

# ILLEGAL USE OF FOREIGN TRADEMARKS IN THE RUSSIAN FEDERATION: ISSUES OF QUALIFICATION AND INVESTIGATION

## USO ILEGAL DE MARCAS ESTRANGEIRAS NA FEDERAÇÃO RUSSA: QUESTÕES DE QUALIFICAÇÃO E INVESTIGAÇÃO\*

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**Abstract:** The purpose of the article is to study criminal violations of trademark rights, as well as issues of their detection and investigation. There is an increase in the commission of these crimes as part of organized groups. The authors used a set of methods, including comparative legal, concrete sociological and statistical methods, which allowed the authors to determine the directions for improving the legislation of the Russian Federation and the specific practical activities of investigators. When analyzing the criminal law characteristics of the illegal use of means of individualization of goods, works, services (Art. 180 of the Criminal Code of the Russian Federation), problems were identified in the interpretation of the concept of “illegal use”.

Authors considered the issues of identifying and organizing the investigation of these crimes, and studied the mistakes made when formulating charges under Art. 180 of the Criminal Code of the Russian Federation. The article contains practical recommendations for law enforcement officers involved in countering the illegal circulation of counterfeit products on organizing the detection and investigation of such crimes.

**Keywords:** Trademark. Means of individualization. Criminal liability. Counterfeit. Forgery.

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Resumo: O objetivo do artigo é estudar as violações criminais dos direitos de marca, bem como as questões de sua detecção e investigação. Há um aumento no cometimento destes crimes como parte de grupos organizados. Os autores utilizaram um conjunto de métodos, incluindo métodos jurídicos comparativos, sociológicos concretos e estatísticos, que permitiram aos autores determinar as diretrizes para melhorar a legislação da Federação Russa e as atividades práticas específicas dos investigadores. Ao analisar as características do direito penal do uso ilegal de meios de individualização de bens, obras, serviços (Art. 180 do Código Penal da Federação Russa), foram identificados problemas na interpretação do conceito de "uso ilegal". Os autores consideraram as questões de identificação e organização da investigação destes crimes, e estudaram os erros cometidos na formulação de acusações sob o art. 180 do Código Penal da Federação Russa. O artigo contém recomendações práticas para os agentes da lei envolvidos no combate à circulação ilegal de produtos falsificados sobre a organização da detecção e investigação de tais crimes.

Palavras-chave: Marca registrada. Meios de individualização. Responsabilidade criminal. Contrafação. Falsificação.

## 1. INTRODUCTION

Trademark infringement is recognized as a crime in many countries and is often associated with various actions, such as: making counterfeit goods using someone else's trademarks, importing counterfeit goods through the customs border, online selling on the Internet, illegal use of trademarks in the provision of services.

In the context of the ongoing COVID-19 pandemic and restrictions imposed on manufacturers, importers, as well as against the backdrop of falling household incomes, the turnover of counterfeit and illegal products is growing. According to the OECD (2019), counterfeiting accounts for 3.3% of world trade and continues to grow.

According to the findings of Europol, the number of offers of counterfeit and substandard goods will continue to grow, especially on the Internet. Product counterfeiters will exploit shortages in the supply of certain goods to increasingly provide counterfeit alternatives. This can lead to substandard or counterfeit food, hygiene items and other commodities (Zhukov, 2020; Pushkarev et al., 2019).

Production and circulation of counterfeit goods, the illegal use of means of individualization constitutes the shadow sector of the economy and is increasingly controlled by representatives of organized crime.

**Table 1.** The number of registered crimes under Art. 180 of the Criminal Code of the Russian Federation “Illegal use of means of individualization of goods (works, services)” from 2016 to 2020

The number of registered crimes in a year	2016	2017	2018	2019	2020
<b>The total under Art. 180 of the Criminal Code of the Russian Federation</b>	<b>861</b>	<b>970</b>	<b>1270</b>	<b>1472</b>	<b>1410</b>

Source: obtained from GLAC of the Ministry of Internal Affairs of Russia (2021)

Persons subject to criminal liability are not always identified. So, according to the Federal State Institution “Main Information and Analysis Center of the Ministry of Internal Affairs of Russia” in 2020, 1410 crimes under Art. 180 of the Criminal Code of the Russian Federation, while in 651 cases the persons who committed the crimes were not identified.

