

Performance Partnership: We Only Win When You Win

25.04.2026

Brand protection investment creates a fundamental challenge: you're paying to solve a problem whose full scope remains unclear until enforcement begins. Traditional providers require commitment upfront through monthly retainers, annual contracts, or subscription tiers, regardless of whether the investment actually reduces counterfeiting or recovers losses. The question isn't whether brand protection matters. It's whether you're paying for outcomes or just paying for reports.

\$0 Upfront

No retainers, no advance legal fees **Human-Verified**

Every takedown reviewed by a person **3-Way Split**

Recovered funds shared: law firm, Axencis, client **Performance Partnership**

We only win when you win

Last updated: May 2026

By: [Axencis Team](#), [Axencis](#)

What is a Performance Partnership in brand protection?

A Performance Partnership aligns provider compensation with client outcomes. Instead of charging upfront fees regardless of results, the provider's revenue comes directly from value delivered to the client.

For Axencis's Schedule A legal services, this means costs are covered by assets seized from counterfeiters through legal proceedings. When a Schedule A case is initiated, we freeze counterfeiter bank accounts and inventories, then recover assets. Recovered funds are split three ways between the law firm handling proceedings, Axencis, and the client, at percentages agreed before legal action begins.

This model applies specifically to legal enforcement through Schedule A cases where counterfeiters hold significant assets worth pursuing and evidence supports legal action. Standard takedown and platform enforcement services operate on traditional monthly pricing, as these services don't involve asset recovery.

The Performance Partnership exists because Schedule A cases create measurable, recoverable value. Counterfeiter bank accounts get frozen. Inventory gets seized. Domain assets get transferred. These tangible recoveries fund the legal work required to achieve them.

Why does Performance Partnership change enforcement quality?

For decision-makers evaluating brand protection investment, Performance Partnership eliminates the fundamental risk of paying for services that don't deliver measurable outcomes. It's a business model built on confidence in our legal

enforcement capabilities. And that confidence changes how we work.

Rigorous case selection. We only initiate proceedings where we've assessed the evidence, identified recoverable assets, and determined legal action will succeed. Before accepting any case under Performance Partnership terms, we evaluate whether counterfeiter operations hold sufficient assets to justify legal proceedings, whether evidence clearly supports trademark infringement claims, and whether jurisdiction allows effective asset seizure. If we're not confident enough to stake our compensation on the outcome, we won't recommend the case proceed. This prevents wasting time on cases unlikely to deliver results and ensures resources focus on highest-impact targets.

Efficiency motivation. When compensation comes from recovered assets, efficiency matters. Prolonged legal proceedings consume resources that reduce net recovery, so we're incentivized to achieve asset seizure quickly, coordinate efficiently with courts and platforms, and minimize unnecessary legal complexity. The client benefits from faster results and lower total costs.

Maximum recovery focus. Traditional legal billing creates potential conflicts of interest. Attorneys billing hourly may not prioritize maximum asset recovery since their compensation comes from hours worked, not results achieved. Performance Partnership aligns recovery priorities. Our compensation increases when total recovery increases, so we're motivated to identify all available assets, pursue complete rather than partial seizure, and coordinate recovery across multiple jurisdictions when necessary.

The client receives maximum possible recovery rather than whatever results from standard legal procedures.

Not sure if your situation warrants Performance Partnership consideration?

A no-obligation risk assessment evaluates your counterfeit landscape, identifies recoverable assets, and determines whether [Schedule A legal action](#) or standard enforcement better fits your needs.

How does performance-based brand protection pricing work?

Performance-based pricing for Schedule A cases follows a clear structure tied to recovery outcomes.

Case evaluation and acceptance

Before accepting any case under Performance Partnership terms, we conduct a thorough evaluation. This includes reviewing evidence of infringement, identifying counterfeiter assets available for recovery, assessing legal jurisdiction and venue, evaluating likelihood of successful asset seizure, and determining whether recovered assets will exceed enforcement costs.

We only recommend Performance Partnership for cases meeting specific criteria: clear evidence of trademark infringement, identifiable assets held in jurisdictions where we can enforce, counterfeiter operations substantial enough to justify legal action, and a realistic path to asset recovery exceeding legal costs. If a case doesn't meet these criteria, we explain why and discuss alternative enforcement approaches like [platform takedowns](#).

No upfront investment required

When we accept a case under Performance Partnership, the client pays no upfront fees. No retainer for legal counsel. No advance payment for court filing fees. No monthly minimums while the case proceeds. This eliminates the financial risk of pursuing legal enforcement.

