

Josh Hopping “ON OPEN-SOURCE ONLINE INVESTIGATIONS”



Leah Evert-Burks: This is Leah Evert-Burks with the Center for Anti-Counterfeiting and Product Protection @ Michigan State University and *this is Brand Protection Stories* - stories about the practice of brand protection by those who live it.

Leah Evert-Burks: We are speaking with members of the

brand protection community about notable cases in their careers. Stories that are stranger than fiction, but in fact real life scenarios where we learn about the practice of brand protection and the challenges faced by brand-owners, law enforcement, government authorities, and consumers among other members of the world community.

Joshua Hopping: One social media. Um...

Leah Evert-Burks: Talk about public information that's helpful, right?

Joshua Hopping: It totally is it was like VK platform, and he was like a bragging like going to the trip, and he has a picture of his passport and such and they're like oh, I think it was turned sideways you zoom in you kind of get the numbers and like where he's at. This is where this is a caution. If somebody like on Facebook or VK they're talking about giving like what's your favorite ice cream, or what was your name of your first pet, where were you born. Don't answer those, those are all security violation questions. Now as an investigator I love that stuff because I can find your birthday and I can find where you grew up, and I could find everything going on. It's a lot of great fun to pull that in.

Leah Evert-Burks: Joshua Hopping is currently Global Director of Customer Success, Regulatory, at Corsearch. Prior to this role, he was the Head of Investigations Services at Incopro. With over eighteen years of experience helping companies protect their intellectual property online, Joshua is an expert in dealing with trademark, copyright, and patent abuse. He is also an Associate Member of the World Association of Detectives and a Professional Certified Investigator by ASIS International specializing in open-source intelligence or (OSINT) analysis aimed at providing clients with actionable intelligence used to dismantle and disrupt counterfeit or otherwise abusive networks. Joshua is the co-creator of a patented brand abuse monitoring system with a infringement detection engine and graphical user interface - you can look it up on the USPTO register under #11328307. Between 2018-2021 Joshua served on the Board of Directors of the Idaho chapter of InfraGard, a partnership between the FBI and members of the critical infrastructure private sector. He is currently serving on the Board of

Directors for Project Impact STEM Academy, a tuition-free public charter school in Idaho, along with position on International Trademark Association's Indigenous Rights Committee. This latter role connects Joshua's professional experience with his Indigenous heritage as a Cherokee Nation tribal citizen. Joshua is a published author whose third book, *Online Brand Protection: Proven Strategies for Protecting Intellectual Property Rights in a Constantly Changing Digital Age*, was recently released. He holds an Associate of Science in Design Technology Engineering and Bachelor of Science in Business Administration from LeTourneau University in Longview, Texas, along with a Master of Arts in Theology and Culture from St. Stephen University in New Brunswick, Canada.

Leah Evert-Burks: In this episode a brand protection stories. We are exploring investigations made through open-source data or OSINT investigations which are online investigations that leverage data that is publicly available. But of course, like all investigations, you still have to find it and understand what you're looking for and looking at. Today, we are lucky enough to have seasoned online investigator Joshua Hopping to provide us with an introduction into this world and explain how open-source and traditional "gumshoe" investigation worlds collide, and can work off of each other to solve cases. On a side note Joshua and I recently realized we go way back when fraud on the Internet was evolving for counterfeit goods, and it was just an emerging threat. So good to connect with you again, Joshua, and welcome to Brand Protection Stories.

Joshua Hopping: Thank you, Leah, I'm I'm happy to be here. It's really exciting to be talking about this subject.

Leah Evert-Burks: Let's start with giving an example on when you are contacted to do an investigation. What is happening?

Joshua Hopping: Yeah, so when we're contacted OSINT investigation we're really trying to find out two, two things. Who's behind the abuse and what are they doing. The thing is is with lots of websites or social media there's marketplace profiles and on the surface you may not know...you have a counterfeit good or brand abuse, a trademark, and you really want to know who's behind it. And then the extent of the problem, the scope of their operations. And once you find that out, you'd be able to make that data driven decision to say - do I want to take a law enforcement? Do I want to, you know, take it into civil litigation? Maybe I just want to send cease and desist letters to all the infringements. So all all 3 of the marketplaces, 5 of their websites, and really make them have a really bad Monday, where everything comes down to the gutter. So it really is kind of looking at that then kind of answering the question of whose behind the abuse? And then what are they doing, so that's where we start with our investigations when they come from?

Brandon Drain: Counterfeiting is a violation of trademark rights, one of the intellectual property rights granted to innovators and companies along with patents, copyrights and trade secrets. Trademarks tell the world who a brand is, building on the trust, quality and reputation of its name; for consumers, it designates the origin of the product bearing the trademark in word form and/or logo - in other words where the product came from, and who produced it.