Judicial statistics in the Russian Federation confirm that, given the relative stability of the number of convicted persons under Art. 180 of the Criminal Code of the Russian Federation (hereinafter – the CCRF) “Illegal use of means of individualization of goods (works, services)”, there is an increase in organized forms of criminal activity.

**Table 2.** The number of persons convicted in the Russian Federation under Art. 180 of the Criminal Code of the Russian Federation “Illegal use of means of individualization of goods (works, services)” from 2016 to 2020

Qualification / Number of convicts in a year	2016	2017	2018	2019	2020
Part 1 Art. 180 Illegal use of a trademark	155	121	140	206	183
Part 2 Art. 180 Illegal use of warning labels	0	0	0	1	0
Part 3 Art. 180 Acts committed by a group of persons by prior agreement	64	59	67	66	52
Part 4 Art. 180 Acts committed by an organized group	-	20	33	23	44
<b>The total of convicted persons under Art.180 of the CCRF</b>	<b>219</b>	<b>200</b>	<b>240</b>	<b>296</b>	<b>279</b>

Source: obtained from Judicial Department under the Supreme Court of the Russian Federation (2021)

Thus, the law enforcement agencies of Russia liquidated a criminal group that sold tickets to theaters and sporting events via the Internet at inflated prices using someone else's trademark “Mariinsky Theater” and other entertainment organizations. The attackers used “doubles” sites, similar in appearance to the sites of copyright holders, who did not give permission to use their trademark in the domain name. More than 50 people were involved in illegal activities, including IT specialists, call center employees, ticket sellers,

couriers, programmers, advertising managers, and system administrators. For the purposes of conspiracy, foreign companies were the operators of domain names, and communication with ticket buyers took place using Internet telephony. Tickets were sold through call centers located in the cities of Moscow and Vladimir (Investigative Committee of the Russian Federation, 2021).

Illegal income from illegal activities exceeded 1 billion rubles. The actions of the perpetrators are qualified under Part 4 of Art. 180 of the CCRF (Vlasov, Kolchevsky, & Nagaev, 2011).

Criminal liability for counterfeiting is narrower than for civil law torts and is established in Russia and other countries only for intentional actions for their illegal use (The Lanham Act. Trademark Act of 1946). In general, there are much more violations.

In connection with these circumstances, it is necessary to improve the current legislation and methods for investigating organized forms of criminal activity in the field of illegal use of means of individualization of goods (works, services).

## **2. METHODOLOGY**

The use of the comparative legal method made it possible to compare the norms of law and practice that are significant for identifying and investigating the illegal use of someone else's trademark. The concrete sociological method was used to obtain empirical results. The use of the statistical method of research made it possible to summarize the data and put them in the basis of the hypothesis and conclusions of the study. Also, 65 materials of preliminary verification of reports of such crimes were studied. A survey of 22 investigators and 54 interrogators made it possible to supplement the empirical base of the study and obtain representative conclusions supported by expert opinion.

The full application of the described research methodology made it possible to substantiate proposals for improving the criminal legislation in the Russian Federation; develop recommendations for qualification and investigation of illegal use of trademarks. As a result of the application of this methodology, ways were developed for further improvement of the legislation and specific practical activities of investigators and interrogators.

### 3. RESULTS ANALYSIS

In the process of investigating criminal cases, it is mandatory to establish the fact of illegal use of someone else's trademark, as well as that the specified act was committed repeatedly or caused large damage (over 250,000 rubles) (Pushkarev, 2014, pp, 11-13). The issues of repetition and causing major damage are considered in sufficient detail and tested in practice (Dolotov, & Kudryavtsev, 2019; Serebruev, 2016; Zabegailo, & Nazarova, 2011).

Certain difficulties for practitioners in the field of criminal law are caused by the understanding of the “illegality” of the use of means of individualization in the process of investigating crimes under Art. 180 of the CCRF. The illegality of the use of means of individualization of goods (works, services) is subject to mandatory proof, which is determined by the blanket content of the disposition of the crime under Art. 180 of the CCRF. Therefore, in the criminal procedural documents of the investigation, inquiry, court, specific articles of the Civil Code of the Russian Federation (hereinafter referred to as the CiCRF) should be indicated, the provisions of which were violated when using means of individualization of goods (works, services), taking into account the actual circumstances of the case.