Compensation from recovered assets

Compensation comes exclusively from assets recovered through legal action. When Schedule A proceedings successfully freeze counterfeiter accounts and seize inventory, recovered funds are split three ways between the law firm handling proceedings, Axencis, and the client. All percentages are agreed before proceedings begin.

Transparent recovery allocation

Before proceeding with any partnership, clients receive clear documentation of how recovered assets will be allocated. This includes the percentage going to the client, the percentage covering legal costs, and the percentage for Axencis's service fee. Treatment of any costs exceeding recovery are absorbed by Axencis, not the client. Clients know exactly what they'll receive from successful recovery before deciding whether to proceed.

How much does brand protection cost?

Brand protection costs vary dramatically based on enforcement approach, service scope, and provider business model. Here's how the common models compare.

Model	Typical Cost	Payment Structure	Incentive Alignment
Traditional subscription	\$3,000-\$50,000+ monthly	Fixed monthly or annual retainer	Misaligned - paid regardless of outcomes
Per-incident legal	\$300-\$800+ per hour	Hourly billing, upfront retainer	Misaligned - billable hours, not recovery
Full litigation	\$15,000-\$50,000+ upfront	Retainer plus hourly	Misaligned - no guarantee of recovery
Performance Partnership	\$0 upfront	Recovered assets split three ways	Fully aligned - paid only on recovery

Traditional models charge regardless of results. If a \$10,000 monthly subscription fails to reduce counterfeiting, the client still pays \$120,000 annually. Performance Partnership flips that dynamic. The provider has skin in the game, and the client only pays when enforcement actually delivers.

Is brand protection worth the investment?

Brand protection ROI depends on quantifiable losses from counterfeiting versus the cost of effective enforcement. Most brands underestimate both.

Calculating counterfeit impact

Brands lose revenue through several counterfeiting channels. Direct sales losses occur when customers buy counterfeits instead of genuine products. This is calculable: number of counterfeit units sold multiplied by your profit margin per unit.

Indirect losses include brand reputation damage when customers experience poor quality counterfeits, customer support costs fielding complaints about fake products, and price erosion when counterfeit availability forces legitimate sellers to discount.

It's not uncommon for brands to discover their losses far exceed expectations once they quantify the counterfeit volume. A brand with 500 active counterfeit listings, each generating 10 monthly sales, faces 5,000 lost transactions per month. With a \$50 profit margin, that's \$250,000 in monthly revenue loss. \$3 million annually.

Performance Partnership ROI

Performance Partnership for Schedule A cases creates different economics. The question isn't "does investment exceed benefit" but "does recovery exceed what we would have kept without enforcement."

If a Schedule A case recovers \$200,000 in seized assets and the client receives their agreed portion after legal costs and fees, the calculation is simple. Recovered funds versus \$0 upfront investment. The brand gained money it wouldn't have received without enforcement, at zero financial risk.

This doesn't account for the ongoing deterrent effects of asset seizure, which often lead counterfeiters to cease operations entirely. Sustained reduction in infringement. Sustained increase in revenue from legitimate sales.

When does Performance Partnership make sense?

Performance Partnership particularly suits brands facing established counterfeit operations with significant revenue and recoverable assets. These cases offer the best recovery potential and justify the legal resources required.

Indicators that your situation may warrant Performance Partnership consideration:

- Counterfeit operations generating substantial monthly revenue (typically \$50,000+)
- Identifiable assets like inventory, bank accounts, or domain registrations
- Clear evidence of trademark infringement with documentation supporting legal action
- Operations in jurisdictions where US courts can enforce asset seizure

If your counterfeit problem consists primarily of small individual sellers, standard takedown services provide more appropriate solutions. Performance Partnership targets the larger operations where legal action and asset recovery create meaningful results.

Important:

Performance Partnership is not a substitute for comprehensive brand protection. It's a specific pricing model for Schedule A legal enforcement. Most effective brand protection programs combine Performance Partnership for high-value legal action with standard [platform takedowns](#) for distributed counterfeit activity.

What makes Schedule A Performance Partnership possible?

Performance Partnership for Schedule A cases works because legal asset recovery creates tangible, recoverable value that funds the service.

Schedule A cases create immediate impact

Schedule A proceedings allow courts to freeze counterfeiter assets before lengthy trial proceedings. Bank accounts get frozen, inventory gets seized, and domain assets get transferred within days or weeks rather than months or years.

Unlike traditional litigation where recovery comes only after trial verdict and appeals, Schedule A proceedings generate recoverable assets quickly enough to fund the legal work required. This rapid asset control encourages a faster settlement process, creating value the client can recover sooner than waiting for the case to finish its proceedings.

