

Counterfeiting What? Aesthetics of Brandedness and BRAND in Tamil Nadu, India

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ABSTRACT

This article investigates the circulation and production of branded apparel consumed by lower and lower-middle class young men in urban Tamil Nadu, India, focusing on garments which exceed the authorized brand: export surplus, duplicates, hybridized branded forms, and fictive branded forms. I argue that the circulation and production of such brand surfeits is governed by the (dis)articulation of global brand logics and local aesthetics of brandedness. The interlinkages between this aesthetics and the logics of export-oriented and local ("counterfeit") production result in the bracketing of brand image and identity, even as particular aspects of the brand are reproduced. The article concludes by critically interrogating the analytics "brand" and "counterfeit" as naturalizations of particular frames of commodity intelligibility. I argue that the coherence of commodity classifications like brand and brandedness is contingent upon the regular regimenting of excesses of brand materiality and intelligibility across moments of production, circulation, and consumption. [Keywords: Brand, counterfeit, piracy, fashion, youth, Tamil Nadu, India]

I. Introduction

I had been coming to this small patch of Chennai, a tightly packed grid of streets hemmed in by busy and noisy avenues, for the past month to research the production and circulation of branded garments. The streets were lined with small textile workshops, garment wholesalers, and a few retail shops selling branded “export-surplus” and defect jeans, shirts, hats, and other accessories produced in India for consumption abroad. Unlike the export surplus, largely made in industrial towns like Tiruppur and Erode, the main wares produced in this area were of comparatively low quality. Made for the local market, such clothing was also branded, mimicking the export surplus sold by neighboring retailers. These garments maintained much less fidelity towards the brands they animated. One could find cheaply made shirts and hats with names like Ferrari (Figure 1) or Reebok, or both (Figure 2); brand-inspired apparel that animated brand names in novel designs (Figure 3); and even shirts which had the look of branded garments but with unrecognizable names and logos (Figures 4 and 5).

Today, I was chatting with a small-scale producer of Bermuda shorts about the “Columbian” brand shorts that he was selling. These shorts utilized the same logo, font, and name



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Figure 1: Ferrari brand shirt: a “local dummy piece” with the same font, name, and color scheme as an authorized Ferrari brand product.



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Figure 2: Ferrari and Reebok brand hybrid: two brands sutured together in one commodity.



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Figure 3: Levi's referencing brand surfait: only the lexical form of the brand name (“Levi’s”) is retained, while font, logo, and design are discarded.



Figures 4 and 5: “Us 395” fictive brand: fictive brand name and logo paired with nonsense English design.

of the Columbia Sportswear Company, with the small addition of an “n” at the end of the brand name. How did this winter apparel brand make its way from the blustery ski slopes of Oregon, USA to the blistering heat of the local Chennai market? Was it Columbia’s brand image? Was it because Columbia was popular with young men in urban areas (this producer’s main target market)? Was it because Columbia had a definite presence and brand recognition in India? In short, was there a local “demand” for the Columbia brand to which his production would provide a “supply”?

None of these explanations, this producer shrugged. He said he knew Columbia was a foreign brand. That was why, fearing legal repercussions, he changed the name to *Columbian*. But beyond that he didn’t know anything about the brand. Rather, he chose Columbia, he explained, because he was able to acquire 500 kilograms of Columbia brand cardboard price tags for close to nothing. That was it. Taking advantage of a contingent production surplus of Columbia brand tags made for export, he started producing his own *Columbian* shorts. To these he appended his newly acquired tags, adding an air of authenticity that made the garment look “royal” (“rich,” “expensive”).

He didn’t only make *Columbian* shorts, though. He would also get requests from his wholesalers for Fila and Adidas brand name shorts. Such shorts would keep the same stitching, overall layout of design elements, logo, and tags as his *Columbian* shorts, resulting in a kind of brand Frankenstein: an Adidas or Fila brand name embroidered in the Columbia brand font alongside a duplicated Columbia brand logo, topped off with an export-surplus Columbia brand cardboard tag. But doesn’t anyone

care that you got the logo and brand name wrong, I ask naively? Not at all, he replied. For his market—lower-middle-class young men in urban Tamil Nadu—no one really cares about brand image, identity, or authenticity. They only care about the garment's "*look*" (its attractiveness) and "*style*" (its being cool). They only care that it looks *like* a brand. In a word, they only care about its brandedness.

