

FAKIN' IT: COUNTERFEITING AND CONSUMER CONTRADICTIONS

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ABSTRACT -

Fashion counterfeiting is a multimillion pound business and one which relies on the complicity of the consumer. Frequently seen as a victimless crime, it is a difficult trade to control because as long as consumers desire brands, the greater the market for counterfeits. In this study we consider the way in which consumers relate to fake brands and the implications of counterfeit for consumers creating their identity through commodities. The results point to an inherent and fundamental contradiction in consumers views on counterfeit, willing to buy and wear the fakes but condemning the duplicity of those who do.

INTRODUCTION

Buying counterfeit goods is like giving generously to crime. It has been estimated that the cost to the UK economy alone of counterfeit goods is at least ,2.8 billion p.a both in terms of the amount of goods sold and the loss to legitimate manufacturers (ACG, 2001). Yet it is often seen as a victimless crime and one in which consumers are willing to be complicit (Freedman, 1999). This is particularly true of fashion counterfeits as research has demonstrated that consumers will accept counterfeit products if performance risks are low (Bush et al., 1993). Fashion goods are frequently highly branded and easily recognisable, especially at the designer or luxury end of the market, indeed the more exclusive a brand is, the more likely it is to be counterfeited (Nia and Zaichkowsky, 2000). As these goods are also high value, there is considerable profit to be made from counterfeiting these brands. At a time in which consumers increasingly inhabit 'brandsapes' (Sherry, 1995) in which consumer goods have become the material carriers of meaning, outward displays of identity are embodied in the signs and symbols of brands. This focus on brands as communicators of identity and the elevation of brands to cultural symbols, has implications for understanding consumer attitudes towards counterfeit goods. Whilst previous research has identified price as the main motivation for consumers purchasing counterfeits, very little attention has been paid to how consumers regard counterfeits in relation to their self image and identity. The idea that consumers seek to match product-image with ideal-image is supported by studies from Green et al. (1969); Hughes and Guerrero (1971); and Landon (1974). Since products carry meaning, material objects hold the promise of bridging the distance between the actual and the ideal self. This view of commodities as bridges was developed by McCracken (1988), who describes them as "instances of displaced meaning" and clearly brands are central to this process. When these brands are counterfeit, however, does the same bridging effect apply? Can consumers achieve their ideal image through the consumption of

counterfeit goods? The aim of this research is to address the role of counterfeit fashion brands and their implications in the construction of consumer identity.

THE CONSUMER AS IDENTITY SEEKER

Images of the consumer as identity-seeker are compelling and account for the obsession with brands, the willingness to read stories into impersonal products, the fascination with difference, the preoccupation with signs, and above all, the fetishism of images (Gabriel and Lang, 1998). Indeed it can be argued that consumer culture has reached a point of 'empty self', where the modern consumer must be constantly 'filled up' with all manner of things. Experiences as goods and goods as experiences (Corrigan, 1998). Consumption communicates social meaning and the fulfilling of more concrete needs arising from, for example, individual feelings of cold or hunger become almost an accidental by-product. Consumers increasingly focus upon the meaning of the products, most frequently manifested as the brand, rather than the functional purpose of the commodity. It is through these issues of "competitive display" (Douglas and Isherwood, 1979) and the role of possessions as cultural signals that brands become non verbal communicators, a language that Baudrillard (1968) ultimately finds regressive as it offers a code of significations that is always complicit and opaque.

A number of studies have examined the relationship between brands and consumer identity (see for example, Solomon, 1983; Belk, 1985; Belk, 1988; Hogg and Michell, 1996; Bhat and Reddy, 1998; Woodruffe, 1998; Rio et al., 2001). In essence brands perform at two levels; functional and symbolic (Graeff, 1996; Hogg and Michell, 1996; Bhat and Reddy, 1998). Contemporary social theory recognises that consumption is a vital part of the construction of social reality (Douglas and Isherwood, 1978; Campbell, 1989; Elliot, 1999), central to which is the idea that consumers do not only consume products for their material benefits. Consumption of the social meaning of goods therefore regulates and expresses the way that individuals participate in social relationships. As Fiske (1989) states,

In a consumer society, all commodities have cultural as well as functional values. To model this we need to extend the idea of an economy to include a cultural economy where the circulation is not one of money, but of meanings and pleasures. (page 27)