Counterfeiters hold valuable assets

Established counterfeit operations maintain substantial assets necessary for their business operations. These include inventory of counterfeit products, bank accounts holding revenue, payment processor accounts, domain registrations and websites, and social media accounts and advertising assets.

When Schedule A proceedings freeze these assets, they become available for recovery. The counterfeiter can't access frozen funds or continue operations using seized inventory. These assets either transfer to satisfy damages, or are released on receipt of a settlement. Both create the pool from which Performance Partnership compensation derives.

Legal precedent supports recovery

Courts routinely grant Schedule A orders in clear trademark infringement cases and order asset seizure to prevent ongoing harm and preserve funds for damages. This established legal framework makes recovery predictable when evidence and jurisdiction support the action.

Axencis has successfully executed Schedule A proceedings that resulted in substantial asset seizures across multiple cases. The proven track record demonstrates the efficacy of the model: courts grant the relief, assets are recovered, and clients receive their portion of the proceeds while costs are covered.

Key takeaways

- **Performance Partnership ties provider compensation to client outcomes** – costs are covered by assets recovered from counterfeiters through Schedule A cases.
 - **Zero upfront investment** – no retainers, no advance legal fees, no monthly minimums while the case proceeds.
 - **Recovered funds are split three ways** – law firm, Axencis, client. All percentages agreed before proceedings begin.
 - **Aligned incentives change how we work** – rigorous case selection, efficient execution, maximum recovery focus.
 - **Best suited to established counterfeit operations** with \$50,000+ monthly revenue and identifiable assets in enforceable jurisdictions.
-

Frequently asked questions

How much does brand protection cost?

Traditional providers charge monthly retainers regardless of results. Legal enforcement typically costs \$15,000-\$50,000+ upfront. Axencis's Performance Partnership for Schedule A cases requires no upfront investment. Costs are covered by recovered assets, with proceeds split three ways between the law firm, Axencis, and the client.

What is a Performance Partnership in brand protection?

A pricing model where provider compensation is tied to outcomes, not activity. For Schedule A cases, Axencis receives payment only when assets are successfully recovered from counterfeiters. Recovered funds are split three ways between law firm, Axencis, and client, at percentages agreed before proceedings begin.

Is brand protection worth the investment?

Yes, when quantifiable losses from counterfeiting exceed enforcement costs. Most brands discover losses far exceed their initial estimates once they quantify the full picture. Performance Partnership eliminates investment risk entirely. You pay nothing upfront, and compensation only comes from successful asset recovery.

How does performance-based brand protection pricing work?

Axencis evaluates cases to confirm evidence supports legal action and counterfeiters hold recoverable assets. If the case proceeds, the client pays nothing upfront. When Schedule A proceedings successfully freeze accounts and seize assets, recovered funds are split between law firm, Axencis, and client at pre-agreed percentages.

Should I invest in brand protection?

If counterfeiting is costing you measurable revenue, yes. Performance Partnership suits brands facing established counterfeit operations with substantial assets. If your problem is mainly small individual sellers, standard takedown services are more appropriate. Either way, enforcement should deliver measurable results, not just reports.

What happens if enforcement costs exceed recovery?

Axencis absorbs the difference. The client doesn't receive a bill when recovery falls short of legal costs. That's the risk transfer at the heart of Performance Partnership: we only proceed with cases where we're confident in the outcome, so we can stake our compensation on it.

Sources

- [Potomac Law Group - Schedule A Litigation: How It's Changing Online IP Enforcement](#)
- [Attorney's fee structures \(overview\)](#)
- [Hornwright Law - The Cost of Trademark Litigation](#)
- [Pillsbury Law - Trademark Litigation and Attorney Fees \(PDF\)](#)

Does your counterfeit situation warrant Performance Partnership?

A no-obligation risk assessment evaluates your counterfeit landscape, identifies recoverable assets, and determines whether Schedule A legal action or standard enforcement better fits your brand. No retainer, no commitment, no surprises.

[Request a Risk Assessment](#)