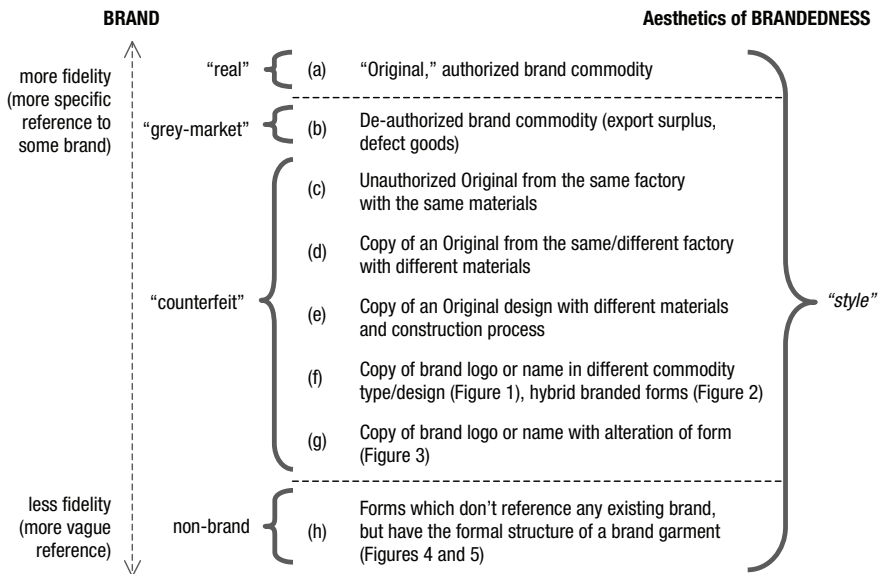
Aesthetics of Brandedness

There is something uncanny about brand surfeits like these Columbian shorts. *Like* a Columbia brand product, but clearly marked as not, the intelligibility, design, and even materiality of such clothing presupposes and emerges out of brands which they also exceed. Such pieces of apparel aren't mere copies of some brand original, they are something more, as belied in their insensitivity to brand identity, authenticity, and authority. They seem to disregard the brand even as they animate it, to ignore it even as they take on its material and aesthetic form. While in the field, this raised a series of questions for me. If, indeed, producers and customers are indifferent to brand authenticity, image, and identity (see Nakassis forthcoming, on brand indifference in non-elite youth consumption¹), then why do they care about brandedness? If there is no "demand" for brands as such, then why is there such a steady supply of brand-inspired and brand-esque garments in local markets? How does one get from brand to an aesthetics of brandedness?

By "aesthetics of brandedness" I am referring to the reckoning of commodities, or elements of them, by their loose affiliation to authorized brand instances through fractional similitude with them (in a formal structural or design sense). That is, as having the qualitative and material look and feel of a brand commodity, as being *like* brand commodities, even if perhaps not. I contrast this with a reckoning of commodities, or elements of them, by their ability to authoritatively differentiate themselves from other commodities, or elements of them, vis-à-vis their production/brand origin (e.g., through forms of intellectual property such as trademarks), and by virtue of such differentiation invoke a unique and authentic brand image/identity (Coombe 1998, Lury 2004, Manning 2010, Mazzarella 2003, Moore 2003). It is this indexical link between commodity tokens and their brand type ("image," "essence," or "personality" as put by marketers) that constitutes the anchor for this classification, or social ontology, which I refer to with

small-caps as “BRAND” (Nakassis 2012). Of course, these two commodity ontologies—brandedness and BRAND—need not be in tension.² Indeed, they mutually imply each other and often they work in lock step. What is so interesting is that the aesthetics of brandedness that I discuss in this paper is, in fact, in tension with and cross-cuts the BRAND (Figure 6). As we will see below, this aesthetics scrambles and brackets the intelligibility of BRAND, even as it depends on and emerges through it.

Figure 6: Two Commodity Ontologies



This tension between BRAND and brandedness is not simply a function of differing commodity aesthetics or classification, however. As I discuss below, it is also underwritten by particular institutional and economic conditions which mediate the material circulation and production of these surfeits. In particular, it is underwritten by the relationship between export- and locally-oriented production, the former abiding by the BRAND and the latter by a local aesthetics of brandedness. In what follows, I show how global capital that is attuned to markets outside of India, but that locates production within India, mediates the circulation of branded garments in Tamil Nadu in two ways: by generating surplus which circulates and is bought in the local markets, and, partially as a result of this, by providing the design templates and raw materials for local garment production.

In both cases, the paths by which branded forms reach local markets systematically dismantle the classificatory logic of such clothing as tokens of brand types, thereby short-circuiting the semiotics of authorization and authenticity upon which the BRAND ontology stakes its claims. At the same time, by being mediated by the export-oriented textile industry (itself mediated by BRAND logics), the local production and circulation of branded forms reproduce particular formal and aesthetic aspects of the BRAND, as well as material fractions of particular brands (names, logos, slogans, labels, tags). All this results in an uncanny brand landscape that is often criminalized under labels such as “counterfeit” and “piracy.” In the conclusions of the paper I discuss why such labels fail to capture the complexity of the production and circulation of such garments, and how any theory of brand must proceed from an investigation of the brand’s excesses of value and meaning and the surfeits that materialize them (also see Nakassis 2012).