Indeed it has been argued that the brand is sometimes more important than the product itself (Cowley, 1998; Peters, 1997; de Chernatony and McDonald, 1998; Rohlander, 1999; Rio et al., 2001). The marketing of designer goods in particular has contributed to the images that a brand creates a personality (de Chernatony, 1999), for example, "The Gucci woman is a rock star and the YSL woman is a sophisticated movie star." (Rice, 2000). McCracken's (1986) theory of structure and movement of the cultural meaning of consumer goods states that cultural meaning moves first from the culturally constituted world to consumer goods, and then from these goods to the individual consumer. Several instruments are responsible for this movement: advertising, the fashion system, and four consumption rituals i.e. possession, exchange, grooming and divestment (illustrated in figure 1).

Linked to this is the idea of self concept. As Solomon (1983) stated, "Consumption does not occur in a vacuum; products are integral threads in the fabric of social life"

(pg. 319). Possessions symbolise not only personal qualities of individuals, but also the groups they belong to and their social standing generally. Consumers express their personal and social characteristics through material possessions, both to themselves and to others. Therefore products are important to understanding self-concept. Self-concept by definition, "includes self-esteem, or the value with which a person views him or herself." It also includes self-image, or the "perceptions people have of what they are like" (Goldsmith et al., 1999). This has two main components—the actual self and the ideal self, defined as the image of oneself as one would like to be (Belch, 1978; Belch and Landon 1977; Delozier and Tillman, 1972). Self-concept theory describes a basic motivation to achieve the 'ideal' self—whether in a 'private' or 'social' context (Evans, 1999). Self-concept is important because consumers select products and brands that fit or match their images of themselves or the image they would like others to see (Solomon, 1983). The more congruent the brand's image and consumer's self-image, the more it can induce consumers to purchase that particular brand (Graeff, 1996). A study by Mintel (2001) identified that consumers increasingly believe that designer brands improve self-image (see also Graeff, 1996; Auty and Elliot, 1998; Evans, 1999; Goldsmith et al., 1999; Rohlander, 1999; Rio et al., 2001). As Schouten (1991) states,

"One characteristic that makes human unique is our ability to examine ourselves, to find ourselves lacking, and to attempt self-betterment. This sense of incompleteness drives us not merely to create, but also to self-create, and we consume goods and services in the process (pg. 412)."

The question addressed in this research is the effect on perceptions of self image when the brands used to communicate, to self-create, are deceptive, i.e. they are counterfeit.

FIGURE 1

MOVEMENT OF MEANING

COUNTERFEITING

Before discussing counterfeit studies, it is necessary to have a clear understanding of the boundaries of counterfeit. According to the Anti Counterfeiting Group, counterfeiting is defined as:

"The deliberate attempt to deceive consumers by copying and marketing goods bearing well known trademarks, generally together with packaging and product configuration, so that they look like they are made by a reputable manufacturer when they are, in fact, inferior copies (pg. 1)."

In attempting to offer a suitable definition of counterfeiting, therefore, there is the immediate difficulty of delineating similar types of activities that are commonly grouped together under one heading. Any investigation of product or copyright infringement reveals several categories of activity. Instances of infringement cover a variety of interrelated phenomena: piracy, counterfeiting, look-alikes, sound-alikes,

'knock-off' brands and a large 'grey market' (McDonald and Roberts, 1994). Phau et al. (2001) define five main types of activity:

Deceptive Counterfeiting: the production of copies that are identically packaged, including trade marks and labelling, copied so as to seem to a consumer the genuine article. In this case the consumer is a victim of deception, i.e. they are unknowingly purchasing a counterfeit good (Grossman and Shapiro, 1988; Kay, 1990; Cordell et al., 1996).

Piracy: or non deceptive counterfeiting is when the counterfeit product's intention is not to deceive the consumer, but on the contrary the consumer is aware that the product he or she is buying is pirated. In this case the consumer is the collaborator of the counterfeiters (Grossman and Shapiro, 1988; Bloch et al., 1993; McDonald and Roberts, 1994; Cordell et al., 1996).

