

# American Eagle fights dupe culture with Amazon suit

Article

**The news:** American Eagle ramped up its fight against [product dupes](#) and knockoffs by filing suit against Amazon for trademark infringement, per CNBC.

- The clothing retailer accused Amazon of “flagrant, unauthorized use” of its “Aerie” and “Offline by Aerie” trademarks, which it said caused shoppers to believe that items from those lines

were available on the marketplace, thereby driving sales for the ecommerce giant at American Eagle's expense.

- American Eagle is seeking financial damages, as well as an injunction to prevent any future infringements.

**Why it matters:** American Eagle's suit against Amazon speaks to both the prevalence of [dupe culture](#) and the difficulties of combating it.

- American Eagle intentionally chose not to sell Aerie products on Amazon out of a desire to exert more control over the customer experience and develop a unique brand identity.
- But that hasn't stopped third-party sellers from attempting to leverage the brand's name and popularity to boost their own sales: American Eagle alleged that **Google** searches for Aerie products led to Amazon pages—both sponsored and organic—showcasing “only knock-offs and ‘dupes,’” while attempts to get the marketplace to crack down on those infringements merely led merchants to use misspellings like “Aeries,” “Arie,” or “Aries” in sponsored listings.

**Our take:** The difficulty—as American Eagle's example shows only too clearly—is that [fighting off dupes and counterfeits](#) on online marketplaces like Amazon can feel like a game of Whac-A-Mole, as sellers make new listings or adjust keywords to evade retailers' attempts to crack down on fraudsters.

Dupes in particular are difficult to guard against, given that they occupy a legal gray area and are becoming increasingly common thanks to social media, as well as Chinese ecommerce companies like **Temu** and **Shein** (not to mention fast-fashion stalwarts like **Zara** and **H&M**).

While American Eagle's suit could force Amazon to increase its already formidable arsenal of counterfeit detection tools, it's unlikely to stem the steady flow of dupes and knock-offs making their way through **TikTok** and online marketplaces—nor will it dampen consumers' desire to purchase trendy products at discount prices.