KILPATRICK TOWNSEND

4 KEY TAKEAWAYS

13th Annual Fashion Law Institute Symposium

Kilpatrick Townsend's **Sindy Ding-Voorhees** recently spoke at the **"13th Annual Fashion Law Symposium"** held by the Fashion Law Institute at Fordham University Law School. Ms. Ding-Voorhees joined other industry leaders on a panel discussing global trade issues, with her perspectives focused on the importance of China in the fashion industry and the complications related to the potential TikTok ban. The other panels discussed subject areas such as intellectual property at the U.S. Supreme Court, IP and AI, new trends in legislation and regulation, and gender-specific dress codes and anti-drag laws.

Ms. Ding-Voorhees offers up four key takeaways from the discussion:

1

Chinese fashion has become significant on the global stage over the past 3-5 years mainly from two perspectives. One is Chinese consumers' nationalism, which became a stronger trend in March 2021 and will continue to support the growth of Chinese domestic brands. The other is Chinese designs and brands' internationalism, which have been reflected through the "Big Four" Fashion Week, more international vision and brand storytelling style.

Chinese innovation in fashion not only reflects on textiles and clothes but more on marketing and distribution channels, such as live-streaming sales, and e-commerce apps overseas, such as TikTok, Temu, etc. ByteDance's hero product, TikTok, has been one of the most important tools to empower Chinese fashion brands that target the markets and consumers overseas. As they develop business in the Western market, it is important to know and comply with local laws, including but not limited to the areas of intellectual property, advertising especially around environmental claims, data privacy, etc.

2

3

Banning TikTok would discourage foreign technologies to enter the US and make it more difficult for international businesses to navigate the local laws. In a worse scenario, it could cause a counter impact on the operations of US fashion brands in China and technologies beyond the fashion sector as well.

Western fashion brands that are already in China or have plans to go to China should

Western fashion brands that are already in China or have plans to go to China should pay close and high attention to protecting your intellectual property in China, whether it is your house trademark, your signature merchandise design, or your design patent. Without your IP rights timely and appropriately registered, brands may not even be able to manufacture in China, and there's little that brands can do to prevent counterfeiting and protect your business interests.

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