



## The Limits of Authenticity in Vietnamese Consumer Markets

**ABSTRACT** In this article, I address the saliency of the concept of “authenticity” in contexts of international law and anthropological inquiry. Using my research findings in Ho Chi Minh City (HCMC), Vietnam, I show that although Vietnamese shoppers distinguish between what they term *real* and *fake* goods, they do not share with foreign corporations and international trade organizations a preoccupation with product and brand authenticity. To make this point, I describe four types of goods—model goods, mimic goods, real goods, and fake goods—employed by shoppers in HCMC, and discuss why they have little in common with notions of “authenticity” and “ownership” inherent in international standards of intellectual property. I argue that these conceptual differences in the commercial sphere challenge claims about the universal applicability of intellectual property rights laws and also encourage anthropologists to ask whether authenticity is always a useful tool of cross-cultural understanding. [Keywords: authenticity, intellectual property rights, Vietnam, consumerism]

**I**N JUNE of 1997, Madeline Albright, then–U.S. Secretary of State, visited Hanoi. Albright’s trip followed from several years’ work by the Clinton administration to reestablish diplomatic and trade relations with Vietnam. That work was completed when President Bush signed the U.S.–Vietnam Bilateral Trade Agreement in September of 2002. Albright’s visit to Vietnam was significant because it symbolized the end of an era marked by war, embargos, and mutual distrust. Also noteworthy, and of particular interest to me here, was the document that Albright carried with her to Hanoi: a copyright agreement. Vietnam’s opportunity to renew economic ties with the United States hinged on its willingness to recognize and protect U.S. intellectual property rights (IPR). Among the many issues this document addresses is authenticity. I use the term *authenticity* here not merely to reference corporate appropriations of authenticity in marketing, such as Coca-Cola’s claim that their soft drink is “the real thing.” I use it because, in a world of mass-produced goods, IPR laws—copyright, trademark, and patent—are employed to maintain clear distinctions between the authentic and the fake, the genuine and the counterfeit. International IPR laws, such as those established by the WTO Trade Related Aspects of Intellectual Property (TRIPs) Agreement,<sup>1</sup> derive from a history of legal decisions in Europe and the United States that linked authorship to ownership, privileged originals over copies, and turned ideas into property (Coombe 1994; Rose 1993;

Woodmansee 1984). It is through these particular lenses that IPR laws determine which copies are authorized, legitimate, and authentic, and which copies are unauthorized, illegitimate, and inauthentic—and therefore illegal (Coombe 1998). But although these laws are enforced internationally, many who fall under their jurisdiction do not share the assumptions that naturalize their associative links between ideas and goods, authors and creators, and property rights and ownership.

In my research in Ho Chi Minh City (HCMC),<sup>2</sup> for instance, I found that shoppers (and, arguably, many manufacturers) have few concerns about product and brand authenticity as defined by international IPR laws; instead they are guided by different ways of thinking about the relationship between those who copy products and those whose products are copied. Rather than imagining copies pitted against originals and counterfeits against authentic goods, shoppers in HCMC say that *hang nhai* (mimic goods), which international IPR laws would deem “counterfeits,” follow the standards set by *kieu* (model) goods, the famous brand name goods that serve as their models. Shoppers also distinguish between what they call *hang gia* (fake goods) and *hang that* (real goods). In HCMC, however, the terms *real* and *fake* call into question not the authenticity of a product, but its existence: whether a product is actually a product at all. In this article, I describe these four categories of goods—model goods, mimic goods, real goods, and fake goods—and I

argue that they have little in common with international IPR standards of authenticity. For this reason, they not only challenge claims about the universal applicability of IPR laws but also encourage us to ask whether authenticity is always a useful tool of anthropological interpretation.

## TWO CRISES OF DECEPTION

During the summer between his junior and senior years of college, Quoc returned to Vietnam for the first time since he and his family had fled across the Cambodian border in the late 1980s, eventually settling in the United States. Along with his father and two brothers, Quoc had spent four years in refugee camps before settling in Virginia at the age of 16. Quoc had been old enough when he left Vietnam to remember a great deal about his home country, but his years abroad had placed considerable distance between him and his former life. When he returned from his trip, he was eager to tell me about the changes he perceived in HCMC and in the lives of people who live there.

There is so much to buy in Vietnam now. . . . In one of the street markets in Saigon . . . I saw this woman selling Zippos. . . . They looked old—like they were from the war. But some of them were really cheap [in price]. I asked [the seller] why, and she told me that they were copies. . . . I compared them and really, I couldn't tell them apart. Then she showed me the differences. "See how the engraving marks are a bit sharper on this one? See how the imprint of the "Zippo" [logo] on the bottom of this one is not as deep as that one?" . . . When she pointed out the differences, suddenly I could see them. But they were so small. . . . I don't know if I could tell them apart now, even if I had a real one and a fake one in front of me. . . . I don't know how people in Vietnam can figure out what's real and what's not these days. [conversation with author, March 7, 1999]

Quoc's amazement at the proliferation of goods in Vietnam that seem to blur the boundaries between "real" and "fake" was echoed by many residents of HCMC. Lan, a 52-year-old tailor, recognized a decline in the percentage of legitimate goods on the market: "Ten years ago, products were good. But these days, 10 percent are good products and 90 percent are products that appear to be good but really aren't" (conversation with author, December 4, 1999). Many Vietnamese say they are witnessing a national epidemic of false goods and consumer deception. Trinh, a 39-year-old high school teacher, said she felt insecure buying goods made in Vietnam: "These days, we are experiencing a crisis of deceptive goods in the country. All of these fake goods should be wiped out" (conversation with author, December 20, 1999).