II. Circulating and Producing Brand Surfeits

Export Surplus and the Circulation of Brand Surfeits

With the liberalization of the Indian economy in the 1990s, Indian textile factories increasingly opened up their productive capacities to foreign companies looking to produce garments in labor-cheap India for export to lucrative non-Indian markets (Chari 2000, 2004; see Luvaas 2010, Manning and Uplisashvili 2007, Phau et al. 2001, Thomas 2009, Vann 2005 on similar dynamics in other regions). Such export-oriented production is consequential for the social lives of brands in local Tamil markets for two reasons. First, export-oriented textile production circulates global branded forms in local Tamil markets through the excess, or “overage,” that it creates.³ Second, such production provides “models,” as local producers put it, for the production of branded forms for local markets, whether they be knock-offs or brand-inspired garments (cf. Crăciun 2008, 2009; Pang 2008; Phillips 2005).⁴

Below I focus on both processes, drawing on my research with export-oriented producers in Tiruppur and Erode, and on locally-oriented producers in Chennai. The production units in Tiruppur and Erode range from large, all-inclusive factories to small workshops networked together in decentralized outsourcing relations. Such production outputs large

quantities of high-quality brand goods for export to the US, Europe, and other relatively wealthy markets. On the other hand, the local production units in Chennai that I discuss are very small, typically only having a handful of workers and producing limited amounts of relatively cheap, low-quality garments intended for the local market (akin to those in Figures 1 through 5 above).

As noted, the centrality of export-oriented textile production lies in the regular and planned-for excess of production. The export-oriented producer's contractual payment with the buyer—a brand company or a proxy thereof—includes this “overage” within its calculation. The producers that I spoke with indicated that typically 5 to 10 percent of the production run is allotted for surplus and defects, on the assumption that the production process operates with a 3 to 10 percent error rate. What is supposed to happen to that overage depends on the contract with the brand company. Some companies require the destruction of the surplus, some allow it to circulate freely if marked as defective (Figure 7), while some



Figure 7: Mark on export-surplus garment's label: the washed out “X” on the label of the garment marks it as a “defect” (Erode, Tamil Nadu).

allow it to circulate but only within India (along with a bill of certification that, in effect, de-authorizes the good). Whether in accordance with contract or not, such surplus and defect garments inevitably circulate in local markets.

From factories, the distribution of such surplus and defective garments is typically brokered by “seconds agents.” Seconds agents collect the goods of many producers, and then sell them to wholesalers (who then deliver them to retail outlets), or to other producers who use such goods to create products of their own. This latter case applies mainly with unfinished goods like cloth, zippers, labels, and the like. From wholesalers, finished brand surfeits move within India to showrooms, clothing shops, traveling bazaars, and platform merchants. They circulate either as what distributors and shop owners called “stock lots” (a hodgepodge of garments, unsorted by design and brand) or as “fresh stock” (a single brand design). In the stores I visited, “stock lot” was the most common way



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Figures 8 and 9: Stock lot of export surplus: (LEFT) large bundles of stock lot garments outside an export-surplus retail store (Erode, Tamil Nadu). (RIGHT) inside of one such stock lot. The goods are sorted by garment type but unsorted by size, design, or brand.

that garments came to them (Figures 8 and 9), largely because of the incredibly cheap prices at which the stores and wholesalers were able to acquire such goods.

The important point here is that, as excess, the afterlife of these brand surfeits in BRAND peripheral local markets doesn't feed back into their production, and in this sense is asymmetrically calibrated to the logic of non-local BRAND design and demand. The circulation of such garments is beholden to a local market whose demand doesn't control the production of its supply, and thus it circulates for much less than what can be extracted from the foreign target markets which drive the production and supply of these garments in the first place.

But why are such goods so cheap? First, the factory producer may not have independent access to a market where he can sell them. Even if he does, often the local market cannot bear the full cost of the good, so items are sold for whatever local distributors and wholesalers can pay, often less than production costs. Second, export overruns often lack the sufficient quantity or "spread"⁵ required by wholesalers, giving the factory owner little flexibility in dictating prices. Third, the export-oriented producer has already been paid for the excess through the contract with the brand company; thus the profits (and risks) reaped by selling such goods are over and above his bottom line. And because the amounts of export surplus are relatively small compared to the total sizes of the contracts, and because the relative effort and risk of moving them on their own is relatively high for producers (often compounded when such reselling is a breach of contract

with the buying house), buyers of export-surplus goods are in a position to ask for rock-bottom prices. Finally, the brand company or its proxy has the right to refuse a shipment if it is late, if the quality of the goods are not up to standard, or if the brand company goes bankrupt and cannot pay for the goods. Such rejected products end up getting resold to other companies, either for export (e.g., by simply attaching a new label and repackaging the good) or for sale on the local market. Again, in both cases the goods are often sold at a heavy loss to the producers.

In short, because such garments sell at incredibly deflated rates and circulate in unsorted “stock lots” they largely make it into local stores independent of their brand identity. As retailers in Madurai and Chennai explained to me, given such low prices there is little risk to the indiscriminate retailing of branded forms, especially as youth consumers are largely indiscriminate regarding brand identity. The result is that almost any and every brand produced in India for export ends up on the local market for cheap.