Imitations: Unlike counterfeits, which are direct copies, imitations or copycats are similar in substance, name, shape and colour to look like the originals (Wilke and Zaichkowsky, 1999). While a brand imitation is designed so as to 'look like' and make consumers 'think of' the original brand, a counterfeit product is designed to 'be like' the original (Astous and Gargouri, 2001).

Grey Market: This describes the unauthorised sale of garment production overruns by legitimately contracted manufacturers (McDonald and Roberts, 1994). This practice has recently received considerable press attention as designers attempt to protect their brand integrity by controlling retail outlets. This is a supply side issue rather than one of consumer activity.

Custom-made copies: These are replicas of trademark designs of branded products made by legitimate craftsmen. Raw materials are usually of good quality. The only item missing from the original is the emblem or brand name (Phau et al., 2001).

It is non-deceptive counterfeiting that is the focus of this study, perhaps more accurately called piracy, i.e. accurate and deliberate copying of branded goods, but not sold with the intention of attempting to deceive the customer. The deception involved is on the side of the consumer who chooses to buy these goods.

Product Counterfeiting

Studies on counterfeiting approach this issue from two directions, demand and supply. On the supply side there have been several studies (see for example, Bamossy and Scammon, 1985; Bush, Bloch and Dawson, 1989; Onkvisit and Shaw, 1989; Kay 1990; Olsen and Granzin, 1992; Stipp, 1996; Behar, 2000; Blanchard, 2000) as Bloch et al. (1993) state, however, "Supply-side remedies have not been totally successful because supply will always exist where there is demand (pg. 35)." Therefore, it is imperative to address the demand, or why consumers purchase counterfeit goods. Table 1 summarises the different areas of research on consumer-demand led counterfeiting. This research shows that consumers who knowingly buy counterfeit goods are willing to trade quality and performance for the brand image of the genuine good at a presumed price saving (Bloch et al., 1993; Tom et al., 1998; Miller, 1999; Phau et al., 2001 Grossman and Shapiro, 1988; Wee et al., 1995). Consumers are

willing to accept counterfeit goods, although they know counterfeiting is a civil or criminal crime (Bloch et al., 1993; Cordell et al., 1996; Tom et al., 1998). Purchase of a counterfeit is not a criminal act, but it does abet the sale which is criminal. Willing purchase of counterfeits falls into the class of non-normative consumer behaviour. Tolerance of, and participation in, non-normative behaviour is often justified by neutralisation, whereby the perpetrator excuses him/ herself from blame by denial of wrong or deflecting blame to the victim. This infers that a consumer invokes his/ her lawfulness attitudes selectively when confronted with moral conflict in the marketplace.

METHODOLOGY

Previous counterfeit research has demonstrated 'what' the consumer determinants of purchasing counterfeit goods are. Almost all studies listed in table 1 rely heavily upon quantitative methods of data collection. In this study we address 'why', adopting an in-depth qualitative data collection technique. Twenty interviews were conducted with a self-selecting group, recruited using a form of snowball technique, in central Glasgow. Previous studies have indicated that common segmentation variables such as age, gender and educational attainment are not a determinant of purchasing counterfeit goods (Wee et al., 1995). In order to gain consistency in brand knowledge and awareness, therefore, it was decided to restrict respondents to the under 30 age group. This group have the advantage of being fashion aware, are heavy purchasers of fashion brands and have been shown to purchase counterfeit goods (Mintel, 2000). Although Bloch et al. (1993) showed that contrary to expectations more affluent consumers who had no financial need to do so do buy counterfeit goods, the 14 female and six male respondents covered a wide range of income brackets and occupations. The gender balance was reflective of the self selecting nature of the group and the fact that more women than men were willing to discuss buying counterfeit. In order to give a broad base of opinion two consumers (one male, one female) who claimed never to have knowingly purchased counterfeit were included. The interview schedule covered four main areas, attitudes towards fashion and brands in general using a selection of designer and high street items as prompts; attitudes towards counterfeiting in general; detailed discussion of counterfeit fashion brands using a selection of counterfeit and genuine accessories and finally discussion about how respondents relate to counterfeit brands compared to genuine brands. All interviews lasted between 45-60 minutes and were taped and transcribed.

RESULTS AND ANALYSIS

The results are reported according to the objectives of the research, to understand how consumers use brands in the construction of their identity and specifically, the implications when these brands are counterfeit. Firstly respondents understanding of brands and the role of brands in constructing self image is discussed, followed by an investigation of what they understand the term counterfeit to mean. We then examine how respondents view both their own, and other consumers, use of counterfeit brands.