Leah Evert-Burks: And I was saying, O S I N T but you say OSINT.

Josh Hopping: OSINT, OSINT is the typical term. You know it's a new industry, right. The Internet came about with '95 or '96. And it took a while for investigations. They kind of move online. But now there's OSINT conferences and OSINT professionals that really do dive into this world of online investigations.

Leah Evert-Burks: And so how did you get interested in OSINT or was it just kind of the the transition or the evolution of the threats that got you involved in this this line of investigations?

Joshua Hopping: It's a good question. So for me you know I had the privilege of starting in the you know, online brand protection world going back to like 2003 and I was working as analyst at Mark Monitor which was again one of the first early risers, adopters of this industry, and as I was doing a lot of work there is probably about 2009, 2010. I was working with a couple clients, and they were doing gift card scams where they're getting gift cards, and there's all these different things, saying, 'hey, \$500 if you sign up for this place.' And there's this quasi-legal kind of role in there where they have enough terms and conditions on the gift cards that they can promote the stuff without being pure fraud. But they're definitely brand abuse. Oh, there really is kind of pulling it. So I started digging in there, and my clients gave me some legal some free rein to be able to do some diving. So I was trying to find out who the ad providers were to affiliate going, and that really kind of took me in this road of really understanding what investigations can to really do. And then in 2010, we had this, the same client actually had this problem with this adult content website out there. They were using their brand up there really big and this connection site, and they really wanted me to find out who was behind this brand abuse. We're seeing it being copied all over the place, different registrants, different registrants. Everything was going around like who's behind it? So then I spent hanging, probably about 30 hours, just diving into this one problem, and we finally traced it back to a legitimate company that was putting together this marketing campaign and promoting it through these affiliate networks to be able to promote it. And once I identified that I found the company at packaged it up, gave it to my client, my client, and then went and actually contacted that legitimate company and try to get it down. It actually led to a lawsuit that went out there, and they end up getting rewarded. They settled it out of court. So they had several million dollars at a court. But they got the domain names. And the abuse stopped. So that was my first taste in what we

call OSINT at work are really taking the open-source investigations and finding out the who and what are they doing behind it and from there? I was just. It was like, you know, got hooked the fishing hook man. It was like in there, and I started going. I end up helping develop the Investigators Department at Mark Monitor. Then I went over in 2018 to Incopro and help ed develop their Investigations Department, and I just keep going down the rabbit hole. And it's been fun.

Leah Evert-Burks: Yeah, well, it's interesting because as you indicated. I mean, the information you were able to discover is is public information. But you really have to search for it, and then put it together and figure out the trail. So I think sometimes people think well, you know open-source well it'll be obvious then, you know who the perpetrators are who the criminals are. But it really does go back to old school investigative work, right?

Joshua Hopping: It really does, cuz you know, when you look at it it's like oh, you know you look at the website. People can fake whatever they put on the website, there's information addresses, phone numbers, emails that put on their company names. So you really have to go through and vet those out and be able to say what's going on. And a lot of times it may be just a phone number, but who actually registered the phone number? So, as a prior to investigator there's some databases that we're able to gain access to especially in the United States, the United States likes to resell a lot of information the restrictions on it you have to prove that you are actually, you know needing it for legitimate purpose. Fraud, work, and things that nature, not just nobody off the street can go this buy it right, which is good as a citizen. I want my records covered right. But you as an investigator, you can go in there. So you've got a phone number I could say well who owns that phone number because counterfeiters and brand abusers on one side. They're trying to hide your identity on one point. But the other point is they're trying to make a sale so they want customers to be able to contact them at some level. Well, because of that I'm able to then, piece the pieces together to be able to say, well, here's a phone numbers registered to this or here's an address that goes to here. Here's look at the HTML coding. There's usually like affiliate codes or there's tracking codes in there that can help piece together. You go to the marketplaces you may have some marketplaces, do pretty good job at actually giving you about the information. But again, you want to verify that that about information is actually legit because it could be falsified. It could be hidden. It could be lied, it could be modified. And so it's piecing together all those different trails to really find out exactly who you're dealing with, and what they're doing. And then at that point you've talked about the blend between traditional and OSINT is once I've done my work of actually verifying and actually finding the information, then I can give it to the on the ground people who can actually drive by the building. They can go knock on the door. They know the language. They know the customs, they know the places, to really do that deeper analysis in person. But I find the addresses, the phone numbers and stuff to really help them do their work, which is a lot of fun.