Foreign corporations and international trade organizations also see a crisis of deception taking place in Vietnam. But theirs is specifically a crisis of authenticity, or, rather, a crisis of *ina*uthenticity. In the context of mass-produced consumer goods, authentic products are those whose brand names and logos are said to signify truthfully and accurately a specific corporate origin. This relationship—between corporations, products, and brands—is conceptualized in terms

of authorship and ownership (Barwise with Dunham and Ritson 2000; Pavitt 2000b; Vann 2003a). Nike shoes, for example, are authentic when the Nike name and its trademarked swoosh stands for a proprietary relationship between that particular pair of shoes and Nike Corporation. Counterfeits, then, are inauthentic because they are said to misrepresent the relationship between an object and its creator or producer. Corporations and international IPR organizations argue that, because counterfeits misrepresent that proprietary relationship, their production and sale violate companies' intellectual property and damage their good names. Further, they claim that counterfeiters deceive consumers into buying goods that are not what they appear, and, more seriously, cause consumer injuries and deaths (Harvey and Ronkainen 1985:37–38).

## Authenticity and IPR in Anthropology

Anthropology has had its own concerns with issues of authenticity. Historically, anthropologists often conceived of authenticity as an objective quality: Material objects were said to be authentic or inauthentic examples of cultural traditions, and certain cultural ideas and practices were deemed "genuine" and others "spurious" (see Sapir 1951). Much contemporary anthropological interest in the concept of "authenticity" has taken a different path. Rather than arguing that certain objects, people, or cultures are or are not "authentic," quite a few anthropologists have been asking: What, exactly, do we and others mean by the term *authenticity*, and what are the symbolic and practical results of applying that term to some objects, people, practices, and ideas but not others? (e.g., Bruner 1994, 2005; Errington 1998; Gable and Handler 1994, 1996; Handler 1986, 1988, 2000; Handler and Gable 1997; Price 1989; Steiner 1994).

Culturally defined standards of authenticity can carry hefty sociopolitical weight. As postcolonial scholars have shown, authenticity—defined in social, cultural, and racial terms—served as an exclusionary category in colonial settings, in which colonizers represented the standard of authenticity (Bhabha 1994; Taussig 1993). Efforts by natives to mimic white colonizers were simultaneously encouraged, mocked, and feared, but in all cases, natives were seen "as a subject of difference that is almost the same, but not quite" (Bhabha 1994:86). Native peoples (and, we can assume, by extension, native ideas, things, and places) were cast as dangerously close to the "originals" (namely, white colonizers and white culture) but also, precisely because of their status as copies, as notably inferior (Bhabha 1994; Taussig 1993).

Ethnographic inquiries into the construction and use of IPR have also contributed to anthropological discussions about authenticity. Among other things, these studies reveal how a notion of "authenticity"—including ideas about origins, originality, and uniqueness—is used to support claims of authorship and ownership in arenas of human life as diverse as genetics and reproduction (Strathern 1992, 1996), ethnobotany and biodiversity (Brush 1993; Cunningham 1991), cultural heritage and identity politics

(Brown 1998; Clifford 1988; Coombe 1998; Harrison 1991), art (Errington 1998; George 1999; Taylor 1999), and commercial marketing and trade (Coombe 1998; Lury 1999; Pavitt 2000a, 2000b; Vann 2003a). Overall, the theoretical literature on authenticity has combined with ethnographic work to produce what we might call a constructivist and politically attentive approach to IPR. But that is merely the starting point for the argument: My position here is that the concept of “authenticity” is not always a useful tool for ethnographic exploration, even when it is made sensitive to nuances of sociocultural difference.

These sorts of differences are clear in Joy Hendry's (2000) study of Japanese theme parks, in which she points to a relative absence of the concept of “originality” in Japanese terms typically translated as “authentic”:

If we examine the terms closely translated as “authentic” from Japanese, we find that they are closer to regular English dictionary definitions, such as “reliable,” “trustworthy” and “genuine.” . . . The Japanese version of authenticity requires less of a notion of “reality” than an accurate or correct simulation of a “real” place, and possibly also a “faithful” experience for the visitor, but one clearly distinguished from the *honomono*, the “original” or “real thing.” [2000:156]

There are interesting parallels between what Hendry calls “the Japanese version of authenticity” and the ways HCMC shoppers describe mimic goods and their relation to famous brand name goods. Like theme parks, mimic goods are not characterized as “original,” but often are considered to be truthful, genuine, and accurate, a point to which I return. Despite her laudable effort to sort out the differences between these English and Japanese expressions, though, it would seem that when Hendry argues that these terms are part of a Japanese notion of “authenticity,” she collapses a set of distinctions she has worked hard to articulate. As I hope to show, such distinctions are essential tools in situations of transnational encounter in which the primary point of interest or argument appears to be a matter of authenticity.

### **The International Policing of IPR**

As IPR laws become nearly global in scope, they establish universal standards for determining intellectual property and enforcing boundaries of ownership. International standards of IPR recognize corporations as the creators and owners of their brands and products, and they delimit proprietary rights, including the right to reproduce those same brands and products. Under these laws, only corporate owners can produce “authentic” versions of their brands and products; anyone else who reproduces them is necessarily creating “counterfeits” or “fakes.” Indeed, counterfeiting implies misleading falsification for the purpose of deceiving consumers into buying something “inauthentic” (Grayson 2000:98).

Despite their current legitimacy in markets and courts around the world, international standards of IPR developed out of a series of debates in Europe and North America. His-

torians have paid special attention to the history of Euro-American copyright law and especially the legal battles in 18th-century Britain that effectively shifted “ownership” of literary texts out of the hands of publishers and into those of authors (Rose 1993; Woodmansee 1984). It was this legal precedent and its association between “authorship” and “original expression” that paved the way for subsequent laws designed to protect the products—and later, the brands and logos—of private companies (Pavitt 2000b; Vann 2003a).

