



SYMBIOSIS LAW SCHOOL, NAGPUR

Constituent of Symbiosis International (DEEMED UNIVERSITY)

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Symbiosis Law School, Nagpur Organized International Lecture Series

22nd September 2022

Taking forward its legacy of Internationalization Symbiosis Law School, Nagpur organized a Guest Lecture of **Joan Bellefield Davis, Esquire**. Madam is a council at Schroder Brooks Law Firm PLC. In addition to this she has worked with former Chief Justice Harry L. Carrico of the Supreme Court of Virginia, U.S.A. She had addressed the students on the topic: **An Introduction to practicing Fashion Law in U.S.A** on 22nd September 2022 as a part of International Lecture Series.

Dr. Sukhvinder Singh Dari, Director at SLS, Nagpur welcomed the Guest and thanked Miss. Joan Bellefield Davis for considering our invitation and agreeing to deliver a lecture on the emerging topic of Fashion Laws. The session was moderated by Ms. Shivangi Kurup, student of second year.

Ms. Joan highlighted the basics of fashion law with respect to trademark registration, copyright registration, and counterfeits in the U.S. luxury goods market. Fashion Laws in USA are very much intertwined with Intellectual Property Laws. She also discussed about how in the fashion business, the role of reputation is vital. The logo of the brand must be unique so that it's easy to spot it out. She discussed the famous case of "Christian Louboutin S.A. V. Yves Saint Laurent AM." which showed that uniqueness of a trademark is important because when a unique trademark gets registered, it gets secured beyond the acquiring of rights by using a mark.

Subsequently she moved on the topic of "Copyright Laws" and also provided an insight of what Copyright is and how they fall in the ambit of Fashion Laws. The Copyright Act provides protection for pictorial, Graphic and sculptural work which include two- dimensional and three-dimensional works of; fine, graphic and applied art then photographs, prints and art reproductions, maps and globes and Charts, diagrams, models and technical drawings. Along with Copyright she touched on the topic of Trade dress and separability and Design Laws. Trade dress is a 'total image and appearance of the product' it can include colour, shape, size, texture, particular sale technique. To get registered under trade dress one needs to be established and source identifier. She illustrated Trade Dress and Separability with the case of Star Athletica, L.L.C. v. Varsity Brands U.S. March 22, 2017. In the session she further mentioned that Unlike trademark, copyright laws protection under design is accessible. One doesn't need to have a big name or brand to get protection under design; the only ingredient that is needed is a meritorious piece of art. The procedure is very similar to that of Copyright but the design includes 3D prints, patterns, shapes.

She further asserted on the topic patents and the protection under it, there are two types of patent protection granted design patent and utility patent. Design patent for a garment can be done when the dress is innovative in the shape, colour, pattern, or entire product. To get a design patent the good has to be novel and something that has never existed before. In the case of Lululemon Athletica v. Calvin Klein: battle of yoga pants was a case that seemed a game changer for the fashion industry since patent lawsuits are hard to win in the apparel industry.

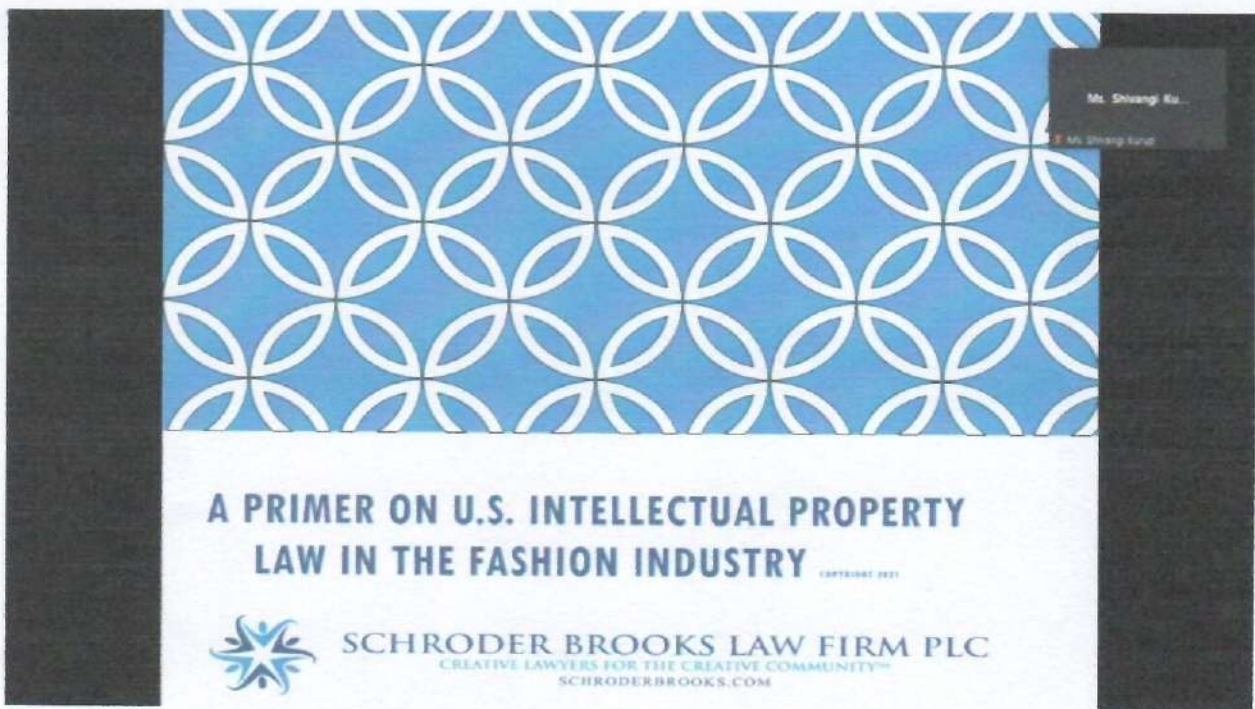
The Session proved to be an excellent learning platform for Law students across the country with a participation of more than 100+ attendees. The session was followed by the very exhilarating and captivating Question & Answer session. **Prof. Ahmar Afaq** extended the formal vote of thanks.



Miss Joan Bellefield Davis during the session.



Dr. Sukhvinder Singh Dari of SLS, Nagpur welcomed the Guest.



The topic covered in the event.



Miss Joan while addressing the students.



Prof Ahmar Afaq, faculty In-charge of International Cell giving the Vote of Thanks.



Director
Symbiosis Law School
Nagpur