Leah Evert-Burks: So you really do work hand in hand with the on-the-ground investigators?

Joshua Hopping: Correct, yes, it's it really is both and in fact, you know I have the upmost respect for underground people. They're great. You don't want me to go on the ground that's not my expertise would fail remarkably on that one right? Because I just that's not who I, what I do at the same time there's on the ground investigators that when it comes to computers, and then you try to dig into the the coding and the websites and tracking, they're not able to do that. That's not their line of expertise. They get lost when you start talking about DNS records, MS records. I think it lost them, right. So what I do, we try to bridge that gap between the brand analyst and the online world to the offline world, so we can find those real data points to then give it to the on the ground folks who can then take it to that deeper in depth and they can do those covert operations and those talking and this stuff and they specialized in and I could do the stuff in the OSINT world online which is where I specialized in. And so it really is a great partnership.

Leah Evert-Burks: Yeah, I mean, we all have our talents right? Some of the on the ground investigators amaze me with their their acting abilities. To put it...

Joshua Hopping: Yes.

Leah Evert-Burks: You know being able to take on a character and be believable and get information, and I'm, I'm like you. There's no way I could do that, I would give myself away just right off the bat. So it's interesting to see these these talents kind of meld together toward a common purpose, and and like I said, everybody has their strengths and their talents.

Brandon Drain: The marketplaces where counterfeits are sold have expanded through the years as consumer buying habits have changed. Once sold on folding tables at flea markets, now the sale of counterfeits online is the biggest threat, and the most difficult to police and enforce against. Along with websites and selling platforms, counterfeits are now sold through social media and make appearances in the metaverse. Counterfeiters go where the consumer goes...Still many of the enforcement actions against these criminals takes place in the physical world, and as we learn in Brand Protection Stories are never short on drama.

Leah Evert-Burks: So, uh Josh, I wanna have you take us through some of your cases, some of your stories. I was particularly intrigued with some of the work you've done with cell phone charging cables. For a number of reasons. You know, this is a huge problem for these brands, and it being an electronic item, the these types of counterfeits can prove to be extremely dangerous. And given that we live on our

phones and we're charging them. We charge them, it's it's essential as our morning coffee, right? We check our phone to make sure it's charged. We all know that counterfeiters go to items that are in demand and charging our cell phones will never not be a priority in our connected world. So if you could walk us through this investigation. How did it start?

Joshua Hopping: Yeah, this this investigation was started by our analyst team. Several years ago our analyst team was looking at Alibaba and they're looking for these counterfeit cables. They did, found the seller that was selling high volumes of these cables on Alibaba, there are factory in China, and so that got to my attention. And so then I started digging a little deeper and I was able to access some of the shipping records of the cargo ships. There're shipping bigger cargo trailers and you know, containers across the ocean, and this company was sending out several cargo, you know, containers around the world, not all of them cables. They did a lot of legitimate items as well as counterfeit, because, again, a lot of manufacturing companies they will have their own legitimate items, and then they'll usually have a side deal where they're trying to raise some more counterfeit items and and produce it. So we had kind of kind of pick and choose and this one case, one cargo ship actually was going over to New York City, and when we went to New York City we started looking at the consignees who received a shipment and there's a mom-and-pop store there in New York City, and they had a website, and on the website they were selling the same counterfeit cables that were seen sold on Alibaba. So now we have kind of the from, you know the factory in China all the way into the place therein in New York City. So it was a really cool to connecting dots to be able to have that place.

Leah Evert-Burks: And, as we just said, you know the information you're able to pull was public. But you had to put the pieces together. So so what did you do next? You identified this retail store, company in New York City. What else did you find in your investigation?

Joshua Hopping: Yeah. So you know now that we found that we have a counterfeiter, you know, in New York City, or you know, a seller in the places? The question really is, what else are they doing and really even more about who's behind it? So we have a company, but that doesn't really tell me very much so. I have a company there, but who's running the company, who are the players around the company? How much assets did that company have? So if I did try to go sue them, for example, would I actually be worth my the lawyer fees and the court fees would I get anything back? Right. So I started really digging into this particular company in New York City, and I discovered to get into mom and pop the running the show. They had, like 3 kids that were actually involved in operations of the show, of the company going on. And then they had multiple websites, and they were sending out multiple, you know, retail stores kind of around the area. But what was fascinating was the parents, about six years prior to this had declared bankruptcy and for health reasons. And then, about a year before they actually filed bankruptcy, they had actually transferred all of their properties to their older son. So the property, their names, their