Note how the logic of export-oriented production simultaneously makes authorized brand goods prohibitively expensive for most Tamil consumers, and thus not widely circulated, while at the same time making de-authorized versions of those same goods cheap, and thus widely circulated. This is inherent in the asymmetry at the core of this neoliberal logic: by being calibrated to markets with much higher-buying power—the reason why production is in labor-cheap India in the first place—the circulation of authorized brand goods becomes highly circumscribed just as alternate paths of circulation for non-authorized brand surfeits are opened up. While it is ultimately the social life of BRAND in non-Indian markets (its non-local “demand”) that brings branded forms to local Indian markets, the logic of local circulation systematically brackets the classificatory logic of such branded forms as instances of their brand types. That is, export-surplus branded forms circulate in local markets, but such circulation is insensitive to any specific, local “demand” for brands of such-and-such a type (even if it existed). While the logic of why brands come to be made in India would seem, from the point of view of the supply and demand of brands in the global economy, highly rational, that same logic introduces modes of circulation in local markets which seem highly ad hoc vis-à-vis those very same brands.

In addition to circulating export-surplus branded garments, export-oriented textile production is also central to the circulation of branded forms

in two other ways. First, as noted above, export surplus includes not only finished apparel products, but also sub-components of such products. One can buy export-surplus yarn, t-shirt material, buttons, zippers, logos, collar tags, price tags, etc. These are, like finished export-surplus products, incredibly cheap, and form an important source of raw materials for local producers. By providing high-quality but low-priced materials, such excess makes low-level local production economically viable, especially given the incredibly small profit margin at which such producers operate.

Second, circulating export-surplus brand garments provide the templates or “*models*” from which most local producers design their wares. When I asked such producers about their production process, they noted that the main source of their designs is export-surplus brand clothing.⁶ Such producers may attempt stitch-for-stitch knock-offs or, just as commonly, use the export-surplus garment as inspiration for their own designs. Below I focus on the latter category, not only because such creatively altered branded forms were the most common among non-elite young men during my time in the field, but also because their design and production process illuminates how this logic of export surplus enables and yet is exceeded by the aesthetics of brandedness that underwrites local production and consumption.

Producing Stylish Brand Surfeits

For local producers, the primary principle of design is that the brand garment made for export is “*fashion*.” Such brand garments are seen as exemplars of good design, as self-evidently attractive objects. As producers explained to me, brand garments—and their logos and names in particular—are beautiful, bright and colorful, attention grabbing, and interesting to look at. As they repeatedly emphasized, brand garments are *style* (see Nakassis forthcoming). Voicing their target market—lower-middle-class young men—producers explained that brands are *style* because they make people turn their heads as you walk by, they make you seem like a “big man” (*periya āl*), they garner you social esteem from your peers. They’re cool. This is because brands are “*different*,” they aren’t “*normal*.” They look “*royal*” and they invoke the fashion sensibilities of the “*foreign*” (i.e., Western countries) and those with the wealth to inhabit it (non-resident Indians, foreign returns, urban elites, film stars, and, of course, foreigners) (cf. Halstead 2002, Yurchak 2006:156-206). In our discussions, the

invocation of this aesthetico-performative principle, *style*, self-evidently justified these producers' use of export-surplus branded forms as inspiration for their own designs, even above their status as particular brands. As one graphic designer put it, "the question isn't the brand (identity), but whether the design looks good and has *style*" ("*look-ā irukkā? style-ā irukkā?*"). Brand garments made for foreign markets do, whatever their origin, whatever their brand identity.

It is important to note that the kind of low-level production that I am discussing here is not based on any kind of organized research by producers about their youth consumers. Rather, producers "watch the market," as they put it, following their own sales and the production of others, altering their production and designs accordingly. Producers' discourse about "watching the market" reveals a dual anxiety: the anxiety of being left behind regarding what is "moving" in the market and the anxiety of one's goods not being differentiated enough from other producers' goods. This results in both the compulsive copying of designs already circulating in the market and their continual alteration, elaboration, and hybridization. Once a brand design becomes popular—as those of Ferrari and Diesel had between 2007–2009—there is a frenzy of production to duplicate that brand design with minor alterations to differentiate one's wares from one's neighbors' (e.g., in the font, colors, spelling, logos, etc.). This continues until that design's cachet on the local market fades, as, for example, Ferrari's had by 2008.

Without any systematic research, producers' imagination and figuration of what their youth consumers are like is paramount. Once again, export surplus is central. As we saw above, non-elite youth, producers explained, find brands and commodities from abroad aesthetically pleasing. The brand garment for export is, by virtue of that very fact, a reasonable guarantee that an inspired version of it can be sold for profit. This faith in the export is grounded in a particular assumption, often narrated to me by producers, about the political economy of consumption in India: lower and middle-class people emulate the rich, and the rich emulate the West.⁷ Thus, if you duplicate brands made for foreign markets (specifically, for the West) you will make sales.