About the author

The Axencis team specializes in brand protection, anti-counterfeiting enforcement, and IP recovery through Schedule A cases. Axencis operates on a Performance Partnership model for legal enforcement, where costs are covered by assets recovered from counterfeiters. For questions about brand protection strategy or to discuss your specific situation, [get in touch](#).

```
{ "@context": "https://schema.org", "@graph": [ { "@type": "Article", "@id": "https://axencis.com/blog/performance-partnership-brand-protection/#article", "headline": "Performance Partnership: We Only Win When You Win", "description": "How performance-based pricing works for brand protection enforcement. No retainers, no upfront fees. Costs covered by recovered assets through Schedule A cases.", "image": "https://axencis.com/wp-content/uploads/2026/05/axencis-performance-partnership-hero.png", "datePublished": "2026-05-12", "dateModified": "2026-05-12", "author": { "@id": "https://axencis.com/#organization" }, "publisher": { "@id": "https://axencis.com/#organization" }, "mainEntityOfPage": { "@id": "https://axencis.com/blog/performance-partnership-brand-protection/" }, "about": [ "Brand Protection Pricing", "Performance Partnership", "Schedule A Cases", "IP Enforcement", "Asset Recovery" ], "articleSection": "Brand Protection", "keywords": "performance partnership brand protection, brand protection pricing, schedule a cases, asset recovery, no upfront brand protection", "wordCount": "2400" }, { "@type": "Organization", "@id": "https://axencis.com/#organization", "name": "Axencis", "description": "Axencis provides human-verified brand protection, anti-counterfeiting enforcement, and IP recovery services. The Performance Partnership model covers enforcement costs through recovered assets from counterfeiters.", "url": "https://axencis.com", "logo": "https://axencis.com/wp-content/uploads/2024/08/logo-copy.png", "foundingDate": "2024", "areaServed": { "@type": "Place", "name": "Worldwide" }, "contactPoint": { "@type": "ContactPoint", "contactType": "sales", "url": "https://axencis.com/contact", "availableLanguage": ["English"] }, "sameAs": [ "https://www.linkedin.com/company/axencis" ], "knowsAbout": [ "Brand Protection", "Anti-Counterfeiting", "Intellectual Property Enforcement", "Schedule A Cases", "Asset Recovery", "Trademark Protection", "Marketplace Enforcement" ], "slogan": "We Only Win When You Win" }, { "@type": "FAQPage", "@id": "https://axencis.com/blog/performance-partnership-brand-protection/#faq", "mainEntity": [ { "@type": "Question", "name": "How much does brand protection cost?", "acceptedAnswer": { "@type": "Answer", "text": "Traditional providers charge monthly retainers regardless of results. Legal enforcement typically costs $15,000-$50,000+ upfront. Axencis's Performance Partnership for Schedule A cases requires no upfront investment. Costs are covered by recovered assets, with proceeds split three ways between the law firm, Axencis, and the client." } }, { "@type": "Question", "name": "What is a Performance Partnership in brand protection?", "acceptedAnswer": { "@type": "Answer", "text": "A pricing model where provider compensation is tied to outcomes, not activity. For Schedule A cases, Axencis receives payment only when assets are successfully recovered from counterfeiters. Recovered funds are split three ways between law firm, Axencis, and client, at percentages agreed before proceedings begin." } }, { "@type": "Question", "name": "Is brand protection worth the investment?", "acceptedAnswer": { "@type": "Answer", "text": "Yes, when quantifiable losses from counterfeiting exceed enforcement
```

costs. Most brands discover losses far exceed their initial estimates once they quantify the full picture. Performance Partnership eliminates investment risk entirely. You pay nothing upfront, and compensation only comes from successful asset recovery." } }, { "@type": "Question", "name": "How does performance-based brand protection pricing work?", "acceptedAnswer": { "@type": "Answer", "text": "Axencis evaluates cases to confirm evidence supports legal action and counterfeiters hold recoverable assets. If the case proceeds, the client pays nothing upfront. When Schedule A proceedings successfully freeze accounts and seize assets, recovered funds are split between law firm, Axencis, and client at pre-agreed percentages." } }, { "@type": "Question", "name": "Should I invest in brand protection?", "acceptedAnswer": { "@type": "Answer", "text": "If counterfeiting is costing you measurable revenue, yes. Performance Partnership suits brands facing established counterfeit operations with substantial assets. If your problem is mainly small individual sellers, standard takedown services are more appropriate. Either way, enforcement should deliver measurable results, not just reports." } }, { "@type": "Question", "name": "What happens if enforcement costs exceed recovery?", "acceptedAnswer": { "@type": "Answer", "text": "Axencis absorbs the difference. The client doesn't receive a bill when recovery falls short of legal costs. That's the risk transfer at the heart of Performance Partnership: Axencis only proceeds with cases where it's confident in the outcome, so it can stake its compensation on it." } }] }, { "@type": "BreadcrumbList", "@id": "https://axencis.com/blog/performance-partnership-brand-protection/#breadcrumb", "itemListElement": [{ "@type": "ListItem", "position": 1, "name": "Home", "item": "https://axencis.com/" }, { "@type": "ListItem", "position": 2, "name": "Blog", "item": "https://axencis.com/blog/" }, { "@type": "ListItem", "position": 3, "name": "Performance Partnership: We Only Win When You Win", "item": "https://axencis.com/blog/performance-partnership-brand-protection/" }]] }