house, all went to their older son. They waited a year then they filed bankruptcy and then about two years after the bankruptcy course they paid \$807,000 cash for a condo in Miami Beach Florida. So I'm sitting there as investigating like whoa, whoa, whoa! Something doesn't add up right right cuz you can yeah I'm looking at the real estate documents I'm looking at the real estate history, and I'm like, you had a company it's properties transferred out you bankruptcy and I'm like that doesn't seem much yet and now it's like you're paying \$800,000 cash, cash mind you for this condo in Florida after two years after you filed bankruptcy, and like where you get in that kind of money like what's going on with there? And then, you know, one of the sons had their wife with a lawyer. I think they worked for, like the District Attorney's office in New York, and your it was like this whole like family thing going on there and I'm not saying that that maybe that lawyer was not breaking the law. I don't know, but it was enough to raise my suspicions of going like, something is happening here, and I always have this tracking of the cables, so I know they're selling it. I know where they're getting it so then we can actually take them to court, and we can actually there's enough money floating around in this family, and I have enough evidence that if we want to go a little bit deeper like say do a test buy drive up with the on the ground guys right and go walk into the factory and see what's happening. I mean we have now we vetted out the target so we know it's actually a worthwhile target for them to go after.

Leah Evert-Burks: Great. And so what happened from there did you get law enforcement involved?

Joshua Hopping: No, actually it's kind of a sad case in the ending its anti-climactic in the sense that the the company was selling also a license distributor of the company that they, the cables they were counterfeiting against. And so, because they were an actual license distributor. The company, the brand owner felt that they were making - they didn't want to go after them they didn't really want to pursue that. Because they were actually selling a lot of legitimate cables. So the brand was getting a lot of money legitimately, in addition to the other ones and that really kind of goes back, I think, to the struggle brand owners have. Is that what do you do when your license distributors are also selling counterfeit? Do you talk to him? Do you sue them like? How do you actually, really go after them? And each company has their own rules on that one, and in this case, they they stopped it. I personally hope that they actually have a come-to-Jesus conversation with them, if it was me, but the department I was working with in that brand they couldn't touch them because of the license distributor model.

Leah Evert-Burks: So you bring up a very interesting dilemma that a lot of brands and in-house brand protection professionals face and these situations where it's quote unquote mixed inventory where it's legitimate mixed with counterfeit. But the customer may be a big customer for that brand you know it's a little bit I have to say kind of making a deal with the devil when you allow that business to continue but that unfortunately, is more common of a theme than people realize. You know you can educate your businesspeople to explain how this is damaging the brand and getting, you know the the legitimate orders in is not is not, is, is you you shouldn't consider that over what the damage to your brand is, but it a lot of brand owners face that.

Joshua Hopping: Correct, yeah, it it's like you said it's it's not easy, and and I don't wanna throw any shade for the brand owners when they're trying to to work through that but like you said you have your departments that you have a lot of times. The folks are dealing with counterfeits, and branded views are not the same ones that are actually working with supply chain and distribution or in sales, and so they sometimes have they come up with deaf ears. Where those departments don't wanna hear it. Like you I think it's a partnership with the devil. I don't think it's helps the brand at all because now, when you have a customer going and buying from that company, they you know they could get legitimate and then one person gets it another one is counterfeit but they think if they get the counterfeit, it's gonna it's going to actually look really bad because I'm going to a legitimate authorized dealer to buy this cable, and you give me the cable that looks just like the legitimate one, right? Only it doesn't work right or catches my phone on fire, or whatever else you know. What's the brand reputation at that point? How does that actually play out from there, right? And so it really does get very tricky in those cases. Like I said it was, it was very sad, especially as the investigator. When I have factory to ground investors you know money trail that looks very suspicious only to be told we can't do anything. We're we're gonna stop the investigation because they're also you know they have authorization and I'm like you gotta be kidding me.

Leah Evert-Burks: That, that is heartbreaking. And it's that that measure of reputation versus sales in getting that education through sometimes successfully many times, not with other departments within a brand, but it's it tends to be a hard hard lesson for them to learn and as you indicated, you know, if a customer is going to an authorized retailer, and they're getting a counterfeit good your brand has been damaged sometimes beyond redemption because they trusted you as the, you telling, you that this is an authorized retailer. So, but I know that brand owners and and people in the brand protection community that will be listening to this podcast will all be shaking their heads. Because, because they've all had or many have had these conversations internally with their businesspeople. So that's that's heartbreaking to hear?

Joshua Hopping: Yep.

