

Brand Protection Strategy:

Goals, Choices, and Tradeoffs



- Brand protection is a strategic business function, not just legal defense



- This session covers defining goals, evaluating choices, and managing tradeoffs



- Designed for brand leads, marketing teams, and founding teams



- Directly connects to growth, trust, and long-term asset value



Why **Brand Protection** Deserves a **Formal Strategy**

- - Brand protection as risk management, not just legal defense
- - The 'AI tax': a hidden cost on growth and revenue
- - 2026 data: 78% of brands lose 5%+ of annual revenue to fakes
- - Weak protection erodes brand trust and customer lifetime value



The Expanding Threat Landscape in 2026



- Beyond fakes: domain spoofing, impersonation, phishing, deepfakes



- Generative AI enables high-fidelity brand imitation at scale



- Viral moments trigger impersonation within 24–48 hours



- Threats span marketplaces, social commerce, search, and standalone sites



Defining Your Brand Protection Goals

- ▶ Three common goals: prevent customer confusion, protect revenue, preserve reputation
- ▶ Defensive goals (stop harm) vs. offensive enforcement (pursue bad actors)
- ▶ Align goals with business stage, resources, and risk appetite
- ▶ Aim for measurable outcomes, not just "reduce infringement"
- ▶ Track: revenue at risk, recovery, conversion impact, and repeat-offender rate



DEFENSIVE RINGS

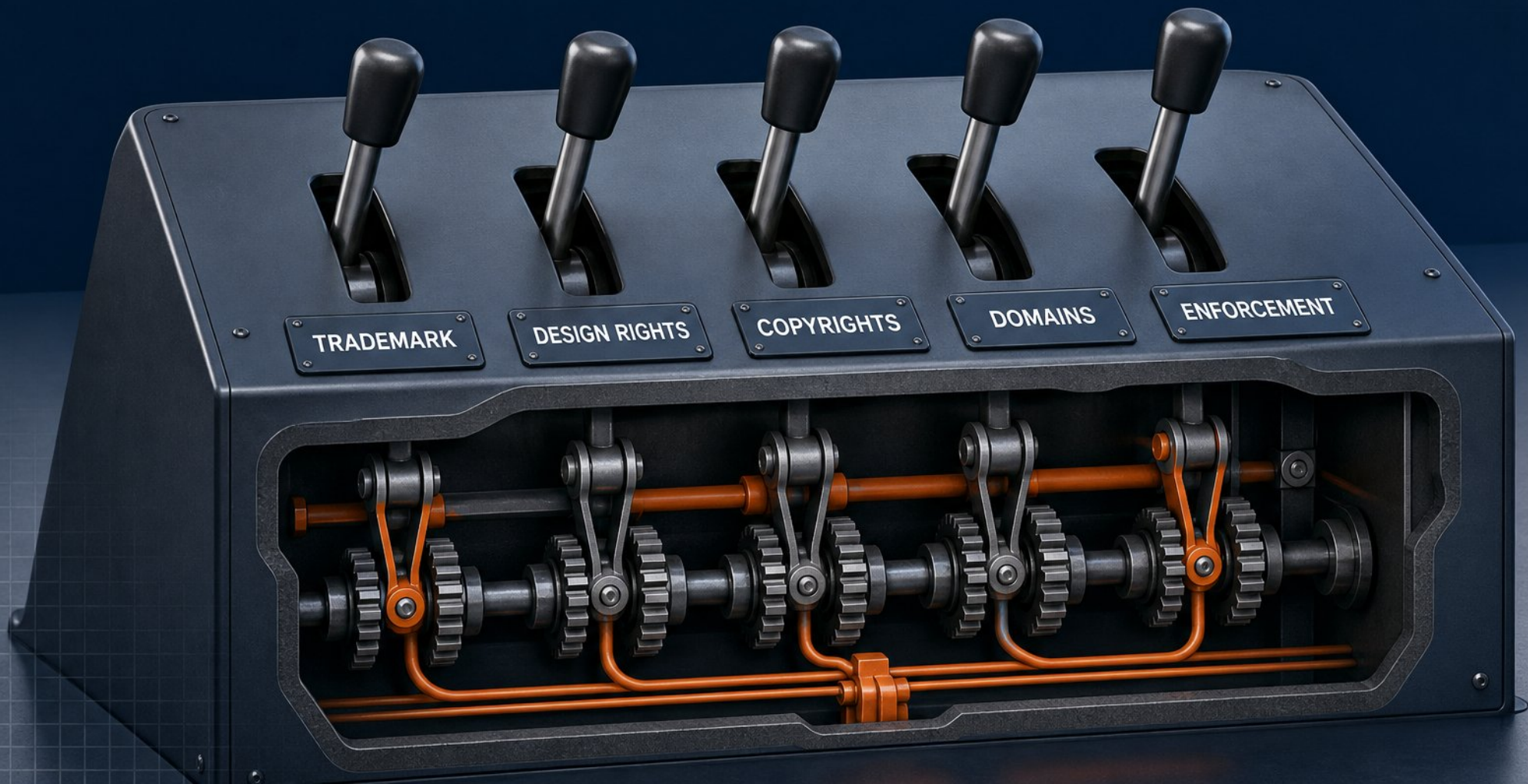
Focus on stopping harm and protecting what matters.

OFFENSIVE ARROWS

Focus on pursuing bad actors and driving enforcement.

