Similar 'parasitic' packaging 2017



The following examples of potentially misleading packaging have been identified in shopping trips during 2017.

They were selected by John Noble of the British Brands Group. Evidence has not been gathered to confirm to what extent shoppers have been misled by any of the examples.

Research shows that similar packaging increases the incidence of mistaken purchase and increases shoppers' assumptions that the copy comes from the same company or has the same quality and reputation as the original. A summary of the most recent UK research is provided at the end of this document.

It has not been confirmed in every instance whether the same manufacturer makes both the original and the product in similar packaging. Were a manufacturer to make both products and they were identical, then the similarity would not be misleading. Indeed the packaging would be potentially helpful to shoppers, identifying where there is true similarity.

Examples are presented side-by-side for comparison purposes. This may not be how the products are presented in store. The original product may be alongside, on a different position on shelf, on a different shelf or not present. The retailer determines shelf position, as it does the retail price at which both products are sold.

The side-by-side presentation helps careful comparison. That however is not how people tend to shop. For familiar products regularly purchased, shoppers rely on subconscious and System 1 (fast) decision-making, making their choices in a matter of seconds. Few use shopping lists and few read labels, relying on colour and shape primarily to identify products.

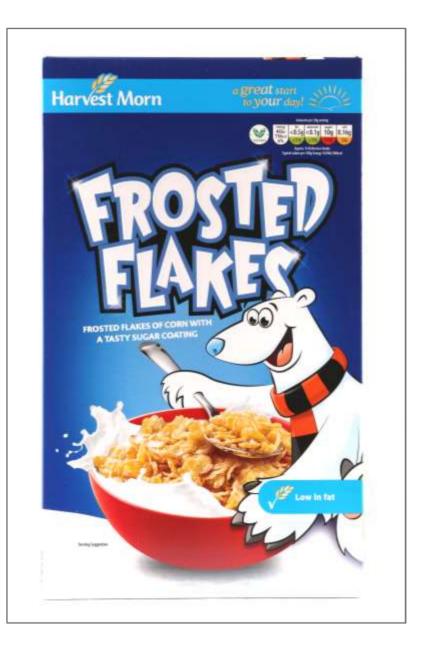




























































































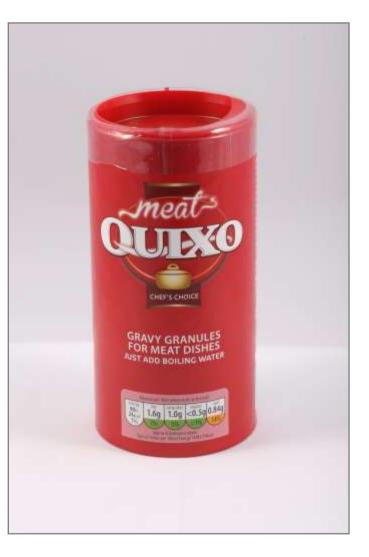




























Research

• The UK Intellectual Property Office (IPO), a Government agency, commissioned a <u>study</u> into similar packaging in 2013 which reviewed historical studies and undertook its own original research.

Following publication, the IPO summarised the key findings of all the research reviewed:

There is a lookalike effect. In essence:

- Consumers are more likely to make mistaken purchases if the packaging of products is similar and there is strong evidence that consumers in substantial numbers have made mistakes;
- Consumers' perceptions of the similarity of the packaging of goods are correlated with an increased perception of common origin and to a material degree. There is also an increased perception of quality;
- The lookalike effect increases consumers' propensity to buy a product in similar packaging.
- A research <u>study</u> by Acuity Intelligence, published in 2017, confirmed colour as the primary search feature and that the presence of a copy disrupts decision-making. Mistakes in identifying the brand occurred 20% of the time when both the original and the brand were present and 64% of the time when only the copy was present. The colour and clarity of the pack play a role in accurate search, indicating that ageing populations are at particular risk. The study concludes that errors were unavoidable, being driven by unconscious decision-making, and that packaging similarity drives the effect.

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