Leah Evert-Burks: I wanted to touch on another case that I found intriguing in your portfolio of investigations. Where you had come across 10 websites or domains selling branded prescription medications. At the A-CAPP Center we spent a good amount of time on counterfeit pharma. The dangers, the proliferation online. Could you walk us through the discovery phases of this investigation? Joshua Hopping: Yeah. So this was like I said we had our system that we always work with again we work with my investigators on the OSINT side we always work really good with our analysts teams. I think there's a great something to be said about embedding the investigators with your analysts, that they're actually getting the results in from the system. And in this case we were working with our analysts. We

had a series of domain names come up. They look very similar. I think anybody's done with the legal pharmaceuticals online you see that there's tons of websites and a lot of them follow similar trends of how they look, and branding as such. So in this case we had 10 domain names we had found that looks similar. So we started diving deeper into them and find out what's going on, and what we discovered was a bigger network that had over 180 different domain names. Most of their domain names had their whois masked. But we had a few of them that were unmasked and that's where we had addresses in Russia and Ukraine. So we then start digging a little deeper into that, and then we actually well, we kind of piece together the different websites between the whois records, the HTML coding, some of tracking records would build up the 180 sites. We then did a test purchase of undercover covert operations of a test buys. So which basically means that you're buying an item from the website using a credit card and a shipping address and a buyer address that cannot be traced back to you because you don't want them to know that you are investigating them. So you want to use in an ID identity that's kind of neutral. And so I think, basically a fake in as a customer to get from it. So we got the information back from them, and we all pieced it together, and when it turns out to be the end result was we had a gentleman living in Canada that was, had a company that's registered in Barbados. He was taking prescription medicines from Turkey that most likely came from India. If it, that's where the flow usually comes but we knew he was office in Turkey, and he was shipping the goods from Turkey to United Kingdom up to England. He's reboxing the medicines and then he was repackaging him into branded packaging, and then they were going into the supply chain, a CVS is in Pennsylvania is what they were doing. The the U.S. Attorneys General Office of Western District, Pennsylvania, actually discovered this network a few years before we did, and they took them the court. They, you know they convicted him. He had a big fine. He lost a couple of 100 domain names. He had this huge fine he had a pay, and he paid all that all that happened about two years prior to our investigation. So they're really kind of shows you the problems of also with the the legal law we currently have right now. You have a gentleman mixing stuff into legitimate supply chains. The U.S. District Attorney finds out about it but they don't go to jail. They get fined, and they just pay the fine because you know, even if it's a 1 million bucks a couple of 1 million dollars that's cheap compared to the profits, and in this case he then started going right back, in and so when I found them. He had a, you know, 180 domain names, and he was still doing the same stuff, and he still had this whole operation that went from like, I said, Turkey, Ukraine, through England, Canada, Barbados, international kind of market, international network, and he was still making a lot of money and still doing it, even despite the fact that he a, the government had kind of slapped him on the wrist.

Leah Evert-Burks: Instead of prison time or going to jail. So he didn't really have a deterrent because he was making so much money. He could pay the fine right, correct?

Joshua Hopping: Exactly, exactly this, you know. He was able to pay the fine. He went through it and I know there's legal rules between getting him out of like Canada or different countries, and and then places. But I I this really struck me really big, and one thing I like with the case is because we were

able to. Well, it highlights the international flavor of these sites. Right. They they claim to be Canadian but they're really bringing in, you know, medicine from around the world. We have multiple players involved, multiple places, Barbados courses, a tax haven. So the company he had was registered down there. So he actually got tax havens. He had companies registered in Canada, U.K, as well as in Turkey. Say he was using to kind of funnel you know products stuff through, and it kind of highlights the amount of money that's happening in the danger that it poses because it wasn't just selling online. It was getting into these pharmacies.

Leah Evert-Burks: Yeah legitimate pharmacies.

Joshua Hopping: Legitimate pharmacies, you know, I I see the pressures these issues and supply chain distribution people work out because when you're trying to actually buy products to be able to shelf on your store. You, you know, especially in their, well back up in our day right now we have supply chain issues and things are, you know, running low. You can kind of think about, maybe shifting your your agreements a little bit, trying to find - I need to get aspirin. I need to get whatever I need to be, right. I can get on the shelves and back in early part of 2020 aspirin was like going for \$100 a bottle online on some places, because everybody was trying to use it for COVID. And if you're trying to stock the shelves of your store, especially the small smaller stores, pharmacies, and stuff even a little bigger one, you may be willing to go entertain, you know a conversation with somebody that you may have some red flags about, but at the end of day, if they deliver, then you're like, hey? Came out cheaper. I'm there I gotta put it in the shelves, and then it gets into the supply chain. So we just got to really stay diligent with our different rules and policies to make sure that when we are buying something we know about, we know what people are buying from we know our vendors because it's easy to get into it.

