



# The Indian Journal for Research in Law and Management

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## BLOG FASHION LAW IN INDIA

### INTRODUCION

“Fashion is a part of the daily air and it changes all the time, with all the events. You can even see the approaching of a revolution in clothes. You can see and feel everything in clothes” - *Diana Vreeland*

It is rightly said that to know someone, Fashion is the first expression as it depicts one's personality. Fashion plays a vital role in human life, it is a dynamic field which is more than just clothing. Fashion is the true sense, which evolves around the attitude of a person rather than clothes and accessories. Its importance in human life, has delved the world into a fascinating Fashion law. Fashion law has become need of an hour.

### ROLE OF FASHION IN HUMAN LIFE

#### Culture

As we all know that India is known for its culture and in India each state has its own clothing style. Fashion is one of the most important source to express culture. Traditional clothing and ethnic attire signifies morals, values and cultural identity of a society.

#### Self-Expression

“Style is something each of us already has, all we need to do is to find it” – *Diane von Furstenberg*

Style is what we wear and what we wear is what we our and choosing outfits can be an act of self-care. It serves as a medium to communicate the self-expression to all as it is a visual language. When we wear comfortable and clothes that we have chosen then we give our appearance positive self-image and with confidence, it elevates our spirits. Fashion influence mental well-being of a person.

#### Social Identity

Clothing is the basic necessity for all human cultures. They adorn their body with makeup, tattooing and many more to look attractive and beautiful, it is way that how we use fashion to express ourselves and help us to define our identity. It is the way when someone present themselves and interact with others.

## CONTEMPORARY FASHION

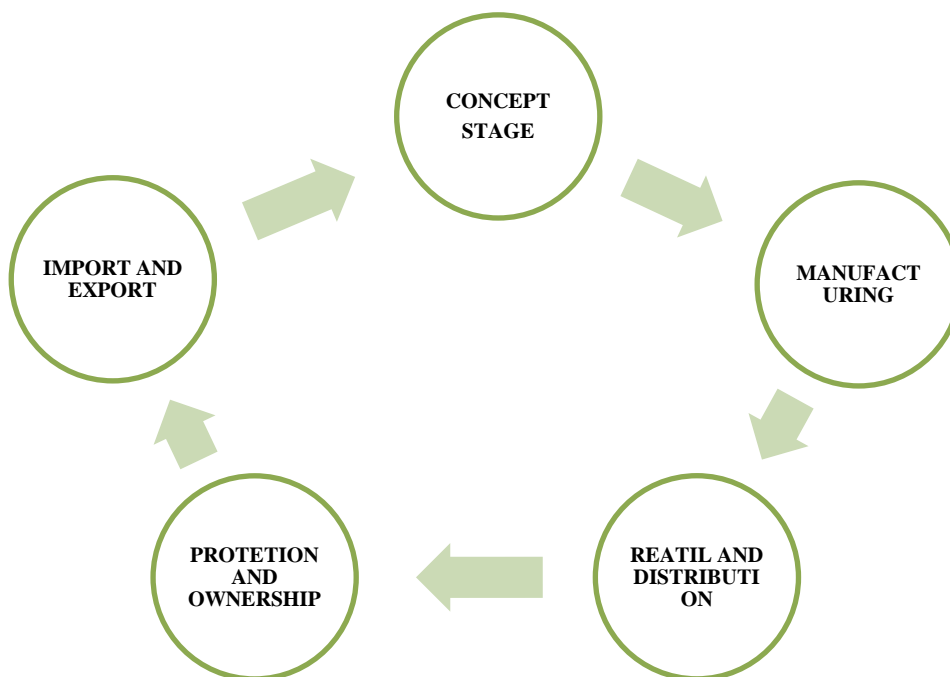
**Influenced by Bollywood Stars:** The most popular way to influence people and their fashion trend are the Bollywood Celebrities their looks on red carpet matters the most and their movie costumes.

**Influenced by Bloggers:** Social media is the best way to communicate personal style to large number of people by sharing posts, reels, etc.