The CiCRF, in particular, establishes the concept of a trademark (1447 of the CiCRF), issues of registration of trademarks Art. 1480-1483, 1492, 1503 of the CiCRF, the features of the protection of various types of trademarks are disclosed: well-known (Art. 1509 of the CiCRF), collective (Art. 1510 of the CiCRF), as well as general provisions on civil liability for the illegal use of a trademark sign (Art. 1515 of the CiCRF).

In the process of conducting an investigation, drawing up an indictment or an indictment (decree) and other procedural documents, the investigator (interrogating officer) uses specific norms of the CiCRF that regulate the rights to means of individualization of goods (works, services).

Let us consider in more detail the concept of “use” of someone else’s trademark.

In paragraph 18 of the Resolution of the Plenum of the Supreme Court of the Russian Federation dated April 26, 2007 No. 14 “On the practice of consideration by courts of criminal cases on violation of copyright, related, inventive and patent rights, as well as on the illegal use of a trademark”, the concept of “illegal use” is defined through the category “use of a trademark” (Bulletin of the Supreme Court of the Russian Federation, 2007). Based on this interpretation, some criminal justice officials narrowly understood

misuse as only the direct application of someone else's trademark on a counterfeit product, rather than the sale of a counterfeit product. Judicial practice until a certain time adhered to this position, not considering cases of sale of goods with illegally used trademarks as criminal offenses (Ministry of Internal Affairs of the Russian Federation, 2010).

It should be noted that such a position is based on a literal understanding of the specified resolution of the Plenum of the Supreme Court of the Russian Federation, but without taking into account the provisions of civil law in general, where Art. 1229 of the CICRF establishes the exclusive right to use the result of intellectual activity in any legal way.

Currently, the practice follows the path of applying the criminal law and for the sale of counterfeit goods. Guilty verdicts on the facts of illegal use of a trademark in the sale of counterfeit goods are quite common. For example: the sale of counterfeit goods marked with the trademarks “Adidas”, “Nike”, “Reebok”, “UGG” (Sentence of the Koptevsky District Court of Moscow No. 1-227/18 dated July, 22, 2018); sale of counterfeit bags, clutches marked with the LOUIS VUITTON trademark (Leninsky District Court of Magnitogorsk, 2021); sale of counterfeit tobacco products “CREDO”, “Marble”, “Marlboro” (Leninsky District Court of Nizhny Novgorod, 2019) and other brands.

The illegal use of someone else's trademark in the case of the use of the mark in the manufacture of counterfeit products is an obvious violation, which is not particularly difficult to prove the intent of the perpetrator than the sale of counterfeit goods. However, the sale of large consignments of counterfeit goods poses no less social danger than their production.

Buyers of counterfeit goods usually purchase them at low cost and are fully aware of the fact that they are selling goods with an illegal use of a trademark. In practice, there are cases of acquisition of high-quality fakes by wealthy buyers who are unable to independently distinguish original products from fake ones. In the Russian Federation, buyers of fakes are usually not held accountable, but act either as witnesses or victims. However, in a number of countries (France, Italy), buyers of counterfeit products can be held liable with a fine.

It seems that the consumer of counterfeit (fake) goods, the so-called “replicas”, determines the demand for goods manufactured in violation of trademark rights. Taking into account the demand and low incomes of young people who want to look fashionable, fake manufacturers form an appropriate offer on the market. In this regard, legal measures to punish consumers of counterfeit goods can have an effective preventive effect.

Trademark infringement, illegal circulation of counterfeit goods, does harm not only directly to the right holders, who suffer losses. Such crimes additionally pose a threat of harm to consumer health, safety, and trade secrets (Europol, 2020).

In cases of criminal prosecution for counterfeiting, additional qualification of actions under such articles of the CCRF as: “Illegal entrepreneurship” (Art. 171); “Production, acquisition, storage, transportation or sale of goods and products without marking and (or) application of information provided for by the legislation of the Russian Federation” (Art. 171.1); “Illegal production and (or) circulation of ethyl alcohol, alcoholic and alcohol-containing products” (Art. 171.3); “Production, storage, transportation or sale of goods and products, performance of work or provision of services that do not meet safety requirements” (Art. 238); “Circulation of counterfeit, substandard and unregistered medicines, medical devices and circulation of counterfeit biologically active additives” (Art. 238.1) (U.S. Department of Justice, 2011).

