

# ITU Workshop on "Combating Counterfeit Using Conformance and Interoperability Solutions"

Geneva, Switzerland

28 June 2016

## Blockchain to Combat Counterfeit Products

Dr. Adrian McCullagh PhD (IT Sec), LLB (Hons)

ODMOB Lawyers

[ajmccullagh57@gmail.com](mailto:ajmccullagh57@gmail.com)

Professor John Flood PhD (Sociology), LLB, LLM

Director of the Law Futures Centre

Griffith University

[j.flood@griffith.edu.au](mailto:j.flood@griffith.edu.au)



# Agenda

- What is the Blockchain?
- Advantages of the Blockchain
- Blockchain Disadvantages
- Blockchain: Disruptive Technology against Counterfeiters
- Future Research
- Conclusion

# Blockchain: The Genesis Thesis

A blockchain is basically a distributed ledger (multiple copies of the same thing) that has the following characteristics:

- Once a transaction is recorded in the blockchain it cannot be deleted or edited without leaving some trace of such deletion or alteration. It becomes in effect a permanent record for eternity
- Any attempted changes to the record will automatically be identified which will cause all parties to investigate what has gone wrong
- In essence, the blockchain becomes a tamper evident record of transactions (immutable)

# Blockchain: No Single Point of Failure

- No central party will necessarily control the blockchain; BUT some private blockchains that are being developed will be controlled by a central authority
- Being a distributed ledger, a number of copies will be established which makes it difficult for unauthorised third parties to successfully hack every copy of the ledger
- Therefore, there is no single point of failure. It would require a hacker to simultaneously attack at least 51% of all copies which is just not feasible

# Blockchain: Access Control

- Blockchain can be designed as a permissioned blockchain or as a permissionless blockchain (Bitcoin)
- Permissioned blockchains will only allow authorised persons the right to read and add to the blockchain and R3CEV is an example
- Further, with a permissioned blockchain it is possible to allow everyone access to read the blockchain but only a few to add to the blockchain

# Blockchain Advantages

The blockchain has the following advantages:

- reliable and available to all participants
- transparent as all participants have read access
- immutable integrity is guaranteed
- deployed in non-face-to-face transactions
- time reduction between the transaction start and settlement
- covers any type of asset (intangible and tangible), not just bitcoin, e.g. diamonds, land, and securities
- reduces friction costs by disintermediating third party involvement

# Blockchain Disadvantages

- Blockchains require a software application layered on top to achieve any benefit
- Sir Mark Walport, UK Chief Scientist, says: “the implementation of distributive ledgers with embedded smart contracts should lead to substantial improvements in compliance, cost efficiency and accountability”
- Carefully structured applications can disrupt counterfeiters in the market place



# Disruptive Technology Against Counterfeiters

- Having an immutable record of manufacture for a product is only a partial solution
- Instead of preventing counterfeiters producing a product, the blockchain can disrupt their market by arming the user with tools to authenticate their acquired product



# Blockchain: Disruptive Scheme

- Each product will need to be marked with a tamper-proof mark which can be scanned by a hand-held device
- The number of smartphone users is forecast to grow from 1.5 billion in 2014 to around **2.5 billion** in 2019, with increased smartphone penetration rates as well
- Smartphones are ideal mobile devices to assist in disrupting the counterfeiter

# Blockchain: Disruptive Scheme (cont.)

- QR codes are ideal tamper-evident marks
- QR codes are coded with unique reference codes which are the hash of the following information:
  - Manufacturer details
  - Product details
  - Serial number of the product
  - Manufacture date

# Blockchain: Disruptive Scheme (cont.)

- Users will download an authorised smartphone application (**Authentication App**) from the manufacturer's site that has been enhanced with extended validation certificates for SSL communications
- Authentication Apps have specific and restricted/limited functionality

# Functionality: Authentication App

- Authentication App functionality:
  - It will read embedded QR codes on the user's device which will be a unique hash code
  - It will only be directed to a specific IP address
  - It will cause the blockchain to be interrogated to deliver the information validating the product in question
- Manufacturer's system will undertake a challenge response to allow the Authentication App access

# Blockchain: Authentication App Protocol

The proposed high level protocol is as follows:

- Each manufacturer will register the public key embedded in an X509 v3 certificate that corresponds to their software signing private key with each reputable browser manufacturer
- The Authentication App will be validated through the X509 Cert within the browser

# Blockchain: New Protocol Development

- The high level protocol will require counterfeiters to infiltrate every user's smartphone in order to fool the system
- The above is not a fool-proof solution as counterfeiters will try to spoof the manufacturer's website to fool users into downloading false authentication apps
- New security protocols should be investigated to reduce the risk of spoofing attacks

# Blockchain: Double Substitution Requirements

- The security of QR codes on each product must be embedded/impressed so they cannot be substituted
- Even if there is a substitution, it will result in failure as the true Authentication App will only interrogate the true blockchain
- In other words, the counterfeiter needs to perform a double substitution to be successful
- It gives more control to the user in authenticating each product as it is received and can be applied to multiple commercial industry sectors including high valued products and pharmaceuticals



# Future Research

- The rapid growth globally of the Internet of Things will also need to be investigated, especially where such physical items are connected to a smart contract that is operating on a blockchain
- How the data flows from these items will necessitate appropriate management and regulation
- A series of decentralised autonomous organisations (DAO) could run the process without human intervention
- How the law will deal with the DAO remains outstanding

# Future Research (cont)

- The use of smart contracts will need investigation especially from a multi-jurisdiction perspective
- The general proposal for smart contracts is that they will operate purely within a cyber-environment and thus without borders
- There are social and regulatory challenges to these developments, so to what extent will users need to be aware of blockchain/smart contract/DAO activity?
- What entities will be regulated? By whom? Who is the consumer of a DAO? What would be the nature of a DAO? What would the sanctions be for misfeasance?

# Future Research (cont)

- Are there competition issues if DAOs/blockchains collaborate with each other?
- How do we educate/train the future generations of professionals for this work? Do we need to establish micro-credentialing via blockchain to do this?

# Conclusion

- A private blockchain could greatly assist in reducing the available market for counterfeit products
- The system will allow users to identify in absolute terms whether a product is authentic
- Instead of concentrating on the counterfeiter per se this system concentrates on the user which should obviate the marketability of counterfeit products
- New protocols should be investigated so that a counterfeiter cannot fraudulently impersonate a manufacturer with the downloading of a false Authentication App

# Conclusion

- Users must be guaranteed that they only use true Authentication Apps
- This use of the blockchain gives power to the user by allowing them to ensure that what they are paying for is authentic product and not counterfeit product
- That is value for money



????????  
**?? ANY QUESTIONS ??**  
????????



*Dr. Adrian McCullagh & Professor John Flood*



# Disclaimer

- **PLEASE NOTE:** the information disclosed in the presentation is **NOT** the provision of **Legal advice or Professional Services advice**. If a reader/attendee has an issue then they should seek appropriate legal/technical advice. The author/presenter makes no warranty as to correctness of anything contained in this presentation. The topic of this presentation is ever changing at a rapid rate and as such this presentation is the sole opinion of the author/presenter and must not be relied upon as either legal or technical advice. Every situation is different and as such proper analysis must be undertaken when seeking professional advice.
- Consequently, the author/presenter takes no responsibility for any errors that may exist in this paper and certainly takes no responsibility if any reader/attendee takes any actions based on what is (expressly or by implication) contained in this paper/presentation.
- All readers/attendees take full responsibility for anything they may do in reliance of anything contained in this paper/presentation.