

Belling the copy cats

FASHION JJ Valaya has taken the lead in the fight against plagiarism, but in places, the patchwork is showing, says ANUJ KUMAR

One term that has fortuitously returned to fashion, courtesy India Fashion Week-2005 is plagiarism. Remember the public spat between designers Suneet Varma and Aki Narula. Cynics say this was the only contribution of the Week although the way it was handled it smelled more of 'spice' than substance.

Now senior designer JJ Valaya has come up with a possible solution to check the menace. He has come up with an insignia to protect his designs. Called the Valaya Diasun, the insignia is in the form of a pattern that would be present on his entire collection in the form of lining, piping or simply tabs.

Suneet has admitted that his was a deliberate attempt to make noise so that nobody copies him in future but legal expert Safrir Anand says he didn't have any choice. "He didn't get his design registered." In a country where clothes still have utilitarian value, it may seem ridiculous to sociologists, but Safrir holds lack of legal awareness about Intellectual Property Rights in the fashion fraternity as the cause. "In the past designers like Ritu Kumar and companies like Ravissant have won cases against plagiarism, but in general designers have not been

able to make use of the Copyright Act 1957, the Indian Trademarks Act 1999 and the Designs Act 2000. I hope with Valaya taking the lead, things will change."

Customer confidence

Valaya says he was contemplating to go for a stamp of originality for quite some time and the recent controversy has nothing to do with it. "It is basically meant to give the customer a confidence that he is wearing the original Valaya brand. Something that brands like Louis Vuitton and Burberry have been able to do quite successfully.

Also, with the foreign direct investment opening, soon we will be flooded with international designer brands. So it is imperative to protect the identity of our Indian designs." Valaya plans to initiate a multiplier effect by introducing the insignia on his accessories.

Agrees Raghavendra Rathore who also had his label registered. "It is particularly important to protect your USP, for instance, my bandhgala. However, in the western wear you have to be careful. After all, a shirt is a shirt is a shirt." Anand says it's a misconception that the penalties are low and it involves a long drawn legal battle.



THE MARK OF THE MAN: JJ Valaya showing his stamp of originality at his studio PHOTO:ANU PUSHKARNA

It seems ironical that designers, who spend so much on advertising do not go for the registration of their designs which costs just Rs.1000 per design. Even Valaya has not gone for registration of designs for the time being. Reasons Anand, "Problem is designers are not

sure which design will work so they can't afford to register all the designs they make. Also customers sometimes ask to make alterations in a particular design to suit their tastes." Rathore feels first you have to have a value in the market. "Most Indian designers will go bankrupt if

they go on registering all their designs." It may suit Valaya, who is not in the ready-to-wear market but Copyright Act can't work when a designer makes more than 50 copies of his design. Adds Rathore, "There are very little chances for couture to be copied. Protection is much more

important in the ready to wear market."

Valaya maintains he is not concerned if he is copied in Sarojini Nagar as his customers don't frequent such places. He prophesises, "Everybody wants to be God, but God still creates originals." Oh God!

