

Letters

**Write to: Letters, Drapers, Greater London House,
Hampstead Rd, London NW1 7EJ
e-mail: drapers@emap.com
www.drapersblog.com www.drapersfashionfix.com**

IT'S TIME WE KILLED THE COPYCATS

It is encouraging to see that fashion labels are increasingly exercising their power to prevent other brands and high street retailers from infringing their intellectual property and design rights.

Recently Chloé exercised its rights over Topshop, which it accused of copying one of its dresses (*Drapers*, July 28), and Jimmy Choo prevented Oasis and Jane Shilton from selling designs alleged to be copies.

However, the price that alleged 'copycats' are forced to pay is often pitifully small, with Topshop having to pay only £12,000. The benefits to Topshop greatly exceed this token amount.

Copies of designer dresses offered at knock-down prices are easy profits if they are allowed, because they are unfairly coat-tailing off

other people's investments. Greater deterrents need to be put in place to prevent copycat activity becoming more widespread.

Marks & Spencer, New Look and Primark have had to remove stock because of alleged intellectual property infringement and Dunnes Stores is now being taken to court by Mosaic Fashions for the same reason.

Fortunately, there are an increasing number of weapons available to bring copycats to court, such as accepted forms of market research, brand valuation techniques and case precedents, such as the Chloé vs Topshop case, or L'Oréal vs Bellure, at which I was an expert witness.

The implications of these developments for designers, both haute couture and on the high street, are positive and significant. Retailers

that prey on the imagination of others could now easily find that this technique backfires.

Thayne Forbes, joint managing director of brand valuation company Intangible Business