When establishing the right holder and determining the damage caused, the investigator (interrogating officer) must have the skills to search for the right holder of a trademark. The search is carried out in open sources on the Internet, according to the registration number in the Register of Trademarks on the website of the Federal State Budgetary Institution “Federal Institute of Industrial Property” <https://new.fips.ru/> in the section “Open registries” <https://new.fips.ru/registers-web/>.

Trademark registration data can be found on various websites of patent bureaus <https://zuykov.com/ru/trademarks/poisk-tovarnogo-znaka> as well as the Customs Register of Intellectual Property Objects <https://customs.gov.ru/registers/objects-intellectual-property>.

For example, having learned the Adidas trademark number 430 200 “Three parallel stripes on shoes...”, you can find the copyright holder and set the address for correspondence with his representatives.

Copyright holder: Adidas AG, Adi-Dassler-Straße 1-2, 91074 Herzogenaurach, Federal Republic of Germany (DE). Address for correspondence: 129090, Moscow, B. Spasskaya st., 25, building 3, LLC “Law firm Gorodissky and partners”, for V. E. Shipilov. The register also indicates the dates of filing the application, registration, as well as the date of expiration of the term of protection.

Representatives of the right holder act, as a rule, on the basis of a power of attorney and will represent the interests of the victim in criminal proceedings, provide information

on the cost of original products or rights to use means of individualization, and the amount of damage caused.

An analysis of the criminal cases considered by the courts shows that Russian law enforcement agencies equally protect both domestic legal entities and individuals, and foreign ones who own trademark rights. Thus, among the studied verdicts, the victims in every fourth case were foreign companies.

The procedural documents of the investigator (interrogating officer) must contain the fact of state registration of the trademark, indicating the copyright holder and the number in the State Register of Service Trademarks of the Russian Federation.

For example, the trademark “Naimenovanie”, registered in the State Register of Trademarks of Service of the Russian Federation according to the certificate of registration of trademarks in the territory of the Russian Federation No. 123456 is owned by the “Alpha” group, which is represented in the Russian Federation by “Consulting Plus” LLC.

The initiators of the suppression of cases of illegal use of means of individualization, as a rule, are the right holder, submitting an application with a request to prosecute violators, or operational units of law enforcement agencies that identify and suppress criminal activity in the course of operational-search activities, less often consumers (Vlasov, Kolchevsky, & Nagaev, 2011). Consider the issues of identifying and investigating the facts of illegal use of a trademark.

Criminal prosecution of violators under Art. 180 of the CCRF without preliminary operational-search measures is not possible. Law enforcement agencies involve citizens to identify the facts of the sale of counterfeit goods when conducting a transaction under control. In such a situation, the consumer assists in suppressing the illegal sale of counterfeit goods. So, during a test purchase, a buyer purchased a wrist watch from an unidentified manufacturer with a printed image of the trademark “RADO” for 6,500 rubles (about 100 US dollars), the rights to which belong to Rado Uhren AG, which have a reference watch model R27741152 similar in production, worth 125,300 rubles (about 2,000 US dollars) (Leninsky District Court of Nizhny Novgorod, 2019). In this case, there was a twenty-fold difference in the price of counterfeit products from the original.

In the course of the operational-search activities, covert test purchases are carried out (possibly repeatedly), inquiries, polls, covert surveillance, examination of objects and documents, wiretapping, site visits, obtaining computer information and other activities. It is important that when carrying out these activities, there should be the use of special technical means that allow audio and video recording of the persons being checked.

In the course of observation, it is important to establish the places of warehousing and production (shops, warehouses and other premises of a production nature), as well as persons who are engaged in transportation and organizations that purchase counterfeit goods for the purpose of subsequent sale. Carrying out a set of such measures allows us to establish not only the distributors of counterfeit products, but also financial flows leading to the organizers of criminal activity, to prove the existence of stable ties in the criminal group, places of production, supply chains, counterfeit products, facts of legalization of criminal proceeds. It is necessary to emphasize in a special way the involvement of criminal proceeds in the sphere of circulation of digital assets, which significantly criminalizes this area (Pushkarev et al., 2021).

