

## Chapter 2

### Amazon Brand Registry: Why Most Sellers Get It Wrong (And How to Fix It)

#### Scenario

The Founder saw it as the last step.

The product was selling. Reviews were coming in. The listing had traction, and for the first time, it felt like the business was no longer fragile. There was momentum behind it.

But with that momentum came something else.

Other sellers.

At first, it was subtle. A new seller appeared on the listing. Then another. Prices began to move slightly. Nothing dramatic, but enough to notice.

So, he did what most founders are told to do.

He registered the trademark.

He enrolled in Amazon Brand Registry.

The process felt official. Structured. Legitimate.

Once approved, he believed the problem had been solved.

Now, he thought, Amazon would step in.

Now, the system would protect him.

He filed his first complaint.

Then another.

And another.

Some were removed. Others were rejected. A few disappeared, only to reappear later under different names, slightly modified listings, or new sellers entirely.

The pattern was not consistent.

The results were not predictable.

And the control he expected never fully materialized.

Still, from the outside, it looked like he had done everything correctly.

#### Strategic Principle

“He who is skilled in attack flashes forth from the topmost heights of heaven.” Sun Tzu

**Translation:**

Precision wins faster than force. Clarity wins faster than effort.

Most sellers believe Amazon Brand Registry is protection.

It is not.

It is a tool.

And like any tool, its effectiveness depends entirely on how it is used.

Thousands of brands are enrolled in Brand Registry at any given time. Many of them still lose control of their listings, their pricing, and ultimately their reputation. The problem is not the system itself.

The problem is how the system is understood.

Amazon does not function like a court. It does not create rights, and it does not guarantee enforcement. It reacts.

It reacts to clarity.

It reacts to consistency.

And most importantly, it reacts to evidence.

This distinction is where most sellers begin to lose control.

A trademark creates legal rights. That is the foundation. Brand Registry sits on top of that foundation as an operational layer: a way to assert those rights within Amazon’s ecosystem.

If the underlying trademark is weak, inconsistent, or unclear, Brand Registry reflects that weakness. If the trademark is strong and consistently applied, Brand Registry becomes significantly more effective.

But the system itself does not compensate for poor strategy.

It exposes it.

Most sellers enter Brand Registry with a simple expectation: that once enrolled, Amazon will protect their brand. That assumption creates a false sense of security, and from that point forward, every decision begins to drift in the wrong direction.

Amazon does not respond to frustration. It is not evaluating fairness. It is not weighing who deserves to win.

It is evaluating whether the claim presented is clear, specific, and supported by evidence tied to an enforceable right.

When a complaint is submitted, the system asks a small set of questions. Does the party submitting the complaint own the trademark? Is the mark used in a way that creates confusion? Is there a clear misuse tied to that mark?

If the answers are uncertain, the complaint fails.

Not because the claim is wrong, but because it is unclear.

This is where the difference between effort and precision becomes visible.

Many sellers respond to perceived infringement with volume. They submit multiple complaints. They escalate emotionally. They attempt to remove sellers who are affecting their pricing or their position.

But not every problem on Amazon is a trademark problem.

This is one of the most important distinctions in this entire system.

A counterfeit product is a trademark issue. A product that misuses the brand name is a trademark issue. But a seller offering a genuine product at a lower price is not.

Attempting to use trademark enforcement to solve distribution problems rarely works. And when it fails repeatedly, it begins to reduce credibility within the system.

Amazon is not evaluating whether a seller should be there. It is evaluating whether the trademark has been violated.

That difference determines everything.

The deeper issue, however, often begins before Amazon is even involved.

Weak trademarks create weak enforcement. Descriptive names blur boundaries. Inconsistent use across packaging, listings, and branding creates confusion not only for customers, but for the enforcement system itself.

When a brand appears under multiple variations, slight changes by competitors become harder to distinguish from legitimate use. The line between infringement and variation becomes less clear.

And when the line is unclear, enforcement slows down.

This is why consistency becomes a strategic advantage. Not because it looks professional, but because it defines the boundaries of the brand in a way that can be recognized and enforced.

Amazon, at its core, is a pattern-recognition system.

It responds to structured inputs.

When the brand is clearly defined, consistently used, and supported by evidence, enforcement becomes faster and more predictable. When those elements are missing, the system hesitates.

And hesitation, in a competitive marketplace, is enough to lose control.

There is also a tendency among sellers to treat Brand Registry as a completed task. They enroll, upload their assets, and move on. Meanwhile, the marketplace continues to change.

New sellers enter. Listings evolve. Variations appear.

Without active monitoring, the system interprets inaction as acceptance. Over time, unauthorized behavior becomes normalized, not because it is correct, but because it is unchallenged.

Control, in this environment, is not passive.

It requires observation.

It requires selective action.

Discipline is essential.

There is a final risk that is less obvious, but equally important.

Overuse of the system.

Some sellers, frustrated by lack of control, begin to file complaints aggressively. They attempt to remove anything that affects their position. They expand the definition of infringement beyond what the system recognizes.

And slowly, something changes.

Their complaints carry less weight.

Their requests move more slowly.

Their credibility begins to erode.

Amazon does not announce this shift. But it occurs.

Precision is replaced by noise.

Unwanted noise is eliminated.

The strategy, then, is not to act more, but to act better.

To focus on clear violations. To build evidence before acting. To maintain consistency in how the brand is presented and defended.

Amazon is not a battlefield.

It is an environment where the strategy is tested.

Real control is established before the product ever reaches the platform, through the strength of the trademark, the clarity of the brand, and the structure behind how it is distributed.

When those elements align, Brand Registry becomes a powerful extension of that system.

When they are not, it becomes a reflection of the underlying weaknesses.

### **Closing Observation**

It was not the system that failed him.

It was what he expected the system to do.