The idea of authenticity as “original expression” is a specifically Euro-American concern (Vann 2003a; Williams 1983), but it is by no means exhaustive of the ways in which these issues have been conceptualized in Europe and North America. State and federal courts in the United States, for instance, struggle over what counts as “property” in cases involving issues such as gene mapping, biopharmaceutical research, and music file sharing. Although many of these debates are relatively new, economic and legal questions about the authenticity and ownership of name-brand knock-offs, store brands, and products marketed as “authentic reproductions” have a long history in Euro-American commercial spheres (Lears 1994). These products exist in a kind of grey zone between authenticity and legality, in which some products (particularly store brands and generics) fall into the category of “legal,” whereas others (esp. those that make explicit or near use of a trademarked name or logo) are considered part of the illicit trade in counterfeits. Although unwitting buyers are sometimes victims of these goods, many others are willing participants in the traffic in grey-market and counterfeit goods (Coombe 1998; Grayson 2000). Indeed, the range of conceptions of “authenticity” entertained by Western consumers and tourists is only now beginning to attract the anthropological attention it deserves (e.g., Bruner 2005; Cameron and Gatewood 1994; Errington 1998).

Still, in Europe and North America, IPR generally are accepted as law and contested only in certain cases (such as those regarding Napster and other music file sharing; see also Gaines 1991). Elsewhere, there has been far less legal and popular recognition of IPR. In his historical study of copyright in China, for instance, William Alford (1985) argues that China has had no sustained tradition of recognizing intellectual property, and that the failure of European and U.S. governments to recognize this fact has led to years of political and economic conflict. He attributes the historical absence of a Chinese intellectual property tradition to a state emphasis on the Confucian ideal of the past as a source of authority in the present (Alford 1985:19–28). He notes that scholars typically attribute the rise of IPR to the advent of printing; as a result, many have assumed that China's long tradition of printing necessarily resulted in the development of IPR (Alford 1985:9–13). Yet, as Alford shows, the flourishing of China's print media was not accompanied (as it was in Europe and the United States) by the bracketing of written expressions as the property of individuals (1985:8–29).<sup>3</sup>

Although there is now arguably a “global” set of IPR standards to which most market-oriented countries are held, their development has not followed a linear, “progressive” path toward homogenization (Vann 2003a). Vietnam serves as a case in point here, as it was closer to abiding by “international” standards of IPR in the presocialist 1940s and 1950s than it was in the 1970s and 1980s. As a colony of France, Indochina (which included current-day Vietnam, Cambodia, and Laos) signed the Paris Act in 1949, and between 1959 and 1975, South Vietnam issued trademarks, copyrights, and patents on foreign and domestic goods. After 1975, the socialist government no longer recognized private ownership of intellectual property. As with material property, intellectual property was treated under socialism both as the product of all citizens, and therefore belonging equally to all, and as the property of the state, which could do with it what it liked in the name of national interest (Vann 2005; Verdery 1996, 2003). In some cases, individuals were issued inventors’ certificates that denoted limited proprietary rights. Inventors were sometimes paid a user’s fee, but the state ultimately owned all inventions, and therefore did not have to seek permission to use them. In the early 1980s, the government established new laws protecting patents and trademarks, but these were not strictly enforced, and did not allow owners to sue infringers or appeal their cases to the government.<sup>4</sup>

Since the initiation of market reform, Vietnamese leaders have again signed agreements and treaties that hold them responsible for enforcing the local traffic in international intellectual property. Among these are the Association of Southeast Asian Nations’ (ASEAN) “Framework Agreement on Intellectual Property,” which aims to bring members into compliance with the WTO TRIPs Agreement and with the 2002 U.S.–Vietnam Bilateral Trade Agreement, which was predicated on the 1998 “Agreement between the Government of the United States of America and the Government of the Socialist Republic of Vietnam on the Establishment of Copyright Relations.” Additionally, in several recent landmark cases, Vietnamese courts have found in favor of foreign plaintiffs who have sued Vietnamese companies for IPR violations.<sup>5</sup>

As part of its economic reform efforts, the Vietnamese government has agreed to recognize and enforce within its borders international IPR laws that serve to govern the global economy. But the adoption of these “international” standards presents serious challenges both to Vietnamese state socialist techniques for regulating property ownership and to popular ideas about the legitimacy of mimicry in a market economy, which I discuss in the following sections. Despite these policy changes regarding intellectual property, as well as continued pressure by foreign corporations, governments, and trade organizations, Vietnam continues to climb international watch lists of countries in which IPR are most at risk.<sup>6</sup>

Concerns over the security of intellectual property in Vietnam have led a number of companies to take defensive measures. In 1998, for example, PolyGram entered into

a joint-venture agreement with Vietnamese state-owned Sai Gon Audio-CD to manufacture and distribute music CDs in Vietnam. Representatives of PolyGram admitted that one of the primary aims of this venture was to combat the high number of “counterfeit” and “bootleg” CDs sold openly throughout Vietnam (Lefeyre 1998). Similarly, Japan’s Matsushita Electrical Industrial, manufacturer of National brand electronics, bought local newspaper space to demonstrate the difference between “phony” and “genuine” National products to Vietnamese consumers (*Saigon Times Daily* 2001). And South Korea’s Tong Yang Confectionery Company, manufacturers of Orion *ChocoPies*, sought legal action when they discovered that there were at least ten different “copycat” products—almost all of which were using the name “*ChocoPie*”—being manufactured and sold in Vietnam (*BBC Monitoring Service* 2001). In 1999, the company posted a huge billboard devoted to *ChocoPie*’s brand authenticity next to one of the city’s busiest markets. The text of the billboard, which reads “Orion is *ChocoPie*, *ChocoPie* is Orion,” encourages customers to equate the *ChocoPie* name not merely with the product but particularly with the Orion company. The intended message seems to be that *ChocoPies* are *ChocoPies*—that is, authentic products—only when they are branded with the Orion company name.

### MIMIC GOODS AND MODEL GOODS

Turning from corporate concerns to the everyday practices of consumers, one finds a very different set of cultural preoccupations. Allow me to illustrate: During a visit to an optical store located in one of HCMC’s upscale shopping areas, I tried on two pairs of frames that were similar to each other in style and shape, and noticed that one was labeled “Calvin Klein” and the other “Ralph Lauren.” When I asked about the differences between the two, the salesclerk said that the frames labeled “Ralph Lauren” were 2,240,000D (about \$160), whereas the “Calvin Klein” frames were D140,000 (about \$10). “Both are good frames,” he explained, “but the Ralph Lauren frames are [*hang*] *hieu* [famous brand name goods] and the Calvin Klein frames are... [*hang*] *nhai* [mimic goods]” (conversation with author, June 23, 2000).