Core Protection Levers: What You Can Actually Control

- - Trademarks, design rights, copyrights, domains



Trademarks, Domains, and Social Handles: The Foundation

- Trademark registration unlocks platform enforcement programs
- Defensive domains: misspellings, TLDs, “official,” “shop” variants
- Secure social handles and verify official accounts
- Product photography copyright: an immediately available tool



Tradeoffs Every Brand Team Must Face

- Balance enforcement cost against coverage scope
- Speed of takedowns vs. legal rigor
- Protect customers without adding friction
- Proactive monitoring vs. reactive response
- Prioritize global reach vs. local focus



The Authorized-Dealer Safe List: Preventing Collateral Damage



- False-positive takedowns on authorized partners cost more than violations



- Build a maintained list of every storefront, domain, and entity name



- The safe list is the structural foundation for automation



- Prevent the liquidation-driven grey market that follows wrongful suspensions



Choosing Where to Act First: A Prioritization Model



- Assess risk by channel: marketplaces, social media, search ads, domains



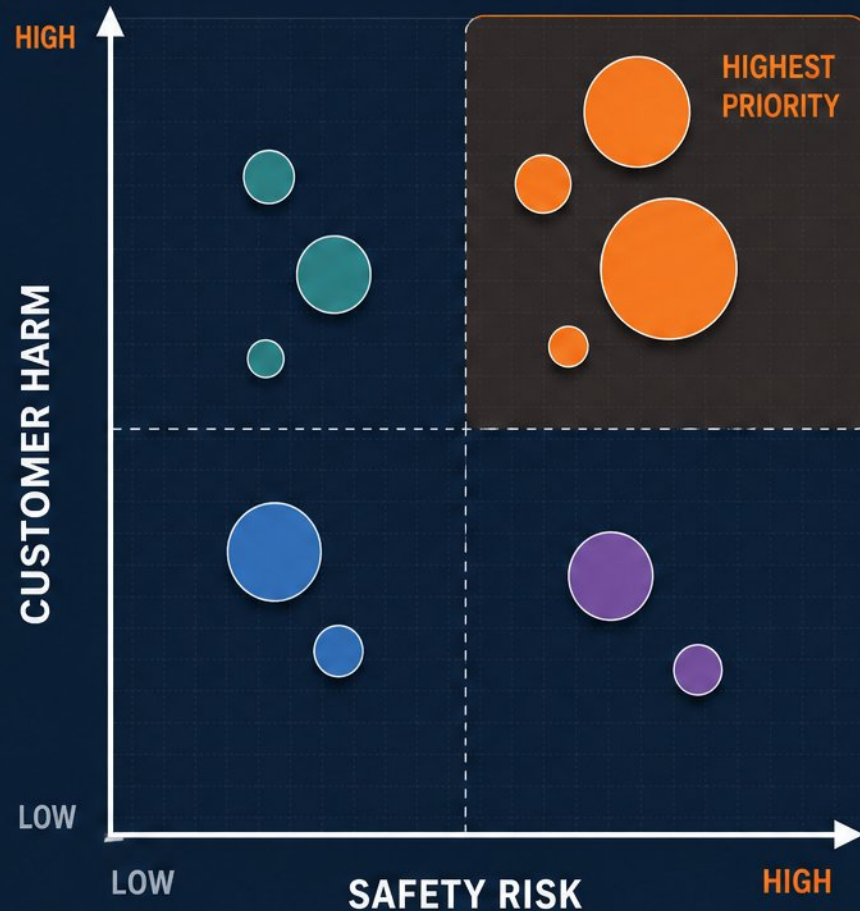
- Prioritize by customer harm, revenue impact, and safety risk



- Use a simple scoring model to triage infringements



- Apply the 95/5 split: automate commodity takedowns, pursue legal networks



TRAFFIC LIGHT PRIORITIZATION



- RED: Act First**
High harm, high safety risk
- AMBER: Monitor**
Moderate harm, moderate risk
- GREEN: Low Priority**
Low harm, low safety risk

Building a Lean Brand Protection Workflow



Working with Platforms and External Partners



- Amazon Brand Registry, Project Zero, eBay VeRO, Temu Brand Guardian
- Platform programs: enrollment prerequisites and expectations
- Law firms, agencies, monitoring tools—match to your threat model
- Brief partners on goals, tradeoffs, and authorized-dealer boundaries
- Common mistakes: over-delegating, unclear escalation triggers, no safe list

Measuring Progress Without Legal Jargon



- ▶ Translate protection activity into business outcomes
- ▶ Track active threats, resolution rate, repeat infringers, response time
- ▶ Report in plain language for leadership and founders
- ▶ Use data to adjust strategy and resource allocation



RESOLUTION RATE



ACTIVE THREATS



RESPONSE TIME



From Takedown Counts to Revenue Impact



- Takedown volume is a vanity metric—only 35% of brands track revenue recovered
- Track revenue at risk and estimated revenue recovered
- Conversion shifts on official channels prove enforcement value
- Support cost avoidance: reduced cases $\times$ average cost per case
- Conservative ROI benchmark: 3–5 $\times$ return on brand protection investment

Putting It Together: Your First 30 Days



Start with asset
inventory and
channel audit



Select two or three
high-priority actions
aligned with goals



Set a lightweight
weekly review
cadence



Securing tangible wins:
filing trademarks,
enrolling in Brand Registry

Next Steps and Team Alignment

- Align marketing, ecommerce, legal, and support
- Assign one clear owner for each channel
- Define escalation triggers and approval thresholds
- Schedule quarterly reviews to adapt strategy



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