In short, this belief that brands guarantee profits isn't held to because producers see "demand" for such-and-such brands among young, non-elite men (their primary market); nor is it held because producers closely follow the sales of such and such brands in the West or among the Indian

elite because, by and large, they don't. Rather, this belief is grounded in an aesthetic of brandedness that producers believe that they share with their non-elite, youth consumers. That is, the branded form has that *look* and *style* which is performative of statusful modes of youth masculinity (Nakassis forthcoming). Thus, such forms will sell, while "*plain*" ones without brand-esque names and designs won't. And again, this is independent of brand identity or authenticity as such. As producers often justified the liberties that they would take with the branded form, "the customer doesn't know the difference, and if they do, they don't care."

And as I found out, often producers themselves didn't know about the brands they were copying or using for inspiration, except that they were brands (and sometimes not even that). As one producer noted: "we don't care what the brands are. We make them because they '*move*' [sell] on the market. There is no need to know the brands, because consumers don't even know the brands." Not only does the re-fashioning of branded forms happen through producers' and consumers' shared aesthetics (or the former's imagination of that sharedness), then, it also works through their common indifference to brands qua brands.

In short, a dizzying number of brand garments produced for export are being duplicated, refashioned, and hybridized by local producers. These producers get a hold of branded forms and use them as the basis from which they make their own products, whether they be faithful to the brand or ultimately novel in their designs. Indeed, because the capricious and capacious appropriation of branded forms is tangential to the image, target market, or product ranges of any so-appropriated brand, any brand can be pulled into the cauldron of garment production. By being circulated and (re)animated in this way, the very logic of BRAND is bracketed, simulated by an aesthetics of brandedness. Below I look at how this aesthetics of brandedness draws on the form of the brand while at the same time erasing its rigid indexicality of brand origin and identity.

Aesthetics of Brandedness and the Diversification of Brand Surfeits

While some producers do attempt high-fidelity knock-offs of branded items, a large amount of what circulates and is produced locally deviates from export-surplus models. Why?

First, there are particular exigencies of budget and production. Fabric, threads, dyes, or other materials necessary to duplicate some brand

garment may not be available, or they may be too expensive. Similarly, the stitches and cut of a design may be too difficult or time intensive relative to the projected budget, profit margin, or technology available to the producer. Beginning production of new garment types takes time and money, and thus there tends to be conservatism regarding taking up new processes of garment construction. Only elements of the garment that are seen as constitutive of its “look” are replicated by producers (to whatever ability they can). While this might include a new way of stitching a sleeve or pocket, for example, more often than not the design elements taken up by producers are widely-recognized fractions of the brand: the brand name, logo, slogan, or label. Such brand fractions are highly localizable and discretely bounded, visually foregrounded, and easily transportable into other commodity forms (note, all features of trademark design more generally). Further, they are often already available to producers in the local market as export-surplus/inspired commodities themselves. In short, even as brand fidelity is systematically compromised (and BRAND ontology suspended), brand fractions tend to be conserved as building blocks for local production.

Second, as noted above, producers imagine their youth consumers to be indifferent towards brand identity. One producer, for example, explained why he produced his shirts with one brand name on the pocket, another brand logo on the collar label, and a third brand name and logo on the cardboard tag attached to the garment. He noted that without the label, without the tag, without the visible marker of the brand on the pocket, the shirt would look “bad” and “ugly” (“*asingkam*”), the garment would look “cheap.” But putting these brand names and logos in these strategic locations would make the shirt look more “royal” and attractive (“*look-ā irukku*”). The overall combination of these various brand fractions elevates the garment by participating in an imagined elite fashion, beautifying and making the garment eye-catching. The logic revealed here is that it isn’t consistency of indexed brand identity that matters, but that branded forms have a particular formal structure and aesthetics, of which the label and tag are a crucial part. Customers expect this structure, though not the brand consistency of the subparts. Similarly, in talking about a garment that had Adidas’s three stripes logo paired with the Fila brand name, another producer noted that he often combined different brand names, logos, and “wordings” (slogans or other supplementary text). As long as the design elements are visually pleasing, separately and together, he said, there was never a problem with

such mishmashes. The same producer emphasized that his productions—whether they be hybridizations between existing brands, or “original” designs that utilize made-up brand names—always follow the proper name/noun plus design/logo formula (with “wordings” optional). It is this aesthetized organization that is important, he explained, not the pointing to actual brands through signs of brand fidelity. And indeed, his wares, like those of other producers, laid out its brand fractions in ways that calqued off of the formal structure of authorized brand garments: name and logo in close proximity, organized vertically with respect to each other and foregrounded on the front of the garment (and sometimes across the back), the wordings on the garment less prominent, often under the name–logo pair or on the back of the garment. And finally, he would always package his clothes like an authorized brand commodity: labels on the collar and price tags attached to the final product.

