INTELLECTUAL PROPERTY in the FASHION INDUSTRY
TRADEMARK PROTECTION

CHANEL
HERMÈS PARIS

GUCCI

YSL

DKNY
DONNA KARAN NEW YORK

BURBERRY

LOUIS VUITTON
TRADEMARK PROTECTION
TRADEMARK as DESIGN
APPAREL DESIGN IS TOO UTILITARIAN TO QUALIFY FOR COPYRIGHT PROTECTION
APPAREL DESIGN IS TOO UTILITARIAN TO QUALIFY FOR COPYRIGHT PROTECTION
TOO UTILITARIAN?
Without ownership there is no incentive to innovate
Without ownership there is no incentive to innovate ...?
UTILITARIAN OBJECTS
BECOME ART
UTILITY ARTEFACTS
BECOME ART
UTILITARIAN OBJECTS
BECOME ART
UTILITARIAN OBJECTS

BECOME ART
UTILITARIAN OBJECTS
BECOME ART
AN OPEN CREATIVE PROCESS
UTILITY MATERIALS + FASHION DESIGN = WEARABLE ART
UTILITARIAN MATERIALS + FASHION DESIGN = WEARABLE ART
UTILITARIAN MATERIALS + FASHION DESIGN = WEARABLE ART

aluminum →
THE STREET
FAST FASHION

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WHY HASN’T COPYING DESTROYED THE INDUSTRY?

Steve Madden “GINN” Heels $199.95

Givenchy Gladiator Ankle Boots $995

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WHY HASN'T COPYING DESTROYED THE INDUSTRY?
THE VIRTUES OF COPYING

• Democratization of fashion
• Faster establishment of global trends
• Induced obsolescence
• Acceleration in creative innovation
EFFECTS ON THE CREATIVE PROCESS
MAKING SOMETHING
TOO DIFFICULT
TO COPY
INCENTIVES TO NOT COPY

Alexander McQueen
INCENTIVES TO NOT COPY

Balenciaga
INCENTIVES TO NOT COPY

Rodarte
INCENTIVES TO NOT COPY

Galliano for Dior
FASHION DESIGNERS = COMEDIANS?

Curb Your Enthusiasm
Sundays at 10pm

What’s wrong with this picture?
SELF-COPYING
International Comparisons
EUROPEAN UNION
HOW DO WE ESTABLISH STANDARDS FOR NOVELTY?
U.S. DESIGN PIRACY PROHIBITION ACT

Council of Fashion Designers of America

American Apparel & Footwear Association
GROSS SALES OF GOODS

Billions of $ in U.S. 2007

Sources: U.S. Census Bureau & Recording Industry Association of America
Fashion’s Dirty Little Secret
INNOVATION & CREATIVITY IN THE FASHION INDUSTRY

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www.ReadyToShare.org
INNOVATION & CREATIVITY IN THE FASHION INDUSTRY

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