TABLE 1

Branding and Self Image

In order to address the issue of counterfeit brands it is necessary to establish the nature of 'aspirational' brands and what is understood by the term 'designer brand' compared to high street brands. Respondents were asked to describe their reaction to a number of images collected from high street and designer outlets. All respondents were able to distinguish between the two groups, they described designer brands as 'fashionable', 'expensive', 'impressive', 'glamorous', 'sophisticated', 'gorgeous', 'elegant' and 'extravagant'. The majority (17 respondents) felt that they were different from the 'average piece' of the high-street retailers. High-street brands received less enthusiastic comments. Their descriptions of high-street brands were 'nice', 'stylish', 'young', 'casual', 'simple' and 'common'. When compared, eighteen respondents felt that there was a difference either in 'colours', 'models' or 'style' between these brands, the high street group were described as 'normal' when compared to the set of designer brand items. Respondents recognised designer brands as more expensive and targeted at the more affluent segment of the market. For example,

These are more for normal people because H&M and Topshop clothes are much more reachable. I don't know how many times I would be able to buy Gucci or Burberry.
Female, 20yrs-old

The first set is a 'dream' and the second set is a 'reality'. Male, 23yrs-old

When they were shown items with brand removed, however, interviewees were in doubt if they could accurately tell the difference. Only 6 respondents insisted that they were aware of differences, but the rest admitted that they could not tell. Clearly, the brand has an important impact on consumers' perceptions of these goods, but this was not reflected in their reaction to the clothing once the brand cue was removed. So why do consumers purchase designer brands? eighteen respondents said it was because of the brand itself and the messages the brand sends. They felt that designer brands could make a person distinctive compared to others.

I think it is because of status symbols. That you've got money to spend on good things. You make an effort in your appearance and so the clothes are an expression of how wealthy you are. Male, 25yrs

You can describe this person from what they wear. The clothes that I wear, it (sic) shows what I am. You stand out in a crowd. These brands are expensive and therefore not many can afford them. To own that brand, it makes me feel special and unique.
Female, 27yrs

I think it's because you know you have spent a certain amount on a product and therefore it must be worth the happiness. Female, 25yrs

Clearly the respondents recognised that certain brands were aspirational and assisted in the creation of an image that was linked to happiness and a particular social status. The communicative messages of these brands were not in the products themselves as few could tell them from less expensive brands without the labels, but in the messages they send and the way that they allow image creation.

Understanding Counterfeiting

Before discussing respondents' reaction to counterfeit brands it is necessary to understand the terms. In fact there was considerable confusion regarding definitions of counterfeiting: no respondent was able to explain accurately the differences between counterfeiting, piracy and imitation. This may be due to researchers superimposing meanings within single terms which mean little to consumers. Eleven respondents were unable to differentiate the terms at all and another understood counterfeits to be products with the brand names misspelled e.g. Versace with Versase. They were confused between counterfeits and imitations and four respondents associated piracy only with CDs' and DVDs'. Only four respondents understood imitation as a similar copy, but with a different name attached to the label. In addition two respondents were confused about the status of 'grey-market' goods believing them to be illegal. All respondents understood that counterfeits of original brands to be illegal. After extensive discussion it was decided that to ensure the terms used were consistent and understood to mean the same by all parties the researcher would refer to 'fake' as non deceptive counterfeiting, i.e. goods that the consumer purchases aware that they are illegal copies of original designer goods. This was explained to respondents and the term is used in responses below.

But can consumers really tell the difference between real and fake goods? To address this issue genuine and counterfeit products were presented to the interviewees (see appendix 1 for an example) and they were asked to differentiate the genuine from the counterfeit. Respondents were allowed to touch and feel the products, but none were able to differentiate correctly between the real and the fake for every item. When the correct answers were revealed, there were different reaction from the respondents, some were embarrassed, surprised and even shocked.