**Influenced by Fashion Weeks and Events:** Many fashion shows (like Amazon India Fashion Week) contest the designs by establishing and emerging designers.

**Influenced by Designer's Labels:** Most talented and well-known designers (like Manish Malhotra) are known for their designs globally.

## Lifecycle from Conception of a Design to Brand Identity



## India Doesn't Have a Specific Fashion Law Statute, But There Are Different Laws Which Deals With Fashion Industry

**Designs Act, 2000** deals with the designers designs , **Environment Law** deals with the sustainability of a design and relevant compliance in Fashion World, **Labour Law** deals with the issues of labours such as working conditions, wages and labour rights, **Contract Law** deals with the agreement between two parties to

contract, discussing terms and conditions and drafting and negotiating for licensing, **Business Laws** deals with other fashion industries, addressing financial transactions, **Intellectual Property Rights** deals in protecting designs by Copyright Act, Patent Act, Trademark and design registration this registration of a design is necessary to avoid unauthorised copying and protect the original work, **Competition Law** ensures fair competition, **Advertising Law** deals with the authorized advertisement of clothes, accessories to reach a large number of public and showcase their new style, **Arbitration Laws** deals in resolving disputes, **International Trade Laws** which deals with cross-border Fashion business for import and export purpose, **Consumer Protection Act** deals with the protection of consumers.

Now it is very important for us to know why Fashion Law is important to us, the intersection of Fashion and law is a dynamic field. As the global landscape expand, so does the need for legal frameworks to protect and regulate this industry. Despite of absence of statute for Fashion Law, we depend on other laws.

Fashion law is concerned with Fashion designers to protect them and their designs. It is very important for a fashion designer to attract large number of public to enhance consumer's trust. When something evolves around people dealing with Fashion then there arises disputes so it is important for us to provide mechanisms for resolving conflicts.

**“When there is a duty there is the Right”**. Legal rights and challenges counterfeiting, model's rights, photographer's right and brand establishment. As we all know that IPR options such as Copyright Act, 1957, Patent Act, Trademark and Registration are applicable to Fashion domains. But, still we need amendments in IPR Laws to support Fashion industries in India. It is very important to note that the dilemma lies in striking a balance between creativity and protection of designer's designs.

**Case laws:** Micolube India Ltd. v. Rakesh Kumar, and Louis Vuitton Malletier v. Atul Jaggi has shaped Fashion Law jurisprudence in India.

## **LEGAL PROVISIONS**

### **Fashion Federation of India**

The Fashion industry in India is not only for fashion designers but, there's a whole team of professionals involved. So, if you are considering Fashion Law then rest assured that you are consider it beyond designers and their designs. The current size of the Indian fashion industry is approx 1000 Cr., but when it comes to global market the growth of more designers, outlets, design's institutions and most importantly customers are rising. In recent times there is a blend in ancient and modern style of fashion which is increasing day by day. The Fashion Design Council of India (FDCI) is a non-profit organisation that supports the Indian Fashion industry and there is also The Fashion Foundation of India (FFI). An idea for a design can develop a clothing

fabric to a lavishing dress. As more and more designs are filling the basket of Fashion it has become so it important to protect and regulate these designs under the component authorities.

## **CONCLUSION**

Fashion law isn't just legal jargon, but a wrap and weft of an industry. So, next time when you admire runway ensemble which is heart and soul of fashion, remember the sequin and silk is a legal tapestry woven by fashion lawyers. Fashion has the power to inspire and drive towards social change. You can relate yourself to this when someone confidently embrace their unique style in front of us we are encouraged to do the same. Fashion law is about the frameworks that support creativity, commerce and consumer rights. As India's fashion industry continues to flourish we have to understand and implement fashion laws for its growth and sustainability AND Legal awareness.

NAME: Kavya Jaggi

SEMESTER: B.B.A.LL.B, 6<sup>th</sup> Semester

COLLEGE: Jai Narain Vyas University, Jodhpur, Rajasthan