

Fashion Law Research References

*a short compilation of research references
for the fashion lawyer provided by*

West Reference Attorneys

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THOMSON REUTERS

Legislative

IDPPPA: The proposed legislation for the Innovative Design Protection and Piracy Prevention Act (IDPPPA) can be found on Westlaw with the following citation: **2009 CONG US S 3728**

- See also S. 3728 on [Open Congress](#)
- Track this bill on West's **Capitol Watch**. See the Capitol Watch [User Guide](#) for more information.

DPPA: IDPPA's predecessor, the Design Piracy Prohibition Act (DPPA) introduced in April, 2009, never left the Subcommittee on Crime, Terrorism, and Homeland Security. DPPA can be found on Westlaw at **2009 CONG US HR 2196**.

COPYREV76-LH (WESTLAW) provides comprehensive legislative history of the '76 Act , Pub. L. No. 94-553 (1976), compiled by Arnold & Porter. The database includes the text of bills, committee reports, transcripts of hearings, and other documents.

Sample Query: [FASHION TEXTILE FABRIC APPAREL](#) (74 Docs)

USPOLTRANS (WESTLAW) contains verbatim transcripts of news conferences, press briefings, political speeches, and oral testimony from congressional committee hearings.

Sample Query: [i.d.p.p.a. "innovative design protection and piracy" \(copy-right /25 fashion design apparel clothing textile fabric\)](#)

Other Databases Frequently Used by Reference Attorney

- **USCCAN:** U.S. Code Congressional and Administrative News
- **FED-LH:** GAO's collection of legislative history documents compiled for most U.S. Public Laws enacted from 1915 to 1995
- **CONG-BILLTXT:** database contains the text of all versions of congressional bills and resolutions introduced in the current session of Congress

Intellectual Property

American Law Reports

- **26 A.L.R. Fed. 408**, Fabric and dress designs as protected by copyright under Federal Copyright Act, Allan L. Schwartz.
- **72 A.L.R. Fed. 858**, Seizure and forfeiture, under 19 U.S.C.A. § 1526(e), of imported merchandise bearing counterfeit trademark, Glenn A. Guarino, J.D.
- **ALR INDEX**: Search the ALR INDEX for “clothing.”

PATRYCOPY § 3:151 textiles, rugs, fabric designs, and clothing, William Patry, *Patry on Copyright* (PATRYCOPY).

The Piracy Paradox

92 Va L.Rev. 1687, The Piracy Paradox (2006), Kal Raustiala, Christopher Sprigman

“This argument about the effects of copying is logically straightforward, intuitively appealing, and well reflected in American law. Yet, few seem to have noticed a significant empirical anomaly: the existence of a global industry that produces a huge variety of creative goods in markets larger than those for movies, books, music, and most scientific innovations, and does so without strong IP protection. Copying is rampant, as the standard account would predict. Competition, innovation, and investment, however, remain vibrant.”

2 CLMJLA 333, An Uningenious Paradox: Intellectual Property Protection for Fashion Designs (2006), Lauren Howard

Raustiala and Sprigman root their position that copying is beneficial for the fashion industry in a series of descriptions of the fashion industry and the role of consumer behavior in driving innovation in fashion design. Several of these descriptions incorporate narrow or outdated generalizations about how fashion works. In order to evaluate the degree of the need for improved intellectual property rights in the fashion industry fairly and accurately, one must start from a correct understanding of the industry's function.

61 STNLR 1201, The Piracy Paradox Revisited (2009), Raustiala, Sprigman

Intellectual Property (continued)

OJ 2002 L3/1: Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs (**European Union**)

COPYWORLD (WESTLAW): Copyright Throughout the World

WCOPYLAW (WESTLAW): World Copyright Law

QUERY: ARTICLE WORK DESIGN /4 FASHION

Other Key WL Secondary Sources

ADVLAWA *Corporate Counsel's Guide to Advertising Law and Agreements* addresses the legally sensitive area of advertising law. This book was prepared specifically for corporate counsel and covers FTC Rules, advertising to children, warranties, advertising on the Internet, privacy, copyrights, trademarks, insurance, and Robinson-Patman Advertising Allowances.

MEDIAWORLD: Media, Advertising, & Entertainment Law Throughout the World

ECOMMINTLAW: E-Commerce and Internet Law by Ian C. Ballon provides a complete legal authority on e-commerce and Internet law.

ECOMLS: e-Commerce Law & Strategy covers significant business, technical, and legal developments in electronic commerce, including contracts, licensing, privacy, and taxation.

