

Global Digital Forensics Case Study



Case Type – Intellectual Property Protection (Seizure), Anti-Counterfeiting, Brand Protection, Product Diversion

Environment – On-Site Seizure at Several Locations Throughout NY, NJ and CA.

Industry – Consumer Healthcare Products

Systems Involved – Desktops, Servers (Linux, Win2003), Email Server (Exchange), Remote Offices connected through VPN Firewall.

Case Background

A manufacturer of consumer healthcare products began receiving complaints on their consumer information line. The complaints regarded a variation in taste and texture of several products purchased at a discount chain. The consumers complained that the product they purchased was unusable, watery and smelled tainted. The company, through a Private Investigator in New York, purchased several products that were counterfeit. The name and packaging of the product was exactly the same as the legitimate product, including the company's trademarks. The Private Investigators also purchased several products where packaging was so similar to the company's copyrights and trademarks that a Federal Judge deemed them sufficiently confusing to consumers and signed a seizure order allowing the company's attorneys and a seizure team accompanied by United States Marshall's to enter locations operated by the discounter and a distributor. It was suspected counterfeit product was being received, stored and distributed from the locations. The locations also included offices where it was suspected that records regarding the counterfeit merchandise were kept. The order also allowed the seizure team to locate, enter and search any additional locations that are identified while onsite.

The Seizure

At 7am on a Saturday Morning the Seizure Team which included the attorneys, computer forensic specialists from GDF, private investigators and the United States Marshall's convened at locations in New York City, Long Island, New Jersey and Los Angeles. At approximately 8am EST the seizure teams entered the locations simultaneously surprising the workers who arrived just minutes earlier. After the Marshall's served the order and secured the premises the investigators began searching for

Toll Free: 1-800-868-8189
Int. Phone: Phone 727-287-6000
<http://www.evestigate.com>

counterfeit product and the computer forensic specialists began imaging disk drives and searching for additional locations. GDF computer forensic specialists were able to image and search approximately 30 computers in 5 locations as well other digital assets such as cellular phones, fax machines, telephone systems and voicemail systems while the investigators and attorneys searched the warehouses and offices. While only 3 counterfeit products and 2 cases of the “confusing” merchandise was seized the computers yielded a wealth of information.

The Findings

GDF Computer Forensic Specialists were able to identify 3 other locations, including a storage facility blocks away which contained additional counterfeit merchandise. The computer forensic specialists also located e-mail communications between the owner of the distributor and his sources for counterfeit merchandise in China describing shipping dates and quantities of past orders. GDF computer forensic specialists were also able to generate reports of total sales of all counterfeit and suspect merchandise as well as identifying other suspect counterfeit merchandise by the company. After the disk images were returned to a Global Digital Forensics Lab in New York and a complete analysis was conducted GDF computer forensic specialists were able to reconstruct full financials, extract shipping manifests, determine stock on hand of counterfeit merchandise in various retail outlets as well as determine all the suppliers of the counterfeit merchandise.

The Outcome

Using the digital evidence the computer forensic specialists gathered along with the physical evidence the company was able to quickly stop the sale of the counterfeit merchandise, settle the case and recoup the expense of the seizures. The computer forensic analysis allowed the attorneys to expedite gathering financial information, locating the foreign sources of the counterfeit goods and building a solid case. The client realized a significant reduction in billable time because most of the relevant information was in electronic format and could be easily accessed and used for reporting and analysis thus reducing the cost of the seizures.



Toll Free: 1-800-868-8189
Int. Phone: Phone 727-287-6000
<http://www.evestigate.com>