By international IPR standards, the “Calvin Klein” eyeglasses I bought (and still wear five years later) are counterfeits. But for shoppers in HCMC, such objects are *hang nhai* (mimic goods). Although mimic goods copy famous brand name goods, Vietnamese do not consider them inherently false or deceptive. Instead, they take them to be unavoidable—and, in many ways, useful—elements of a market economy. People in HCMC often point out that mimic goods mimic famous products not to deceive consumers but to gain footholds in a highly competitive market that is dominated by a few large, foreign corporations. As a result, they do not categorize famous brand name goods as authentic and mimic goods as inauthentic. Rather, these two kinds of goods are seen as different only because mimic

goods fail to attain fully the standards set by the famous products that serve as their models.

On the surface, mimic goods seem to share much with counterfeits. Both are defined in opposition to another object, the one that is counterfeited or mimicked. Also both are assumed to be inferior to the goods they copy. However, there are at least four ways in which the Vietnamese category of mimic goods differs from the international IPR category of counterfeits. Shoppers say that (1) mimic goods are normal and commonplace, (2) they ought to be judged according to how well they imitate the original, (3) their relationship to the goods they mimic is hierarchical and interdependent, and (4) they are not inherently or necessarily deceitful.

Shoppers in HCMC do not imagine the consumer market—which they experience in the form of thousands of local shops, street vendors, and markets—as being made up primarily of “authentic” goods interspersed occasionally with “counterfeits.” Mimic goods are a part of everyday shopping in Vietnam. They are sold along sidewalks and in the cramped stalls of “traditional” markets as well as in small, expensive shops and the new air-conditioned shopping malls. Still, shoppers often comment that the number of mimic goods has risen in recent years. They typically attribute this growth to Vietnam’s promarket policies and to the country’s new international trade relations. People in HCMC often comment that Vietnam is becoming a capitalist country. And they consider the proliferation of goods that “mimic” world famous products an inevitable and quintessentially capitalist process. Product mimicking, they say, is a logical and necessary outcome of a competitive and hierarchical market in which a few companies and products serve as models for others.

HCMC shoppers say that the quality and legitimacy of any product is best measured by the degree to which it conforms to or deviates from certain preestablished ideals.<sup>7</sup> The basic assumptions of this understanding of product success are as follows: With time, hard work, and proven achievement, one or a few companies set market standards; all others take the achievement of those standards as their goal. In other words, shoppers expect smaller companies to “copy” the products of their more prosperous competitors. Further, they assume that the success of these smaller companies depends largely on their ability to conform to proven models; companies achieve this by accurately mimicking famous products.

Vietnamese refer to the famous products that set market standards as *kieu* (model) goods. So, for example, a seller might describe a “mimic” CD player as, *kieu Sony* (“modeled after” or “in the style of Sony”). Mimic goods depend on famous products because their success relies on that achieved by the goods on which they are modeled. At the same time, however, shoppers say that the presence of mimic goods on the market serves to increase the fame and market value of famous products. In other words, goods that achieve the status of models acquire additional prestige, because it is widely recognized that the goods that are mimicked are the

best on the market. Nonetheless, mimic goods have the potential to threaten the prestige of model goods because their producers aim to accurately mimic model goods. Such accuracy can make it difficult for shoppers to distinguish between model and mimic goods. This issue of deception is important, because it resonates with international IPR arguments against counterfeiting. I return shortly to both of these issues: the notion that mimic goods improve the market value of model goods and that they may threaten that value through consumer deception.

Mimic goods also differ from counterfeits in that shoppers conceive of the relationship between mimic and model goods as relational and hierarchical, rather than in terms of originality and uniqueness, concepts that undergird international IPR positions regarding brand authenticity (Pavitt 2000a; Vann 2003a; see also Marzano 2000). If we compare the Vietnamese category of mimic goods to the international IPR category of counterfeits, we notice that both carry a connotation of inferiority. However, by international IPR standards, counterfeit goods are not simply inferior versions of famous products; they are inauthentic ones. For shoppers in HCMC, however, there is no absolute disjunction between what authentic and counterfeit goods are—between appearance and reality, as we might say. Shoppers describe mimic goods not as “fakes,” but as less-than-perfect versions of the famous products on which they are modeled. Famous goods are said to achieve their status as models because they bring together exceptional product design with careful attention to detail in the manufacturing process. Mimic goods are inferior to model goods because they fail to attain the high standards—indeed, standards of perfection—attributed to famous products. As a result, shoppers say that mimic goods necessarily are products of lesser quality. However, they do not interpret this failure of mimic goods to meet model standards as a lack of respect among mimic good manufacturers for model goods. Rather, shoppers take model goods to be the very standards that mimic good makers are working hard to achieve.

Finally, shoppers describe mimic goods as mimicking model goods in a relatively positive and sincere manner. They say that the ultimate goal of most mimic good manufacturers is to attain the same high quality associated with model products. During interviews and conversations, shoppers often attributed the differences between model and mimic goods solely to a lack of technical knowledge and equipment. They argued that the producers of mimic goods make the highest quality products they can, and that they would make better products if only they had the same capital, technical knowledge, and equipment as the companies whose products they mimic. Thus, although shoppers see mimic goods as inferior to model goods, they do not consider them worthless—quite the contrary. Because most mimic goods are thought to mimic both the appearance and the content of model goods, they offer shoppers an inexpensive but decent quality product, not one that merely imitates the surface appearance of a famous product.