Leah Evert-Burks: Yeah let me you you'd lay out some, some interesting challenges you know jurisdiction challenges. You know we find that in counterfeiting where some of these places that the the goods go through are intended to cause issues with enforcement. And issues with extradition and and they know this.

Joshua Hopping: Yes.

Leah Evert-Burks: So the more complicated the, you know the journey of the counterfeit goods through various countries, and having actors in different countries, the more difficult it is to prosecute. So you know that's kind of a known fact among counterfeiters. So and and and also we've we've talked a lot at the Center about like I think counterfeit pharmaceuticals, and that they you know the Canadian market and and that's been interesting to talk about for our Canadian friends. You know we, people consider Canada very well trusted, and counterfeiters realize that. So they use that as a trust factor when

in fact many times they're not operating out of Canada. These are, these are not legitimate pharmacies but it's interesting how they branded it Canadian with that pulled toward it must be trusted then.

Joshua Hopping: It is very interesting that nature, because I think the statistics is like with 30 to 40,000 illegal pharmacies at any given moment, I think, is the normal statistics out there and I would say the vast majority of them all have that Canadian branding, and part of me is like, well, why not like England or Mexico or somewhere else right it's always Canada, and it just kind of goes that public perception that's there, and the counterfeiters will take really good, they'll ride that train because they're kind of shifting on there.

Leah Evert-Burks: If you're interested in hearing more about risks involved with online pharmacies take a listen to the A-CAPP Academic Hot Topics series, specifically "Latest Trends on Consumer Purchasing from Illegal Online Pharmacies" with John Hertig and also "Latest Trends on the Detection of Illegal Online Sales of Controlled Substances" with Tim Mackey. You can access those sessions on our website under the Outreach Tab.

Joshua Hopping: And a lot of them are ran out of like in the Russian and Ukraine, and even in this case we had the Russian Ukrainian connection. We actually found the passport number of one of the guys there out of Ukraine. We actually found the social media account, and he actually has shared a picture of his passport. Love social media.

Leah Evert-Burks: Talk about public information that's helpful. Right?

Joshua Hopping: It totally is it was like VK platform, and he was like a bragging like going to the trip, and he has a picture of his passport and such and they're like oh, I think it was turned sideways you zoom in you kind of get the numbers and like where he's at. This is where this is a caution. If somebody like on Facebook or VK they're talking about giving like what's your favorite ice cream, or what was your name of your first pet, where were you born. Don't answer those, those are all security violation questions. Now as an investigator I love that stuff because I can find your birthday and I can find where you grew up, and I could find everything going on. It's a lot of great fun to pull that in. Which actually on a side note reminds me of another case I did and going back to to your cables. We were actually in in Boise. We had some work colleagues go to the local gas station, and they were on the gas station that had these racks of all these different kind of knick-knacks and different cables, and such well, they were selling counterfeit cables phone cables, chargers on the the rack there in this gas station. It was like half a mile a quarter mile from the office, so they bought several of them because they're like, you know they're working on this account. They brought it back they look at the packaging, and they're like Josh - you should take a look at this this company. So I started diving into their, and when it turned we found them. Trace them back to a company in Houston, Texas, that was going out, and they were selling to all these

gas stations. They were going to like industry conferences in Vegas, I mean they were very open, and what they were doing the website was ran by this lady and I couldn't figure her out, except for I finally traced it back, using social media and places. It was the the infringer, the main infringer's his roommate from five years ago's mother that was running the had a registered domain name, and they kind of hide the trail a little bit. So it's like the mother of his roommate from five years ago. And then, you know, he's talking about you go on to like Facebook, and you have your family connections and you see your family stuff. So you are looking to family, and, like his aunt, was convicted of human trafficking and human slavery. He had, like a cousin that was in the drug trade, and it was like this really interesting family structure. That kind of started coming to light, using like in social media and some other background checks I have.

Leah Evert-Burks: And it all started with the trip to the gas station.

Joshua Hopping: Yeah it all went with a trip to the gas station. This is what again I love looking at social media and places. If you can find pictures of what people are doing with your money you're stolen money it really opens up the game. There's I'll I'll tell you some stories but one time I flashed up in front of a client. I was trying to sell them on our investigations, and I did a test investigation, and I showed a picture. This is the guy that took your money he's he's the one that's stealing from you and by the way, he's drinking like \$200 bottles of like cognac and brandy and stuff where he's going out and buying this high dollar liquor and drinking, and here's his girlfriend and she's bragging about going to the store and buying designer dresses and jewelry, and this is like this is where your money is going, and it it talks about getting your stakeholders to, you know, jump on board because you have a face it's not just a I have a domain name selling counterfeit. I have a marketplace listing. You have a face. Once, you know who's behind it. You have a face in the in again, a C suite level, and those director levels when they have a face and they have a story. Once you have that story, you can really connect those people together. Cuz it goes beyond just having a datapoint it's have the story.