It should be noted that due to the need to prove the sign of the crime “committed repeatedly”, which is enshrined as an alternative condition, along with causing major damage in Art. 180 of the CCRF, operational officers are forced to carry out technically and organizationally complex test purchases two or more times, followed by the execution of a significant amount of operational and service and criminal procedural documents.

To initiate a criminal prosecution, it is required to receive an application from the copyright holder with a request to bring to criminal liability, as well as to calculate the damage caused.

In the case of criminal activity suppression with the simultaneous initiation of a criminal case, it is necessary:

- to conduct an inspection of the scene – places of sale, production and storage of goods;
- conduct a search at the place of residence, work, other facilities of the suspects’ with a subsequent examination of the seized;
- to inspect goods with signs of counterfeiting, computer equipment, mobile phones, Internet sites and other items and documents;
- to interrogate suspects and victims;
- to interrogate witnesses – buyers of goods, employees of illegal business (including migrants involved in the production of counterfeit goods);
- to request documents from the “Rospatent” organization or its territorial subdivisions confirming the right of the right holder to a trademark, service mark and appellation of origin of goods (for example, a trademark certificate);
- to receive samples of legal goods for comparative research;

- to appoint a set of necessary examinations (forensic commodity, technical and forensic, forensic accounting, examination of the similarity of the designation with someone else's trademark, computer, examination of materials, substances and products, and others) (Orlov, 2012);

- to declassify the materials of operational-investigative activities in order to use their results as evidence.

The investigator (inquirer) must take measures to compensate for the harm caused by the crime, including by initiating the seizure of property (Nguyen et al., 2021).

In cases when counterfeit goods are sold through a website specially created by the violator on the Internet, the investigator (inquirer) must initiate the blocking of the site by sending a submission to the competent authority – the “Roskomnadzor” organization. If the product was offered for sale on Internet trading platforms, then the investigator (interrogating officer) must send a submission to the site owner with a request to remove information from the site.

The investigator (inquirer) needs to establish channels for the receipt of counterfeit goods from abroad, sending requests to the customs authorities, as well as international investigative orders to the competent authorities of foreign states. Operational services need to install foreign sites where counterfeit goods were purchased.

During the preliminary investigation and at the end of the investigation, it is necessary to bring charges against the guilty persons. The correct formulation of the accusation, taking into account the violated provisions of the CCRF, can cause difficulties for the law enforcement officer.

So, in the verdict No. 1-33/2020 1-975/2019 dated January 15, 2020 in the case No. 1-33/2020 of the Lyubertsy City Court of the Moscow Region, it was established that: in the period from October 2018 to DD.MM.YY., T.V.H, having criminal intent that arose in an unspecified period of time, but before October 2018, aimed at the illegal use of means of individualization of goods - registered trademarks of the companies “Tommy Hilfiger Licensing BV”, “Calvin Klein Trademark Trust”, “Fendi Adele SRL”, “Reebok International Limited” for the purposes of sale and systematic profit, against the will of the right holder, in violation of Part 1 of Art. 44 of the Constitution of the Russian Federation, which guarantees the protection of intellectual property in the Russian Federation, Art. 1228-1229, 1255, 1259, 1265-1279 of the CCRF, defining the scope of copyright, relating a trademark to objects of copyright and protecting the author's personal non-property and

property rights to works, as well as establishing a provision on an author's agreement (Lyubertsy City Court, 2020).

An analysis of the articles of the CiCRF cited in the said judgment testifies to the erroneous use in the court decision of the norms on copyright in relation to trademarks, while the right to a trademark and the right to a service mark and other means of individualization of goods (works, services) are established in Art. 1477-1537 of the CiCRF.

In some sentences, there are no references to the norms of the CiCRF regulating the rights to means of individualization of goods (works, services), while in others only the most general reference is made to the fact that the defendants “acted in violation of Part 4 of the CiCRF” (for example, the sentence dated September 22, 2016, Koptevsky District Court of Moscow, criminal case No. 1-210/16, pr. 11601450900000525) (2016).