### **Mimic Goods for the Middle Class**

Access to high-quality, fashionable, and affordable goods is important to HCMC's growing middle class. Most of the people I interviewed for this study had limited disposable income, which they tried to spend wisely; their consumer decision making was a careful balance between cost and quality, style and durability. In an effort to be *mo-den* (fashionable), HCMC's middle class aims to follow regional and international trends in products like clothing, cosmetics, home decor, and motorbikes. But owning and displaying goods that are *mo-den* carries more significance for HCMC's middle class than simply enabling them to be "in fashion"; it allows them to see themselves as consumers of the types of goods that are popular in wealthier countries and, therefore, as worthy participants in a global economy. For those who consume them, mimic goods serve as evidence that Vietnam is, indeed, becoming a capitalist country, one that offers the material abundance that was denied to previous generations under socialism.

At the same time, shoppers feel great pressure—from themselves and from their parents and grandparents who lived through the lean years of socialism—not to spend frivolously, foolishly, or beyond their means. Although HCMC's middle class has far greater disposable income than their parents' generation and the current majority of their country's citizens, they have far less than their counterparts in places like Europe, Japan, and Indonesia. This fact is clear to HCMC's urban middle class, many of whom interpret their own position vis-à-vis the middle classes of other countries as both a product and a microcosm of Vietnam's relatively low position in the world economy. Just as Vietnam is now dependent on and subject to wealthier capitalist nations for its own economic success, shoppers see themselves as second-class consumers, who, despite Vietnam's shift toward a market economy, cannot afford the spoils of global trade (Vann 2005). Similarly, mimic goods stand as second-tier products to the famous foreign products that are beyond the reach of most Vietnamese. Offering decent quality and fashionable products at an affordable price, mimic goods allow HCMC's middle class to be conspicuous consumers at home while maintaining a semblance of comparableness with their counterparts in wealthier countries.

### **The Dangers of "Buying Wrong"**

Mimic goods are only a smart purchase, though, as long as customers know what they are buying. The dangers that shoppers associate with mimic goods stem not from their manufacture, but from their sale; that is, when sellers misrepresent them as famous brand name goods. This was the experience of Hoa, a 25-year-old office worker. When I asked whether she had ever bought a mimic good, she explained:

There was the time when I bought a kind of perfume. . . . The first time [I tried it], I couldn't recognize that it was a mimic good because the design was very beautiful and it smelled very good, and because the seller didn't tell me that it was a mimic good. I only figured it out after

using it a few times. . . . The fragrance changed; it was not the same as it was in the beginning. [conversation with author, November 18, 1999]

When merchants misrepresent the goods they are selling as famous products, they typically demand high prices. Paying a lot for mimic goods—an action referred to as *mua sai* (buying wrong)—is a common concern for shoppers, but not all sellers try to deceive their customers. Recall that during Quoc's return visit to Vietnam, the market seller volunteered that the Zippo lighters she was selling were mimic goods. Similarly, Duyen, a 24-year-old law student, noted the honesty of the merchant who sold him a "mimic" shirt:

The seller told me that there were two kinds: one kind was *hieu* (famous brand name) and it was more expensive; the other kind was *nhai* (mimic). I bought [the mimic good] because the price was cheaper, and the quality was not appreciatively different. [conversation with author, January 4, 2000]

Many Vietnamese would say that Duyen's experience with this seller was somewhat unusual. Shoppers anticipate that merchants will often *noi xao* (talk nonsense)—that is, speak falsely by "inflating prices, exaggerating . . . quality, and lying about [a product's] origins" (Leshkovich 2000:144)—to convince customers to buy their goods. Shoppers protect themselves from such "nonsense talk" by establishing relationships with sellers and by educating themselves about goods on the market. Merchants have little motivation to take advantage of their regular customers by offering unfair prices or false information, because doing so may well lose them a steady source of income, and possibly, their reputation among a wider network of shoppers. At the same time, many residents of HCMC—especially those who do the regular shopping for themselves and their families—claim to be adept at distinguishing between mimic and model goods. These experienced shoppers say that they rarely fall victim to merchant deception, and therefore almost never "buy wrong." Khai, a 27-year-old truck driver, explained how he knowingly bought mimic jeans, despite the seller's attempt to mislead him:

I bought a pair of "Calvin Klein" jeans. The seller didn't tell me, but I knew well enough that they were mimic goods. Mimic jeans have a design that's almost exactly like the famous product, but the price is cheaper and the quality isn't exactly the same. Anyway, I decided to buy them. [conversation with author, December 11, 1999]

Skilled shoppers like Khai say that merchants rarely, if ever, take advantage of them; they buy mimic goods because they want to and feel confident that they get what they pay for.

Among other things, these shoppers' accounts reveal that one of the greatest departures of the category of mimic goods from that of counterfeits is that the legitimacy of mimic goods can only be jeopardized through interpersonal misrepresentation. Although the (in)authenticity of counterfeits is said to reside in the objects themselves, as a characteristic of their manufacture, the truthfulness (or lack

thereof) of mimic goods is created through interactions between buyers and sellers.

### THE SUCCESS OF TRUNG NGUYEN (AND TRUNG NONG) COFFEE

In 1996, Dang Le Nguyen Vu, a former medical student, started Trung Nguyen Coffee Company in Buon Ma Thuot, a town in the coffee-rich highlands of central Vietnam. Initially a coffee processing company, Trung Nguyen quickly became a retail operation, and by the late 1990s, Vu had opened six coffee shops in HCMC. Soon after, Vu began to franchise his coffee shops (*Far Eastern Economic Review* 2000), and, by 2002, there were more than 400 Trung Nguyen shops in Vietnam and others in Singapore, Thailand, Cambodia, and Japan (*Associated Free Press* 2002). At home and abroad, Trung Nguyen has been called the “Starbucks of Vietnam.” Unlike Starbucks, however, Trung Nguyen cafés feature Vietnamese-style furniture, MTV, internet service, live music performances, and bars (*Bangkok Post* 2002).