Most of them are quite high quality [amazed]. They are quite deceptive because it was quite hard to tell. I would expect more obvious signs if it was fake. Female, 20yrs

They are really good. They are quite good! (laugh). A lot better than I thought. I thought I was just looking at the label, poor stitching and some obvious quality problems. But they are really good! Female, 22yrs

Three respondents compared the fake and genuine Louis Vuitton (LV) wallets and felt that the counterfeit was even superior to the genuine, as one of the interviewees said, 'LV should contact those who made these, they are much better in quality'. The idea that there is a perceptible quality difference between fake and genuine goods was not sustained in this research. The reasons for this confusion lie in the quality of the fakes used (purchased in Malaysia), or the unfamiliarity of the respondents with the genuine article. It is however indicative of a general issue related to counterfeiting unless consumers are extremely familiar with the original they have difficulty identifying the fake, even when, as in this case, the two are side by side. Quality in this case is a subjective judgement based on an imprecise and vague idea of what a 'genuine' item should look or feel like. This makes the counterfeiters job much easier and explains the high amount of deceptive counterfeiting that is traded.

The first objective of the research was to establish consumer's attitudes towards counterfeit goods. Only two respondents were disapproving of counterfeits and claimed never to have bought them, either because of their attitudes towards brands in general or their attitude towards the legality of the issue. Respondents can be placed

on a continuum between those who had a problem with the legality of the trade and those who saw nothing wrong with it, the majority lay between, they felt it was right to purchase these items -and yet knew it was wrong. This continuum is illustrated by the following quotations;

To me personally, I rather buy something which is not branded, no brand at all than to wear a fake item. This is because it would be like buying from thieves. Because someone designed the stuff and then it is copied. It is stealing and when you buy... it is like buying from the thieves! Female, 28yrs

I think it is right, why not? If you feel good with a fake and you know it is a fake, it is okay. Male, 25yrs

This illustrates an interesting ethical issue, for the majority of respondents to this research actively participating in behaviour they acknowledged as wrong was justifiable because the desire to own the brand out weighed the desire to 'do the right thing'.

Counterfeiting and Consumer Identity

The next objective of the research was to establish why people buy fake goods and how they relate these to their self identity. Only two respondents had never purchased fake goods; the other 18 had at some time purchased goods they knew to be fake. The reasons are typified by these comments;

I bought it because I liked the style and the design and it was NOT because of the brand. Male 29yrs

It was a Giorgio Armani suit and it had the brand label on the sleeve. I was going to an interview, I thought 'I will look smart in it'. I bought it because, fair enough, the brand was there and it distracts people from looking at me and instead at the sleeve. Female, 22yrs

Honestly 10% was because I was curious, I never had these items (sic). 50% was because I like it. They are not expensive because they are fake and because they are branded and I never had these goods (sic). That's why I bought it... and they (counterfeit dealer) made it so real. Female, 23yrs

For these respondents the brand itself was the main reason for purchase and the messages associated with the brand that can be transferred to the wearer. This implies that the 'bridging effect' identified above applies when the brand is fake.

There was a wide disparity in opinion, however, about whether a counterfeit good carries the same meaning as the genuine article. Some (6 respondents) felt the meanings of counterfeit goods would only be present if a person does not know whether it is genuine or fake. Others felt that although it was fake, if it still had the symbol e.g. the LV monogram of Louis Vuitton it therefore conveyed the same meaning. On this basis it is the visual brand cue that is important rather than any intrinsic features of the item itself. It was suggested by eight respondents that it is the

perception of the individual that makes the difference, if one could tell the fake, if it could be identified, meanings would not be able to transfer. For example,

You see some goods and even if there is a small difference, a centimetre difference, the feelings would not be the same. .. so the goods are fake and they are different. They are different and so the feelings would not be the same. Female, 22yrs

On this basis meanings are only able to 'bridge' if consumers are unable to distinguish the genuine from the counterfeit. If the fake is detectable, the aura and meanings of the genuine good would disappear. This is important in terms of deception as respondents clearly felt that a key factor in the bridging effect of these brands was the perception of the onlooker rather than the knowledge of the consumer. Several respondents were happy to wear fake brands and to believe that the brand was contributing to their self image, as long as the deception could not be detected.