Third, the legal status of BRAND is an issue that impinges on how local Chennai producers design their garments. Indeed, when I began my research in this area of Chennai there was a large amount of suspicion that I was an agent of a brand company out to get counterfeit producers (cf. Crăciun 2008). After producers warmed up to me, I was told that big companies which were coming to have a stake in retail in India—for example, Adidas, Nike, Reebok—were exerting pressure on producers to cease their counterfeit productions. Regarding their designs this meant that local producers increasingly altered the logos and names of their brand “*models*” in order to make them different enough so as to not count as counterfeiting. To their mind, only an *exact* replica would count as breaking the law.⁸ To treat such brand designs as aesthetic objects, freely borrowable the same way one might use a color palette or geometrical shape, would be unproblematic. One simply has to alter the form slightly or recombine it in a novel design. The brand here is a template, a complex aesthetic design whose subparts can be disassembled and reassembled with other brand fractions or with other design elements.

Thus, as the producer of Columbian shorts that I mentioned at the outset of this paper explained, he changed Columbia to Columbian and Timberland to Timber Island. Similarly, he might have the Nike swoosh drawn with a more extreme curvature or flipped horizontally; or one of the three parallel Adidas triangles might be reversed in direction. Alternatively, he might hybridize various brand fractions with each other in the same design (like the Fila brand name with the Columbia logo). Note, again,

the productive tension between BRAND and brandedness. Earlier I demonstrated how the economic logic that (dis)articulates foreign BRAND demand and local markets encourages the local replication *and* diversification of brand designs. Here, we see how local producers' fears surrounding the enforcement of BRAND-rights by intellectual property holders also functions to encourage the innovative elaboration of branded forms in local markets in such a way that they only ever problematically index the brand types from which they derive inspiration.

While local garment production depends on tokens of the BRAND as material and symbolic inputs, for all the reasons discussed above—*aesthetic, economic, and legal*—brand surfeits in local markets transgress and problematize that very BRAND ontology, in effect reclassifying BRAND tokens by an aesthetics of brandedness which differently reckons the sameness/difference and value of circulating commodities.

But this very bracketing of BRAND is also why this is an aesthetics of *brandedness* and not something else. Brand garments and fractions of them are reanalyzed and simulated as instances of *style*, as vague allusions to foreign lands and the fashion sensibilities of those who inhabit them. Under this aesthetics local producers poach branded forms as building blocks from which to make *stylish* garments, duplicating them, hybridizing them, and refashioning them as parts of their strategic gambits to entail consumption in their target markets. Such local designs inevitably replicate (material) fractions of the brand *and* at the same time formal structural qualities of branded apparel. And in replicating both *less than* and *more than* the brand, brand surfeits that circulate in local Tamil markets engender an excluded middle, an excising of the heart of the BRAND concept—its rigid designating capability to index brand identities/origins in the attempt to create consumer trust, recognition, loyalty (or even love), and thereby profits (Coombe 1998; Lury 2004; Holt 2004; Arvidsson 2005; Foster 2005, 2007).

III. Counterfeiting What?

In the course of this discussion, I have noted a set of tensions. Brands are ubiquitous in local Tamil markets, and thus seemingly in “demand.” And yet, there is an insensitivity—an active indifference, even—towards those very same brands. Rather than producing branded forms as instances of BRAND, such forms are reckoned by a more general aesthetics of

brandedness which animates branded forms according to a different principle of value, what producers and consumers call the garment's "*style*."

And in being so mediated the production and circulation of brand surfeits in local markets brackets the BRAND even as it (re)produces brandedness. I argued that this results from particular movements of global capital utilizing the cheap labor of the Indian textile industry, the resultant material excess, the loose calibration between export-oriented and locally-oriented garment production, and the seemingly ad hoc logic of local markets vis-à-vis the BRAND. However, as we saw, local markets seem ad hoc and blind as to what particular brands are or mean because what such low-level producers are making, what wholesalers are distributing, and what non-elite youth are consuming aren't brands or instances of them, but instances of brandedness, of *style*. It is this principle that organizes and calibrates "supply" and "demand" for the local market, and thus conditions the very materiality of the branded forms that circulate in it.

If all this is the case, one can see how notions of "counterfeit," "piracy," and by extension "BRAND" are all problematic. If, indeed, branded garments in local, non-elite Tamil markets are not reckoned as instances of particular brands, but as participating in an aesthetics of brandedness, legal doctrines like "consumer confusion" and more recent notions like "dissociation," "dilution," or "tarnishment" of brand image do us no service in understanding the local consumption, circulation, or production of these garments.⁹ The brand surfeits that we have discussed confuse no one as to their origin. In fact, they are not even read as indexing any (brand) origin except for some vague notion of exteriority (the "foreign"). And from this it follows that they cannot dilute associations attached to particular brands. Without the indexicable brand identity as a knot to tie together a variety of brand "meanings" or associations, there is nothing to dilute, and no one for whom it can be diluted.

We might ask, then, to what extent are such brand surfeits "counterfeit"? Under an alternative commodity classification such as *style* does the notion of "counterfeit" make sense? More generally, how is it possible to say that something is a copy of something else, rather than that we are simply dealing with two separate forms (cf. Boon 2010)? To understand something as a copy or duplicate—for example, of a brand "original"—is, minimally, to be able to regiment a set of forms according to some classificatory principle which reckons them as fractionally (dis)similar, and hierarchically arranges them based on temporal priority: original and copy.

