LV ARCHLIGHT TRAINER BY LOUIS VUITTON
in white with the classic Monogram canvas

LOUIS VUITTON

Price in Finland: 815 €
INDUSTRY VALUE CHAIN OF LOUIS VUITTON specifically with LV Archlight Trainer

<table>
<thead>
<tr>
<th>FIRST STAGE: Conception and design</th>
<th>SECOND STAGE: Sourcing</th>
<th>THIRD STAGE: Production</th>
<th>FOURTH STAGE: Distribution and retail</th>
<th>FIFTH STAGE: Communication</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Style and design</td>
<td>• Materials procured from the producers</td>
<td>• Workshops and ateliers</td>
<td>• Final products delivered to stores</td>
<td>• Advertising and display of products to public, fashion shows</td>
</tr>
<tr>
<td>• Image and identity</td>
<td>• Usually high quality raw materials</td>
<td>• Savoir-faire</td>
<td>• Green supply chain</td>
<td>• Celebrity and influencer marketing</td>
</tr>
<tr>
<td>• Research and development</td>
<td>• Lack of transparency</td>
<td>• Made in Italy</td>
<td>• Retail experience and customer service</td>
<td></td>
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<tr>
<td>• Fashion designer</td>
<td></td>
<td>• Lack of transparency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• COPYRIGHT: sketches and drawings of the product created by the fashion designer</td>
<td>• TRADEMARKS: Monogram canvas, logos and symbols</td>
<td>• COPYRIGHT: illustrations and images for manufacturing</td>
<td>• DESIGN RIGHT: final product</td>
<td>• COPYRIGHT: photos and videos of the final product for marketing purposes</td>
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<tr>
<td>• TRADE SECRETS?</td>
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<tr>
<td>Nicolas Ghesquière</td>
<td>Monogram canvas</td>
<td>Manufacture De Souliers, Italy</td>
<td>Store in Sydney, Australia</td>
<td>Model Bella Hadid</td>
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</tbody>
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LV ARCHLIGHT TRAINER: DESIGN RIGHT

Registered Community Design
Design number: 004678233-0001
Locarno class 02.04 (shoes)
Registration date: 24.01.2018
Expiry date: 24.01.2023

French Design
Design number: 20175760
Locarno class 02.04 (shoes)
Registration date: 15.12.2017
Expiry date: 15.12.2027

US Design Patent
Design number: D381,938
Locarno class 02.04 (shoes)
Registration date: 30.10.2018
Expiry date: 30.10.2033
Depending on the country:

**France: Copyright protection granted**

*Intellectual Property Code - Article L112-2*: The following, in particular, shall be considered works of the mind within the meaning of this Code:

14°. creations of the seasonal industries of dress and articles of fashion. Industries which, by reason of the demands of fashion, frequently renew the form of their products, particularly the making of [...] the products of manufacturers of articles of fashion and of footwear [...] shall be deemed to be seasonal industries.

**EU: CJEU decision Brompton Bicycle C-833/18**

Works with a functional shape can be protected by copyright if such works fulfill the threshold of originality.

**US: Not clear whether copyright protection is granted**

Separability test for utilitarian goods – no copyright protection for goods with practical utility.

There has been several legislative attempts to provide sui generis protection for fashion designs – no success.


Copyright registry, different Monogram prints have been registered.
LV ARCHLIGHT TRAINER: TRADEMARKS

1. Monogram canvas and its symbols
   a) EUTM number: 000015602 (Nice class 25 - clothing)
   b) EUTM number: 009844391 (Nice class 25 - clothing)
   c) EUTM number: 000015628 (Nice class 25 - clothing)
   d) EUTM number: 000310151 (Nice class 25 - clothing)
   e) EUTM number: 000311985 (Nice class 25 - clothing)
   f) EUTM number: 003958444 (Nice class 25 - clothing)

2. Louis Vuitton round logo
   EUTM number: 0133692336 (Nice class 25 - clothing)

US: trade dress
Subset of trademark law that can provide protection for fashion designs in the US.
Trade dress protection refers to a product’s packaging or overall image - the design and appearance of the product.
Proof that the trade dress is inherently distinctive or has acquired secondary meaning.
Therefore, not the most effective or definite way to protect the design.
Louis Vuitton does not own any utility patents relating to LV Archlight Trainer.

The double lace might have been eligible for a utility patent registration.

Could someone else own the utility patents?
• Over 18 000 intellectual property rights
• 250 agents working at the Intellectual Property Department
• Overlapping intellectual property rights
• Hardly ever licenses, sells or donates intellectual property rights (exception to licensing: Thélios eyewear)
• Collaborations with other designers, artists and brands (for example: Supreme)
• Zero tolerance policy to counterfeiting, “sword”
LOUIS VUITTON’S FIGHT AGAINST COUNTERFEITING AND DILUTION

- Counterfeit goods and brand dilution are particularly a fashion and luxury industry specific issues
- Louis Vuitton’s hard line approach: counterfeiting is the ultimate violation of creativity
- In 2017, Louis Vuitton initiated more than 38,000 anti-counterfeiting procedures worldwide
- “Trademark bully”
- Interesting case law:
Louis Vuitton sues two subsidiaries of Chinese shoe giant Belle International for copyright infringement

- The French luxury fashion retailer accuses Belle International (China) and Best Able Footwear of copying its LV Archlight trainers

Article published 3 May 2019 in South China Morning Post.

Case has not been decided yet by the High Court of Hong Kong.
