branded products on the Amazon marketplace. This is because we have exclusivity with the brands but to stay within Amazon's guidelines, we differentiate the product slightly with packaging, stickers, or inserts.

TEST BUYS (TB)

• When a brand has not agreed to the policy, refuses to answer, or someone from leadership requests one, a TB is needed so we can later file a claim.

o Must get approval from Josh and Matt

• Log in to the amazon messaging account and change it to your last name TB

o Ex: Heitman TB

• Search for the ASIN while signed into Amazon and select Sold By the seller you are doing the TB for

• Add the item to your cart (double check it is the correct seller and ASIN)

• Go to Cart and make sure that one item is the only item in your cart

• Click Purchase

• Change the address to be the correct address with the name of the buyer as your last name plus something that will help you remember which seller and product you are buying and brand for

o Ex: for Chemex ASIN B000I1WP7W from MaxWarehouse: HeitmanCX-P7W-MW

o Address: 4020 Will Rogers Pkwy STE 900 Oklahoma City, OK 73108

- Make sure you are charging the transaction to the correct card ending in 5090

- Place Order

- Click on "Review and View Order"

o This new page in amazon will give you all the information you need to record the TB in Asana

- At top of page under Find Details for Order: there is line that says "print this page for your records"

o Print out the order information for Rebekka and hand it to her or leave in office so that accounting has a copy of the TEST BUY

- Add in the following information for the TB:

o Order ID (from the amazon page you were just on)

o ASIN

o Purchase From Account: I put messaging plus the name I had it ordered under (Ex: messaging: Heitman MW)

o Product Title

o Cost

o Date Ordered

o Would like to add in which Brand this was for

- Follow up once the item is received to add in Date Received

- Take pictures of the items purchased to clearly show how they are different from our items:

o Packaging Differences

o Label

o Lot Number

o Expiration Date

- Check that the return address is the same as the address we currently have for the third-party seller

FILING A CLAIM ON SELLER LISTED ON OUR ASIN:

- Once a test buy has been conducted and pictures of the third-party seller's products have been taken, you can start the process of filing a claim

o Must get approval from Josh and Matt

- Log into the correct Brand Registry account

o If filing a claim against someone for a Chemex product, login to Chemex's Brand Registry account

- At top of page Click on Protect > Report a Violation

  o Search ASIN

  o Show all offers and check mark the third party we are filing against

  o Issue Type: Trademark

  🖐 A product or its packaging

  🖐 Brand Name keep the same

  🖐 Brand Trademark: click on the one that is available

  🖐 Have you bought: Yes

  🖐 Order Number: get from CB Test Buys page in Salesforce

  🖐 Write message: reasoning why the third-party seller's packaging or product is different from ours

- EX AVH: Our brand has a sticker that says "Pickle Lover" inside the packaging. We are the brand owner and manufacturer. Thank you for your help.

- EX ACX: We have confirmed that this seller is putting our product in a different box. We have exclusive packaging. Our packaging has the image of the coffee maker on the seam of the box and this seller has the image of the coffee maker centered on the box. We are the owner and manufacturer. Please advise. Thank you.

  🖐 Contact Name: put correct brand Name (Ex: Van Holten's)

  🖐 Contact Email: brand's email address we use (these are all in the Daily Sellers Status Report in the Claims tab)

  🖐 SUMBIT

- Go to Submission History tab in brand registry

  o Copy some information from here into Asana

- Fill out the following info:

  o AMZ Complaint ID

  🖐 Claim ID from the Submission History tab in brand registry

  o ASIN

  o Brand

  o Case Status

  o Date Filed

- To Check Status of Claim

  o Go to the brand registry account

- o   Monitor > Submission History

- Once accepted: change status in Asana to Claim Accepted

- o   If claims are going to be accepted, they usually are within 48 hours of filing

FILING A CLAIM ON ROUGE LISTING (SHUTTING DOWN ENTIRE ASIN)

- Before filing, take screenshot of listing and note which sellers are on that ASIN

- Login to branded account

- Go to https://www.amazon.com/report/infringement

- Click Start a Report

- Enter ASINs

- Click on box to check mark box next to ASIN

- o   This means we select the full ASIN as the thing we want to report/get rid of

- Under Report # Selected, click the drop down arrow and select either Trademark Infringement

- Select the first option: A product detail page is unlawfully using my trademark (e.g. in product title, product images, product description).

- Type in brand name exactly as it appears in Brand Registry

- o   Can be found in brand resgiry account under Brand Overview by clicking on View all registered brands

- Select Yes for Is the Trademark Registered

- Find Registration number in Brand Registry account by clicking Manage intellectual Property in that section (also screenshotted above)

- o   Choose wordmark from US for whatever word is on listing and that has Registered as status

- Select box next to Description to highlight all ASINs if reporting multiple at once

- Select Your brand's authentic product is being imitated and hit Apply (#) to apply to all ASINs

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- Provide more information. "This listing and the sellers on it are utilizing our trademark of _____ without our authorization or permission." You can also add something like "They also are selling our branded products under the incorrect brand name of _____

o Include whatever brand name is on the listing if this is the case

🗩 Under Additional Information, Brand:

- List Brand Name for First and Last Name

- Use Business Address that is in Seller Central account

o SC > Settings > Account Info > Business Information > Business Address and Phone Number

- For Phone Number type in N/A

- Yes for are you the Rights Owner or Agent

- Yes for Are you a Seller on Amazon

- Contact Name: Brand Name

- Contact Email: amazon@brand domain email

- Submit

- Should get email confirmation to email provided

- Notate in Asana that this rogue listing has had a claim actioned

- Check back in two days by searching https://www.amazon.com/dp/ASIN

o ASIN = the ASIN you reported

- If you get a doggy, you are good to go

- You will most likely get angry emails from sellers but more about that later. For now, enjoy the puppy☺