And yet, I have argued that the most relevant principle in local markets in Tamil Nadu isn't BRAND—exactly such a classificatory principle which turns on the truth-functional distinction between “real” and “fake”—but an aesthetics of brandedness which distinguishes between objects which can or cannot do *style*. Under this aesthetico-performative classificatory principle, the concept of the copy becomes less meaningful, as do concepts of brand authenticity (cf. Reinach 2005, Vann 2006). From this point of view, local Tamil producers aren't counterfeiting brands, but reanimating them, citing them, refashioning them, simulating them.

This isn't to say that we cannot evaluate such goods as counterfeits. Indeed, we can. But the quality of being a counterfeit or duplicate isn't inherent in the material forms involved, nor the mental states of consumers or producers. As I have argued, when the brand-indexing capacity of branded tokens is bracketed, what remains is neither the question of ontological status (is it “real” or “fake”?) nor the question of consumer epistemology (do consumers take the goods to accurately point to the brand origin or does it “confuse” them?). Rather, we are left with a particular political and legal regime of just capital flow (backed by appropriate ideological consciousness, to be sure). As should be obvious, counterfeiting exists when profits aren't going to the “right” person, the person who owns the intellectual property that anchors the brand's indexicality.¹⁰ “Brand” and “counterfeit” are the discursive face of this regime of authorized indexicality and authentic (iconic) value, its structure of (legal) policing and (marketing) management.

The problem with “counterfeit,” “piracy,” and “brand” as analytical concepts, then, is that they always already recruit the objects of analysis, and thus the analyst, to a highly partial, not to mention historically recent, and normative, framework which, as we have seen, may not actually be at play for the relevant population at hand.¹¹ Indeed, a large part of the problem for brand companies in places like India is that many people do *not* evaluate branded forms under the BRAND ontology (Manning 2009; Manning and Uplisashvili 2007; Pang 2008; Vann 2005, 2006; Yurchak 2006:156-206). A major task for governments, international economic organizations, and brand companies is the socialization (or coercion as the case may be) of consumers, producers, and governments to this classificatory principle (Bush et al. 1989:61, 64; Cordell et al. 1996:51; McDonald and Roberts 1994; Thomas 2009; Wee et al. 1995:41-42), thereby belying what should be all too apparent: the BRAND is never a

natural category, ontologically or analytically, but a politically and historically achieved semiotic category.

It is not simply, then, that the meanings or images of various brands are up for grabs and thus must be managed by marketing practice (as Arvidsson 2005, Lury 2004, and others have shown), nor is it that different social or cultural groups have different takes on brands (and counterfeits) and thus must be regimented by legal practice. Rather, it is that the BRAND ontology is itself a site of instability and fragility. It is the constant menace of this ontological excess which the naming and policing of the “counterfeit” attempts to contain (and exploit) but which, in local Tamil markets as well as the globe over, continually fails. To assume the stability and intelligibility of BRAND (and counterfeit), then, is to gloss over complex social terrains; terrains which, without the ethnographic interrogation of the interlinkages between moments of production, circulation, and consumption, elude us even while seeming to be unproblematically legible within received narratives of globalization and liberalization, whose logos, it would appear, is that of the BRAND. ■

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Endnotes:

¹My comments in this paper only extend to this particular demographic. Indeed, richer youth's consumption patterns differ from their working class peers, being much more attentive to issues of brand identity and authenticity (see Nakassis n.d.a).

²Nor need we assume that either BRAND or brandedness is singular. Indeed, there are surely many different aesthetics of brandedness, just as the BRAND ontology itself is, in various respects, historically and regionally variable. Important to see is that while every BRAND ontology necessarily implies some aesthetics of brandedness, these two forms of commodity intelligibility are independent of each other and can come to be disarticulated in key ways.

³Of course, it isn't only foreign brands that create such overage. There is overage from Indian brands as well. However, relative to designer Western brands (or brands so construed), apparel brands that are understood to be Indian are largely not seen as aesthetically or commercially viable by local producers for duplication or imitation. As such, duplicate and brand-inspired production rests largely on brands thought to be foreign (and Western in particular) for their designs.

⁴While I use the singular term “producer,” this may include a number of different biographical individuals and a number of different roles: owner of a workshop, copywriter, graphic designer, computer operator, machine operator, tailor, finisher, etc.

⁵The “spread” refers to the distribution of variants of some product, for example by size or color. As it is linked to contingencies in the production process, export surplus is often unevenly distributed with

respect to such variables. There may, for example, not be enough medium sizes for a wholesaler to be interested in buying some product.

⁶This isn't to say that other modes of circulation don't bring brand templates to local producers; for example, television, film, print and billboard advertisements, Internet websites, trade fairs, and authorized showrooms in high-end malls all provide fodder for local production. However, among the local producers that I dealt with, "watching the market" and export surplus were the main ways that they came into contact with new brand designs.