Trung Nguyen Coffee and its founder hold an interesting place in the domestic and international debates over product authenticity and intellectual property in Vietnam. From the start, Vu approached his company and its product in terms familiar to and largely compliant with international standards of corporate branding and trademark protection. He established a simple and easily recognizable symbol—an upward-pointing red arrow with several white stripes at the base—to mark the company’s products and stores, and he hired a New Zealand-based consulting firm to help unify its brand, product, and services (*Vietnam News* 2002b).

When the first Trung Nguyen café opened in HCMC, it was just one more in a city filled with coffee shops. Unlike most of their East and Southeast Asian neighbors, Vietnamese are serious coffee drinkers. Young men and, increasingly, women spend time in coffee shops and at sidewalk cafés drinking *ca-phe sua* (strong coffee mixed with sweetened condensed milk). Residents began to take notice of Trung Nguyen Coffee shops after several branches—each displaying the company name and distinctive red arrow logo—appeared around the city. The novelty of a chain of coffee shops, as well as their upscale appearance and standardized products, gained special interest among the city’s middle class, especially office workers and college students.

As Trung Nguyen shops grew in popularity, other shops, with notably similar names, such as Dong Nguyen and Trung Nong, and strikingly similar logos, like downward or sideways pointing red arrows, began appearing around the city, many of them within eyesight of established Trung Nguyen cafés. The interiors of these shops—clean and modern with pop music soundtracks—were clearly modeled on those of Trung Nguyen. Unlike Trung Nguyen cafés, however, these competitors offered neither a high degree of product standardization nor a wide selection of coffee roasts. They did, however, offer substantially lower prices.

Under Vu’s leadership, Trung Nguyen responded aggressively to the proliferation of coffee shops that “mimicked” their own. As far as Vu was concerned, such operations were in clear violation of international IPR laws, and he therefore initiated legal and public efforts to eliminate what he considered illegal and unfair competition. In the May 20, 2000, edition of the popular *Phu Nu* newspaper, Trung Nguyen ran a quarter-page ad in which it attempted to draw clear lines for local consumers between Trung Nguyen Coffee and its similarly named competitors. The ad stressed the propriety rights of Trung Nguyen to its name and logo, insisted that shops with markedly similar names and logos were not part of the Trung Nguyen franchise and protested further that such establishments were in breach of Vietnamese trademark laws. More recently, Vu has led efforts to implement international IPR standards in Vietnam by attempting to familiarize consumers with his own trademark and that of other Vietnamese companies, and by encouraging domestic compliance with international IPR laws. By combating the spread of mimic Trung Nguyen Coffee shops, Vu has aligned himself with international IPR standards and against popular conceptions of IPR in Vietnam that do not see product mimicking as unfair competition or as a violation of property rights. In fact, Vu’s struggles against IPR infringers extend across the globe. In 2002, when Vu attempted to register his trademark in the United States, he found that his company’s U.S. partner of two years, Rice Field Corporation, with which he had planned to open franchises, had already applied to register the Trung Nguyen name themselves (*Vietnam News* 2002a).

Trung Nguyen won its U.S. battle against Rice Field Corporation, but the company’s efforts to protect its intellectual property in Vietnam have thus far been less productive, and many of the coffee shops that model themselves on Trung Nguyen have enjoyed relative successes of their own. Hien and her friend Bich, both students at a local teachers’ college, explained why they were regular customers at one of many such shops:

**Hien:** We like to come here because it’s clean, and air-conditioned, and very modern. . . . Here, we can meet our friends, relax, sing karaoke, or do whatever we like—all in a sophisticated environment.

**Elizabeth F. Vann:** So, why do you choose to come here instead of the Trung Nguyen coffee shop down the street?

**Bich:** Of course, Trung Nguyen is more famous and the coffee is of higher quality than in this shop, so it would be better to be there. But Trung Nguyen is expensive. And, after all, we’re college students. This place suits our budgets better. The coffee and the atmosphere here are quite similar to that at Trung Nguyen, but the prices are substantially less. [conversation with author, May 16, 2000]

As Hien, Bich, and other customers of mimic Trung Nguyen shops pointed out, the attraction of these establishments is based entirely on their approximation of Trung Nguyen cafés. It is important to note, however, that

customers do not mistake these shops for Trung Nguyen franchises. Despite claims by corporations and international IPR organizations, “counterfeit” goods and services do not necessarily hinge on consumer confusion. The popularity of such shops among residents of HCMC does, however, rely almost entirely on the fame of Trung Nguyen. Given Trung Nguyen’s pursuit of trademark infringers, I was not surprised to find owners of these “mimic” coffee houses reluctant to admit the degree to which they were attempting to imitate Trung Nguyen’s name, logo, appearance, products, and services. Customers, however, were far more candid about the relationship between them. “That [mimic] coffee shop is quite similar to Trung Nguyen,” explained Lam, a midlevel administrator, as he pointed to the shop down the street from his office:

But the quality and status are not quite at the same level. Trung Nguyen is famous. People know it throughout the city and the country. If you visit a Trung Nguyen coffee shop, it shows a certain level of wealth and sophistication. But many people go to the other [mimic] shop instead. There, they can get a similar product, and the atmosphere is comparable, but somewhat inferior. The price, of course, is cheaper, though, so it really depends on what the customer wants. [conversation with author, May 18, 2000]

When I asked Lam whether he thought the presence of “mimic” coffee shops was harmful to Trung Nguyen, he explained:

No, not at all! . . . All of these shops model themselves on Trung Nguyen because of its fame and success. Each time another mimic Trung Nguyen shop opens, it increases the fame and high status of Trung Nguyen . . . because they’re saying that Trung Nguyen is the best. . . . No, I think these shops make Trung Nguyen even more famous and successful. [conversation with author, May 18, 2000]

Customers patronize coffee shops with names like Dong Nguyen and Trung Nong for the same reasons they buy mimic goods: because they offer somewhat lower-quality products and consumer experiences to those of the model, but at a more affordable price. As with other mimic goods, customers acknowledge the explicit association between the products, service, and atmosphere of Trung Nguyen and those of the mimic shops. However, and despite claims by Trung Nguyen’s founder that these shops confuse consumers, Vietnamese customers do not seem to have any trouble distinguishing Trung Nguyen shops from those that mimic them. As Hien, Bich, and Lam pointed out, the differences between Trung Nguyen and the mimic shops are as clear as the similarities. None of them doubt the superiority of Trung Nguyen and its products in the world of coffee shops. The questions that concern them have to do with the relationship between status, quality, and affordability, not with brand or product authenticity.