When qualifying violations of trademark rights, it should be noted that the conclusion about the illegality of a person's actions to use a trademark in procedural documents should contain an indication of specific legislative norms governing the procedure for the legal use of a trademark that have been violated.

For example: “...acting in violation of the requirements of Part 1 of Art. 44 of the Constitution of the Russian Federation, Art. 1229, 1477, 1484 of the CiCRF, according to which a trademark, that is, a designation used to individualize goods of legal entities or individual entrepreneurs, is subject to an exclusive right certified by a trademark certificate, and the right holder has the exclusive right to use the trademark and prohibit its use by others.

Thus, when applying the blanket norm provided for in Art. 180 of the CCRF, the investigator (inquirer) needs knowledge of the provisions in the field of civil law regulation of means of individualization of goods (works, services) and the skills to use them in the process of investigating crimes and formulating charges.

#### **4. DISCUSSION AND CONCLUSIONS**

In the sphere of production, sale of counterfeit goods, illegal use of trademark rights, there is an increase in organized forms of criminal activity. National legislation should contain clear rules that ensure the effective application of the criminal law and make it possible to bring participants in shadow activities to criminal liability.

Producers of counterfeit goods often purchase materials, products, equipment, labels, stickers and other components across the customs border on foreign trading floors,

as well as in parts for the production of counterfeit products. In this regard, it would be appropriate to establish liability for the acquisition, storage or transportation of materials and/or equipment in order to create counterfeit goods, committed on a large scale. In the case of unproven intent and purpose, it is necessary to implement control measures for the further sale of these goods.

Promising for the fight against counterfeiting is the use of big data technologies, where, by individual recurring search features, it is possible to identify, track and stop the criminal activities of international criminal groups in the market for counterfeit products. For example, when analyzing data presented in cargo customs declarations, data from websites offering goods at reduced prices.

Given the fact that the globalized illegal economy is controlled by transnational organized criminal groups, it is proposed to create an international database at the Interpol level on trademark infringements established as a result of criminal investigations. This database may include the main search features for identifying and detaining “major players” in the counterfeit market. It is proposed to take into account a number of significant features: the category of counterfeit products, counterfeit items, copyright holders, methods of committing a crime, addresses of Internet sites, social networks, bank account data, payment cards, crypto-wallets, phones used, e-mail, data of persons involved in criminal responsibility.

Criminal prosecution for the illegal use of means of individualization requires a set of measures and, therefore, a rather costly procedure. The criminal prosecution of a person who has committed the sale of counterfeit products, without aggravating signs, is very irrational, since often assigned to the guilty person under Part 1 of Art. 180 of the Criminal Code of the Russian Federation punishment in the form of deprivation of liberty is conditional with a probationary period. In cases of sale of small consignments of counterfeit goods, it is advisable to apply measures of administrative responsibility with the imposition of a fine.

It should be noted that the proposed changes in the norms of the Criminal Procedure Code of the Russian Federation should be appropriately reflected in the training courses of criminal procedural law taught within the framework of bachelor's and master's programs, which will require additional “actualization of the need to create and maintain a humanitarian component in a higher technical educational institution, allowing students to expand the circle of their worldview” (Savka, 2021, p. 99).