There are people who buy fake products because there are other people who think they are original, they feel more confident not because the product is original BUT because of other people thinking it is original. Female, 22yrs

For instance you can buy a Versace copy, a jacket. You can go on the street and nobody can stop you and say 'Wait a minute, I want to check this is a Versace or not'. So while you are going along the street, you are feeling absolutely good. It gives an impression that you are a special fashionable person, are really smart and elegant, and have a lot of money. Female, 20yrs

Indeed the most frequently cited reason for purchasing counterfeit was to impress others. The impression could be 'fashionable', 'stylish', 'rich' and 'important'. By accepting them as genuine, counterfeit goods were able to provide these meanings to others and therefore improve consumers self image.

When this logic is then transferred to other consumers, however, it falls down. Asked how they felt about consumers wearing counterfeit goods and, in effect, giving a deceptive impression by appearing to have purchased a genuine item, respondents were confused.

I do not think as deep as that. They are just carrying that bag. It is not as deep as that, they just like the bag. Female, 22yrs

The impression of the person would not be good. You can tell the person is trying to show off. Really it would affect me a lot. It is lying. Male, 21yrs

It depends, if she is carrying a fake bag, and not showing it off, I would say she is the kind of person who has fashion interest, she is just trying to be as fashionable as possible with money. But! if she is a person who starts showing off, and she knows it is fake, my god, she is stupid! Female, 28yrs

The majority of the respondents felt that there were no real differences between the genuine and counterfeit buyer except that one was in a better financial position than the other. Yet, respondents appeared to think less of buyers of counterfeit if they pretended the good was genuine. It was only appropriate to buy the fake when users

were not misusing the 'privilege' of counterfeit goods to pretend to be rich and fashionable. This illustrates a fundamental contradiction in the views of the respondents towards fake goods. Of the twenty consumers interviewed, only two claimed never to have bought counterfeit goods and a further two claimed to have no hostile view of those who wear fakes. The remainder admitted to purchasing fakes, but claimed not to be passing themselves off as something they were not. At the same time they appeared to believe that wearing fake was acceptable as long as the consumer did not make the claim that it was genuine. What remained unclear, and generated some hostile reaction during interviews, was how an individual walking along a street and displaying a fake brand with all of its non-verbal meaning, can at the same time communicate that it is fake, given earlier comments about the need to ensure that fakes are undetectable. The majority of respondents in this research, therefore, made a distinction between active and passive deception; passive deception implies the wearing of counterfeit brands, allowing the brand to communicate its associated meaning non verbally. Active deception implies verbally claiming that a brand was genuine when it was not or acting in such a way that the implication is that the brand is genuine. This is a complex issue and one that requires further research as a clear and fundamental contradiction was detected in respondents' attitudes towards fake designer goods that can not be simply explained. Most respondents were willing to buy and wear fake goods, believing that as long as the fake was good enough to be undetectable the associated cultural meanings of the brand would be transferred. When questioned about how they felt about other consumers actively claiming that counterfeit goods were genuine they were hostile and claimed this was deception.

CONCLUSIONS

This was an exploratory study and based on interviews with a small group of consumers. It reveals, however, a fundamental contradiction in attitudes towards counterfeit goods, which itself perhaps explains some of the problems that genuine organisations have in addressing the trade. The market for counterfeit fashion items relies on the market for branded items, particularly at the high value designer end, which it cannibalises. If consumers did not desire these items and use them in the creation of their identities, there would be no consequent market for counterfeits. Although this project focussed on a very narrow consumer group, the contradictions in the views of respondents are remarkable for their consistency. Out of 20 interviews, only four were clearly consistent in their views towards counterfeit. The issues of display, linked to brands, overrode the consumers' reaction to the implicit deception of 'wearing counterfeit goods, which perhaps confirms the suggestions of, for example, de Chernatony and MacDonald (1998) that the brand can be more important than the product itself. For these respondents the transfer of meaning, the bridging effect of commodities identified by McCracken (1986) can take place if the products are counterfeit and are used passively. At the same time, if counterfeit goods are actively used deceptively, i.e. they are promoted as being genuine by the owner, they are perceived by others as having broken the bounds of acceptability.

This study suggests a number of avenues for future research. Firstly, it would be of interest to establish if wider age group hold the same contradictory views on counterfeit goods. Secondly, the issues of deceptive display require further investigation, particularly in relation to the attitudes of consumers to their own behaviour compared to that of others. Finally, further research is needed on the

implications for the genuine brands of wide scale availability of counterfeits and the social risk of being 'caught' wearing fake goods.

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