⁷Of course, this pattern might also be seen as produced by the differential relationship that elites and lower classes have to the circulation and production of branded forms and the metadiscourses which imbue them with value. While elites are attuned to and consume brands that are fashionable in foreign markets (for which production in India is calibrated), as I have discussed, designer brands also circulate among lower- and lower-middle-class youth according to a logic that is independent of such elite consumption. This isn't to say that a "trickle down" effect doesn't exist. Indeed, mass-media representations of elites in television and film are clearly one principle for the movement of brand fashions across classes. Rather, my point is that "trickle down" notwithstanding, the cycling of branded forms among lower and lower-middle-class youth seems to follow more closely the vagaries of export-oriented production schedules (and their subsequent uptake in locally-oriented garment production) than it does the *specific* brand tastes of the elite.

⁸Whether this was sincere or willful ignorance of intellectual property law so as to deny their culpability is unclear, though my impression was that many such producers did indeed believe that their modifications and hybridizations were legal. In any case, given the murky and changing status of intellectual property law in the West and in India (Gangjee 2008), such beliefs are unsurprising.

⁹For discussion of the notion of brand "confusion" see Bently 2008, Coombe 1998:41-87, Davis 2008, Ginsburg 2008, Higgins 2008. For discussions of the notions of "disassociation," "dilution," and "tarnishment" of brands see Arvidsson 2005, Bently 2008, Coombe 1998:41-87, Griffiths 2008, Manning 2010, Wang 2003:21-40. On Indian trademark law and dilution see Gangjee 2008.

¹⁰Of course, some concept of iconism between that which is counterfeited and the counterfeit must be assumed to be in play in order for the concept of "counterfeit" to be intelligible in the first place. But the larger point is that the conditions of possibility for such iconism, however construed, depend on a structure of (indexical) authorization which is variously distributed across the commodity chain (Nakassis 2012). Put differently, we might ask, to whom and under what conditions is this iconism felt to hold? While intellectual property law posits that it holds for the "consumer," we can see that this is primarily as an imagined discursive construct rather than an empirical one. Ultimately, such iconism holds for the intellectual property owner (who brings a claim) and, if successful, the law (who enforces it) (see Coombe 1998:62-66).

¹¹It is important to see that this is not simply a problem of cultural difference—that is, *BRAND* for some, brandedness or *style* for others. It is also a misrecognition of what and when a brand is. The conspicuous absence of the brand surfeit from theories of the brand is a symptom of this misrecognition. Peripheral, derivative, and inessential, from the point of view of *BRAND*, surfeits have no existence outside of the orbit of what they "pirate." This exclusion is especially odd given the well-documented, historical contemporaneity of concepts of intellectual property like copyright and trademark and problems of counterfeiting and piracy (Johns 2009; Kriegel 2004:256-262; Wilkins 1992, 1994; also see Coombe 1998). This exclusion results perhaps from the focus in the literature on successful, iconic (product) brands in mature (Western) markets, where the primary data come not from ethnographic accounts of brand engagement, but from the analysis of brand metadiscourses of intellectual property law and marketing (the latter of which is, ironically enough, based on marketers' ethnographic "thick description" of brand consumption [Fournier 1998:344]). Ultimately, however, I would suggest that the analysis of brandedness presented in this paper requires us to question this exclusion at the heart of academic accounts of the brand: such excesses and surfeits are not exceptions to the rule, but the very rule itself, a point I have argued in more detail elsewhere (Nakassis 2012). To grapple with this fact, however, requires that we resist the naturalizing tendencies of concepts like "brand" and "counterfeit," and instead site our ethnographic analyses in those liminal situations where the brand flickers in and out of being, where it is overrun by those forms which are enabled by, yet irreducible to, it (see Nakassis n.d.b for more discussion).

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Foreign language translations:

Counterfeiting What? Aesthetics of Brandedness and BRAND in Tamil Nadu, India
[Keywords: Brand, counterfeit, piracy, fashion, youth, Tamil Nadu, India]

பேரலி செய்வது எதை? தமிழ்நாட்டில் மாத்திரைத்தன்மையின் அழகியலும் மாத்திரை அடையாளமும்
[மாதன்மைச் சொற்கள்: மாத்திரை அடையாளம், பேரலி, பாதுப் பாணி, இளைஞர்கள், தமிழ்நாடு, இந்தியா]

仿制什么？印度泰米尔纳德邦品牌与品牌营销之美学
[关键词：品牌，仿制品，盗版侵权，时尚，青年人，泰米尔纳德邦，印度]

Подделки чего? Эстетика брэндинга и брэндов в Тамил-Наду (Индия).
[Ключевые слова: брэнд, подделка, пиратство, мода, молодежь, Тамил-Наду, Индия]

Contrafazendo o Que? A Estética da Qualidade de Ser Marcado e a MARCA no Nadu Tamil, Índia
[Palavras chaves: Marca, contrafação, pirataria, moda, juventude, Nadu Tamil, Índia]

تزييف ماذا؟ فن تجميل الوسم والسومة في تامل نادو بالهند
الكلمات الجامعة: الوسم، التزييف، القرصنة، الموضة، الشباب، تامل نادو بالهند

