



Stop Fashion Design Piracy & Boost America's Economy

Fashion in the U.S. is a \$350 billion industry. America's fashion designers have become some of the most sought-after throughout the world. However, difficult economic times have hit fashion perhaps even harder than many other sectors of America's economy. Coupled with piracy from foreign importers, the economic reality for American designers, most of whom are small businesses, is catastrophic. This downturn also hurts industries that support fashion including printing, trucking, distribution, magazine publishers, advertising, publicity, merchandising, and retail.

Fashion designers are doing their part to fuel America's economic comeback. The level of originality seen on runways this season continues to surpass and surprise. This originality of design in high fashion will keep American consumers interested in retail sales as retailers like Target, Kohls and JC Penney license designers to create collections to sell in their stores at reasonable prices.

However, pirates are stealing American designs, making low quality copies in Chinese factories with cheap labor and importing them into the U.S. to compete with the original designs. This is currently LEGAL under U.S. law because fashion design is not protected.

The development of new technologies has considerably worsened the design piracy problem since, via the Internet, pirates have immediate access to all fashion creations the minute they are viewed by the public. Knock-off garments are now often marketed before the designers can market their originals.

Last year Congress enhanced the ability to enforce laws against counterfeits – pirated designs with a fake label - but pirated fashion designs with no label remain unprotected in the U.S. Design piracy is simply counterfeiting without the label and it should also be outlawed by Congress.

America is the world fashion leader, and yet it is the only industrialized country that does not provide protection for fashion design. Europe, India, and Japan, for example, provide 15 to 25 years of design protection. The Design Piracy Prohibition Act (DPPA) would improve the playing field for American designers by providing a minimal *three* years of design protection for registered designs.

Once it becomes law, every design that has been available for sale prior to enactment will be considered to be in the public domain; *only* unique and original designs from then on would be protected from fashion piracy. Moreover, the DPPA permits the influence of trends with the inclusion of language to make clear that reproducing a trend does not infringe the protection granted under the bill.

America's designers are some of the most creative in the world. Their creativity can help fuel America's economic comeback, but they need a little help from Congress to do so. Please cosponsor the Design Piracy Prohibition Act and work for its passage.