### THE PROBLEM WITH FAKE GOODS

As I have argued, for shoppers in HCMC, mimic goods are not “inauthentic,” because they are not “fake” versions

of “authentic” products. By contrast, the goods shoppers call *gia* (fake) offer only a semblance of a product. People say that fake goods do not “mimic”—that is, they do not attempt to imitate or otherwise reproduce model goods. Rather, fake goods are essentially nongoods that are useless to people who buy them. Common examples of fake goods are shampoo bottles filled with used cooking oil, and makeup compacts filled with flour. Shoppers say that goods like these are “fake” because they have an outward appearance of content value, when, in fact, they are worthless. When people in HCMC speak about the problems of fake goods and market deception, they worry about goods that are not what they appear, whose surfaces belie their contents. Unlike mimic goods, they say, fake goods are made to deceive.

In Vietnamese, the term *gia* (fake, or false) describes acts of deceptive falsification in which the “true,” internal character of a person, object, or event has been disguised by misleading surface markers. In HCMC, people say that fake things hide what is *that* or *thuc* (real)<sup>8</sup>—that is, what is “true” or “actual.” For example, *gia tri thuc* refers to “real value,” *noi that* means “to speak truthfully,” and *thuc bung* (lit. “a real or true belly”) is used to refer to someone who is sincere or honest. The goods that people call “real” are said to be truthful in the sense that their external appearances accurately represent their contents. Thus, when a market trader claims that the goods she is selling are “real,” she implies that the outside of the good (the packaging and labeling) is representative of what is inside. For this reason, real goods are said to be “trustworthy.”

This is, in fact, quite similar to the claims corporations make about their brand names and logos: Brands signal to consumers that they can trust products because they represent a corporate promise of quality and consistency (Pavitt 2000b). Within this understanding of product authenticity, consumers often are depicted as victims of counterfeiters—duped into buying goods that appear to be “authentic” brand name goods, but in fact are “counterfeits,” or “fakes.” However, Vietnamese shoppers do not consider the goods they call “fake” deceptive because they steal or otherwise make use of famous brand names (although many do this too); they say that fake goods are “fake” because their outward appearance hides an absence of content.

Unlike the producers of mimic goods who, shoppers say, try hard to replicate both the appearance and the content of famous products, the makers of fake goods are said to try to deceive their customers with goods whose worthlessness is masked by attractive packaging. This distinction was made clear to me during an interview, when a respondent explained that “a gold necklace labeled with the name of a famous designer but that is not actually made by that designer is a mimic good as long as the necklace is made of real gold. But if the gold is not real, then it’s a fake good” (personal interview, December 18, 1999). Similarly, the coffee shops that model themselves on Trung Nguyen are “real,” in the sense that they are exactly what they appear to be. Here, categories of “real” and “fake” hinge not on designer



names or corporate logos but on the presence or absence of an object.

It is in this context in which an anthropological reliance on the term *authenticity* as an interpretive tool becomes particularly thorny. In its commonsense usage, the term *authenticity* often collapses two sets of distinctions in Euro-American thought: between “authentic” and “inauthentic” and between “real” and “fake” (Handler 2000). Although the terms *authentic* and *real* often are used interchangeably, they have different meanings. Whereas *authentic* and *inauthentic* refer to a posited relationship between an object and a particular identity, *real* and *unreal* refer to an object’s empirical existence. When people in HCMC say that fake goods are not “real,” their claim appears to have more in common with the distinction between “real” and “unreal” than it does with that between “authentic” and “inauthentic.” My aim here is not to make an argument about ontology or even about empiricism. Rather, I am suggesting that, for HCMC shoppers, fake goods are not so much “inauthentic” as they are “unreal” in the sense that they are not goods; they do not belong in markets, and no one should pay money for them. The status of fake goods as “unreal”—or, as many people described them to me, *khong that* (not real)—sets them apart from mimic goods, whose status as “real” goods is almost never in question.

Thus, fake goods mislead shoppers because their outward appearance implies that their contents will be something other than what they really are. By contrast, the international IPR category of counterfeits appears to carry both meanings of the Euro-American term *authenticity* described above, although to varying degrees. Counterfeits are considered “inauthentic” because they are said to mislead consumers by implying that there is a relationship between a particular product, a brand and a corporation, when in fact, there is none. However, to the degree that they, like *gia* (fake) goods, are deemed relatively worthless (Grayson 2000), they also carry with them a sense of being “unreal.” Whereas the characteristics that Vietnamese shoppers attribute to the goods they call “fake” seem to overlap partially with the Euro-American idea of (in)authenticity that is embedded in international IPR laws, mimic goods seem to fall largely outside this category altogether. I am arguing that what is at stake with mimic and model goods and with fake and real goods is not simply an alternative understanding of authenticity; rather, for people in HCMC at least, it is not an issue of authenticity at all.

### SOME IMPLICATIONS OF A “UNIVERSAL” AUTHENTICITY

One of the primary aims of this article has been to show that the international IPR reliance on a notion of “authenticity” that emphasizes ideas of “originality” and “uniqueness” does not reflect Vietnamese concerns about product quality or legitimacy. What appears, from the perspective of foreign corporations and international trade organizations, to be a failure of, or even a refusal by, Vietnamese to recognize and uphold this “international” model of intellectual prop-

erty looks quite different from the vantage point of shops and markets in HCMC. Shoppers (and, arguably, many producers of “counterfeits”) are neither actively refusing nor passively failing to uphold those standards. Rather, they are conceptualizing property, ownership, and the “rules” of capitalism differently. There are subtle, and at points, not so subtle, differences here, but they are differences that matter a great deal, especially when it comes to negotiating trade agreements, gaining entry into the WTO, conferring Most Favored Nation status, and other political maneuverings in the current global economy.