Leah Evert-Burks: Yeah, I I definitely agree with that. You know once once you have you know that that there's a human element. And you see how these people are benefiting from stealing your goods, and how like you were saying how flashy they you know they are. I mean there's something that will get under your skin.

Joshua Hopping: Exactly.

Leah Evert-Burks: And you know I've I've had those conversations with with CEOs where they're looking at the numbers and they're like, Oh, yeah, that's that's not good that that's happening, and then you start telling them the stories, and telling them who's benefiting from stealing your IP. And then

there's an interest then there's a like you know we start talking about all the development and time and so forth, and reputation of the brands and that's when you get their attention. That's when they're you know they they're ire comes up because they know what's gone into making the brand and having it be a healthy brand, and to see somebody you know steal it is just more than they can bear.

Joshua Hopping: Exactly and especially when they're doing something like they said they're they're spending money. This wheeling and dealing it, and flashing it around, and in some cases more so than the brand owners themselves. Right, because you're especially if you have a brand that's struggling to make ends meet, or you have to lay off people. And then you like you're trying to balance that deal between getting your company going, and then you get the test going on and it's just yeah. It's painful but that I think that's another in a side note. I think that's the this is one reason I love about OSINT investigations. We've been talking a lot about really finding out the bad guys and helping prepare that. But one of the benefits of OSINT investigations within an online brand protection program, and, like embedding them like talk about in with the analysts teams and such is, it really does help flesh out some of the stories that you really help bring to the table, to your your company, to your different departments, because they really goes from just having a list of you know we took down you know X amount of listings or X amount of social media and stuff could be gonna say like these are the people behind it. This is what's actually happening and if we actually focus on this network we can remove. You know a this portion of the problem, and it really again gives you those stories to be able to connect and tell what's really does help move people I think, when it crosses, so it's another additional value I guess you would say to the program when you're looking and developing it.

Leah Evert-Burks: And I and I agree I mean the tallies of take downs and raids and the cost, and so forth, is helpful, but when you can talk about the stories and the people behind the criminal activity, that is, when you kind of can move the needle and get support from the C suites. Well, well, Josh I as we're winding down here, I don't want to miss the opportunity to talk about you, as we're talking about IP and development and so forth in creating IP you actually have an issued patent in the technology space that's - that's quite an accomplishment? Can you tell us a little bit about that?

Joshua Hopping: Yes, I do. It was a long time coming this it's a a patent. I guess it's official title "Brand Abuse Monitoring System with Infringement Detection Engine and Graphical User Interface." How's that for a title?

Leah Evert-Burks: That's a mouthful.

Joshua Hopping: So this really was again in about in 2014. This is really, actually really tied into investigations. I was at Mark Monitor at the time. We really were kind of pushing and launching the OSINT investigations and really tied things together, and I got to talk with Krishna.

He's one of our product developers at the time and product managers, and we're like how can we automate this? How can we bring things together and connect to to really make these infringement come out? So we sat down and we brought in some other the investigators There's five of us right now, I believe on the patent, and we came up with a computer model to be able to really tie things together bring the infringement to bring in a lot of the open source, open-sources that we have, and tie it together into a place. For those who really want the technical details you could get online and look out the patent. The developers really went really good. I was more the commercial guy, and saying like what we could do, and and really kind of helping dream with the possibilities. And in those guys were like amazing computer engineers behind the behind the scenes that actually made it work - must give me credit for that. So yeah, it was a great work that we did putting together and getting it going.

Leah Evert-Burks: That's great. So I also wanna mention, as we did in your bio at the beginning of the podcast, that you have a new book coming out. And it's actually your third - entitled "Online Brand Protection Proven Strategies for Protecting Intellectual Property Rights in a Constantly Changing Digital Age." That last part is, so that's the challenge. Right? Constantly changing. Yeah. So congratulations on that.