## REFERENCES

- Dolotov, R. O., & Kudryavtsev, V. V. (2019). Criminal law - an instrument of protection and attack in cases of illegal use of a trademark. *Property relations in the Russian Federation*. Number 3, 59-64.
- Europol (2020, March). *Pandemic speculation, how criminals are using the COVID-19 crisis*. Retrieved from [https://mvd.ru/upload/site1/folder\\_page/019/882/802/Evropol\\_Spekulyatsiya\\_pandemiyey1.pdf](https://mvd.ru/upload/site1/folder_page/019/882/802/Evropol_Spekulyatsiya_pandemiyey1.pdf)
- GIAC of the Ministry of Internal Affairs of Russia (2021). *Criminal statistics data. Summary report on Russia "Unified Crime Report" FKU "GLAC of the Ministry of Internal Affairs of Russia"*. Retrieved from [http://10.5.0.16/csi/files/content/stat/books/text/txt491\\_201612.001.txt](http://10.5.0.16/csi/files/content/stat/books/text/txt491_201612.001.txt)
- Investigative Committee of the Russian Federation (2021, 29 January). *Director General of private organization arrested in criminal case on illegal sale of tickets at inflated prices*. Retrieved from <https://sledcom.ru/news/item/1535251>
- Judicial Department under the Supreme Court of the Russian Federation (2021). *Judicial statistics data*. Retrieved from <http://www.cdep.ru/index.php?id=79>
- Koptevsky District Court of Moscow (2016). *Verdict No. 01-0210/2016 of 22.09.2016*. Retrieved from <https://sud-praktika.ru/precedent/97153.html>
- Leninsky District Court of Magnitogorsk (2021). *Verdict No. 1-256/2021 of 08.11.2021*.
- Leninsky District Court of Nizhny Novgorod (2019). *Verdict No. 1-195/2019 of 13.06.2019*.
- Lyubertsy City Court (2020). *Verdict No. 1-33/2020 1-975/2019 of 15.01.2019*. Retrieved from <https://sudact.ru/regular/doc/m0h8SsgBfOd8>
- Ministry of Internal Affairs of the Russian Federation (2010). *Methodological recommendations for the investigation of the illegal use of a trademark, prepared by the Department of Control and Methodological Support for the Investigation of Particularly Dangerous Crimes of the Investigative Committee of the Ministry of Internal Affairs of Russia*. Moscow.
- Nguyen, V. T., Pushkarev, V. V., Tokareva, E. V., Makeev, A. V., & Shepeleva, O. R. (2021). Compensation for Damage Caused by a Crime in the Socialist Republic of Vietnam and the Russian Federation. *Jurnal Cita Hukum-Indonesian Law Journal*. Volume. 9. Number 2, 211-220. DOI 10.15408/jch.v9i2.21738
- OECD (2019, 18 March). *Trends in Trade in Counterfeit and Pirated Goods*. Retrieved from <https://www.oecd.org/corruption-integrity/reports/trends-in-trade-in-counterfeit-and-pirated-goods-g2g9f533-en.html>
- Orlov, R. A. (2012). Features of the appointment of forensic examinations in the investigation of the illegal use of a trademark. *Russian judge*. Number 6, 16-19.
- Pushkarev, V. V., Gaevoy, A., Kolchurin, A., Skachko, A.V., & Lozovsky D. N. (2019). Criminal prosecution and qualification of cybercrime in the digital economy. *Journal of Advanced Research in Dynamical and Control Systems*. Volume 11. Number 8, 2563-2566.
- Pushkarev, V. V., Poselskaya, L. N., Skachko, A. V., Tarasov, A. V., & Mutaliev, L. S. (2021). Criminal Prosecution of Persons Who Have Committed Crimes in The Banking Sector. *Cuestiones Políticas*. Volume 39. Number 69, 395-406. DOI: 10.46398/cuestpol.3969.25

Pushkarev, V.V. (2014). Features of the methodology for investigating the illegal use of a trademark (domestic and international experience). *International criminal law and international justice*. Number 6, 11-13.

Savka, O. G. (2021). The influence of the humanitarian environment on improving the quality of training specialists in a technical university. *Russian Technological Journal*. Volume 9. Number 5(42), 95-102. DOI: 10.32362/2500-316X-2021-9-5-95-101

Serebruev, I. V. (2016). Large damage as a constructive sign of the composition of the illegal use of means of individualization of goods (works, services): problems of criminal legal assessment. *Business, Management and Law*. Number 3-4, 100-102.

U.S. Department of Justice (2011). *PRO IP Act Annual Report FY2011*.

Vlasov, P. E., Kolchevsky, I. B., & Nagaev, E. A. (2011). *Features of the investigation of crimes under Article 180 of the Criminal Code of the Russian Federation "Illegal use of a trademark"*. SPS ConsultantPlus. Retrieved from <https://center-bereg.ru/b5709.html>

Zabegailo, L. A., & Nazarova, I. A. (2011). Criminal liability for illegal use of a trademark. *Law and economics*. Number 6, 46-50.

Zhukov, S. (2020, 13 November). *Counterfeit medicines from COVID-19 were seized in Moscow*. Retrieved from <https://rg.ru/2020/11/13/reg-cfo/v-moskve-iziali-kontrafaktnye-lekarstva-ot-covid-19.html>