The concept of “authenticity” has been a key component in the renormalization of political and economic relations between Vietnam and the United States, as the U.S.–Vietnam Bilateral Trade Agreement was predicated on Vietnam’s commitment to abide by international standards of IPR. Yet the assumptions about authenticity and intellectual property that are implicit in this and other international trade agreements such as the WTO TRIPs Agreement, as well as in the founding principles of organizations such as The World Intellectual Property Organization (WIPO) do not reflect a timeless, universal truth that certain ideas or expressions are original and unique and therefore ought to be treated as the property of individuals or corporations. Rather, they were carved out of particular historical social, economic, and political contexts (Rose 1993; Woodmansee 1984), and only later were they given their status as “global” standards. It should come as no surprise, then, that the same conclusion about the relationship between ideas, authenticity, property, and owners did not arise out of the very different social, economic, and political histories of Vietnam, and many other parts of East and Southeast Asia.

Yet, international responses—by corporations, governments, and international trade organizations—to the apparent failure of IPR to gain popular support in Vietnam tend to ignore these historical differences. Instead, IPR violations in Vietnam and in other parts of East and Southeast Asia typically have been interpreted in one of two ways. Some say that producers of “counterfeits” recognize that counterfeiting is wrong and immoral, but do it anyway. Here, motivations behind counterfeiting are imagined to be selfish and shortsighted. Manufacturers of counterfeits are presumed to be looking for ways to make quick and easy profits without investing in the resources, research, and hard work that stand behind the products they are copying. And these manufacturers are thought to be particularly indifferent to the welfare of consumers, putting their health and their lives in danger with shoddy products.

Others argue that some producers of counterfeits do not recognize that what they are doing is wrong, because they are ignorant of the “rights” of corporate owners. Although less common, this second interpretation is equally problematic. Typically, that ignorance is attributed to non-Euro-American cultural “traditions.” However, in these situations, accusations of “culture” tend to run in only one direction. The “rules” of capitalism, as they are put forth by organizations like the WTO, are presented as logical, universal, and culture free; those who do not comply are said

to be failing at capitalism. From this standpoint, capitalism is not a Euro-American cultural tradition but a natural and universal system of exchange whose ideal form has been achieved only in the West. The degree to which others fail to meet those same standards is then blamed on their unwillingness to remove their culture from their capitalism.

This kind of reasoning is especially evident in the WTO TRIPs Agreement, which demands that corporate “rights” of ownership and use of intellectual property be protected across national borders, regardless of whether any social, cultural, or political precedent for recognizing intellectual property is locally in place. Neither does this position make room for the complex range of attitudes—from consumers, producers, merchants, and others—about what ought to count as “intellectual property” (Coombe 1998; Strathern et al. 1998). The strict lines of brand authenticity and corporate ownership drawn by international IPR laws have little in common with popular sentiments among shoppers in HCMC. But not all Vietnamese reject these international guidelines. Recall that Vu, the founder of Trung Nguyen Coffee, is advocating for the enforcement of international IPR laws at home and abroad. At present, Vu is unusual among his fellow Vietnamese entrepreneurs. Whether others will follow his lead has yet to be seen. One wonders whether the international success of local businesspeople like Vu will encourage Vietnamese consumers, and potentially, producers of mimic goods, to adopt international IPR standards as their own. Others might argue that Vu is part of a class of cosmopolitan elites who have more in common with their international counterparts than with their fellow citizens (e.g., Hannerz 1990), in which case, we might expect to see a significant rise in domestic debates over IPR in Vietnam.

At present, what is apparent is that, in its dealings with the United States and with international organizations such as the WTO, Vietnam is very much caught up in debates about authenticity. But in the context of everyday interactions between buyers and sellers in HCMC’s markets and shops, international IPR standards carry little weight. Categories of mimic and model goods, and fake and real goods, are informed by notions of hierarchy and interdependence, and surfaces and contents, that have little in common with the notion of authenticity on which international IPR standards rely. As a result, Vietnamese engage “counterfeits” with different expectations about product copying and market competition. Those expectations reflect not an ignorance of “global capitalism” but a different set of rules for participating in it.

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## NOTES

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1. The TRIPs Agreement was developed by the WTO as a way to establish a homogeneous set of IPR standards. (See U.S. Department of State [http://usinfo.state.gov/products/pubs/intelprp/guide.htm] for details).
2. The findings in this article are based on 13 months of fieldwork in HCMC in 1997 and 1999–2000 on consumption practices among the city’s growing middle class. Much of this research involved accompanying buyers and sellers in markets and shops and interviewing them in commercial spaces and homes.
3. Alford (1985) explains that efforts by the Chinese state to control the publication and distribution of certain written materials were meant to protect state power, not the rights of authors. He contends that these efforts do not suffice as evidence of a Chinese intellectual property law, at least not one that parallels the development of such laws in Europe (Alford 1985:13–29).
4. This history was offered to me by Nguyen Van Vien, an attorney who helped draft some of Vietnam’s IPR laws in the 1980s.
5. For example, consider *Wall’s* [a subsidiary of Unilever] v. *Thuy Ta* [state ice cream maker] (Vietnam Investment Review 1999) and the case of Tong Yang Confectionery (*BBC Monitoring Service* 2001).
6. For example, Vietnam is currently on the U.S. Presidential Inter-Agency Committee on Intellectual Property Rights’ “Special 301 Watchlist.” Under Section 301, the U.S. Trade Representative has the power to protect IPR on an international scale as stipulated in the WTO TRIPs Agreement and supported by members of the World Intellectual Property Organization. (See U.S. Department of State site, http://usinfo.state.gov/products/pubs/intelprp/guide.htm, for details on these agreements and their current members; see also Boyle 2001:8).
7. For more about these ideas, see Vann 2003b.
8. *Thuc* is a southern regional variation of *that*.

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