Joshua Hopping: Thank you. I appreciate it. I'm I'm really excited to be able to share that with people. The the view behind this was over the last 18 so years set up in in the industry. The, well, things have changed all the time right but there's certain strategies and certain focuses that are maintained constant. How do you approach it? How do you do it? And I've also did a saw that there's a lot of companies that come in that they? Well, I guess I always say there's 3 different types of clients, right? There's a, you have clients that know what they're doing. They just need a technical partner to help them find the abuse out there. They need a search engines and places to pull things in there, right? So you need that vendor? So you have clients that don't have a clue what they're doing, and then you have clients that they I didn't know what you're doing. But they don't know if what they're doing is the right thing, or the best thing right. They're kind of in that gray area. Where those two other groups, the ones that don't know, or the ones that kind of know that's where my target is my book is being able to say, you know, if I'm setting up a brand protection program specifically on line brand protection. So that's been my area expertise that's my focus right? If I'm setting up online brand protection program if I'm working with a vendor or what not, or setting it up myself what would that look like how would I do? What questions would I ask? How would I work through the process? And so is really is trying to set through on a conceptual level of saying what questions do I need to be asking to be able to come with it. So that's where I'm trying to walk walk people through is these are the questions these are what I'm doing. And

then we can actually there's a workbook in there where you can actually take notes and answer the questions. I have a couple of little stories called my wild sauce tales where I'm trying to kind of talk about. If I was a person in a brand and I'm like kind of trying to figure this out like what would I do from like a first person, and then the toolkit at the very very end that says here's all the charts, this is the stuff I want to look through everything from domain registrations, user names to, you know OSINT investigations to setting up. It shows a property rights So really kind of I try to think through the different parts that you would have for that one to really help teach people how to get into this industry how to set stuff up, or even just to think through what did I miss. You know, if you're in that point of view of saying like, where am I going? What can I have So I'm really excited to be able to share that with the the wider world? I guess at this point.

Leah Evert-Burks: So yeah, yeah, and it's so important a lot of times people get stuck because they don't know what questions to ask. So that's a that's a great point to to bring to light? What are the questions that should be asked? Okay so I have a challenge for you. If you could pick one word to describe you either you're OSINT investigations or particular case, what would that one word be?

Joshua Hopping: Yeah, I think it's definitely a hard challenge right kind of bringing it in there. I think the word that I would describe would be story because we've been telling stories throughout whole tell, and then we talked about the power of stories. You, you have your data There's lots of data out there you have the analysis of data, which is what the data means. So you have your commentary that really says "so what?" How do I move through? And I think the story really is that "so what" piece is really bringing to light what we do is bringing the light. All the information all the data all this research, all the investigations, and really putting it back to be able to say at the end of the day - this is why we're doing what we're doing is our stories.

Leah Evert-Burks: Yeah, I like that, definitely like that. So, Joshua, thank you for your your contribution to brand protection and thank you for doing the hard work.

Joshua Hopping: My pleasure. Thank you for having me on.

Brandon Drain: Successful brand protection takes a village and as such is multi-disciplinary by nature, and necessity. That is one of the reasons the A-CAPP Center works across disciplines and opens its student internships to a variety of majors including packaging, engineering, law, criminal justice, psychology, and International Relations."

Leah Evert-Burks: It was great to reconnect with Josh and learn about the world of OSINT that serves to build out an investigation, but also the story of a counterfeiting crime which is essential to enlist support. He brought up some important points about the balancing of reputation (hard earned and easily

lost) and sales revenue (the bird in hand) which is a hard lesson for brands. Brand Protection is education so educating your business partners on the long-term effects of allowing a relationship to continue that will ultimately damage your brand is one of those necessary tough conversations to ensure the long-term health of a brand.

Brandon Drain: If you're interested in sponsoring episodes of Brand Protection Stories, please contact A-CAPP Director Kari Kammel at kkammel@msu.edu.

Leah Evert-Burks: In the next episode of Brand Protection Stories listen to the dynamic duo of investigator Denise Mosteller and attorney Jeremiah Pastrick to recount the story, including a very take public down, of a counterfeiter producing and selling ballistic eyewear-yes eyewear to be used by law enforcement and the military to protect their eyes in gun battle and from explosives. Listen and cheer from the sidelines.

Brandon Drain: Thanks for joining us today for this edition of Brand Protection Stories, produced by the Center for Anti-Counterfeiting and Product Protection (or A-CAPP) @ Michigan State University in East Lansing, MI. Please visit us @ a-capp.msu.edu. A-CAPP is a non-profit organization founded in 2009. It is the premier academic body focusing upon the complex global issues of anti-counterfeiting and product protection of all products, across all industries, in all markets responsible for training the next generation of brand protection professionals. In addition to this series, we offer self-paced online certificate courses in brand protection, applied education and academic courses, executive education, student internships, live summits and virtual events, and publish the quarterly digital industry journal, The Brand Protection Professional - now in its 6th year of publication.

Leah Evert-Burks: This is Leah Evert-Burks with A-CAPP. Until our next session, keep protecting your brands, and the world's consumers. Keep it real.