COMAGREE: Commercial Agreements: A Lawyer's Guide to Drafting and Negotiating

HAWKLAND: Hawkland's Uniform Commercial Code Series

LTBT: The Law of Transnational Business Transactions

UCCTRANS: Uniform Commercial Code Transaction Guide

WS-UCC: White & Summers' Uniform Commercial Code

*Tip! Ballon's
Treatise is a
Reference
Attorney
Favorite*

Regulatory / Administrative

*Tip! Use the
CFR Index*

Key Index References in the Code of Federal Regulations. Use the Westlaw Code of Federal Regulations (CFR) [Index](#) and find

- Wearing Apparel under “W”
- Textiles under “T”

Trademark

- **FED-TM or ALL-TM** for domestic and international trademark registrations and applications.
- See [SERION](#) and [SAEGIS](#) for comprehensive searching and tracking.
- **IC Code:** The International Class for Clothing is **25**.

Importation

FEDPROC § 37:827 et seq. Procedures Relating to Importation of Merchandise Bearing Improper Trademark or Tradename or Violating Copyright Laws, Federal Procedure, Lawyer’s Edition

Customs Databases

- **FINT-RUL** (Customs Service Ruling Letters) includes rulings issued by the United States Customs Service. Coverage begins with 1988.

International Trade Commission Databases

- **FINT-ITC** includes documents released by the ITC concerning investigations conducted by the commission. A document may be the formal conclusion of an investigation, an investigative report, a recommended determination, an order, or a memorandum prepared by the general counsel of the ITC.
- **ITCDOCS** includes press releases, transcripts, reports, notices & regulations

Market & Company Information

INVESTEXT-PDF includes research reports written by investment specialists from leading brokerage houses, investment banks, and financial research firms worldwide, covering more than 60,000 U.S. and international companies and all industries.

Sample Industry Query: IND("TEXTILES") & RT(IR)

Sample Company Query: NA(POLO-RALPH-LAUREN) and RT(CR)

Business Citator Reports - Company Search (BC-COMPANYSRBD) generates a 'real time' pdf report based on information pulled from recent SEC filings, dockets, IP registrations and applications, UCC filings, and elsewhere.

Search: GABRIELLE STUDIO

Other Company Information Databases

- Dunn and Bradstreet: **DUNBR**
- Hoover's Company Profiles: **HOOVCP**
- EDGAR Filings: **EDGAR**. See also [Westlaw Business](#)

Forms & Precedent Authority

ECKLICN-FO § 7:32 et seq: [Apparel Industry License Agreement](#), Robert Goldscheider, *Eckstrom's Licensing in Foreign and Domestic Operations*

Tip! Click the Easy Edit button to load a Word-version of the form-only document.



Model Documents: documents, contracts and agreements commonly associated with Bankruptcy, Business, Employment, Intellectual Property, Merger & Acquisition, and Real Property transactions. The **MODELDOC-ALL** database contains agreements, contracts, and other documents filed as exhibits with the SEC. Search by defined terms, document title, governing law, or document type.

Search

Selected Databases
Model Documents Combined (MODELDOC-ALL) ⓘ

Terms & Connectors | **Natural Language** | **Template**

Free Text Search:

[Connectors/Expanders](#)

Document Title:
e.g. Exchange, Merger, Purchase

Clause Title:
e.g. Severability, "Tax Consequences"

Defined Terms:
e.g. Consideration, "Exchange Ratio", "Fair Market Value"

Governing Law:
Delaware, "New York"

Attorney or Law Firm:

Company Name:

Or Search Topical Model Documents

Model Documents: Bankruptcy	Model Documents: Business Organizations
Model Documents: Capital Markets	Model Documents: Corporate Communication
Model Documents: Employment	Model Documents: Intellectual Property
Model Documents: Investment Management	Model Documents: Mergers & Acquisitions
Model Documents: Private Equity	Model Documents: Real Property
Model Documents: Structured Finance	Model Documents: Tax

See Also [FORMFINDER](#)

Blog Roll

Susan Scafidi's **Counterfeit Chic**: <http://www.counterfeitichic.com/>

Shepard and Mullin's Fashion and Apparel Law Blog: <http://www.fashionapparelblog.com/>

Fox Rothschild's **Fashion Law Blog**: <http://fashionlaw.foxrothschild.com/>

Harper's Bazaar: **Fakes are Never in Fashion Blog**: <http://fakesareneverinfashion.com/bazaar-blog/>

West Reference Attorneys: <http://www.westreferenceattorneys.com>