



The Design, Fashion  
& Luxury Group  
at McCarter

## The Design, Fashion & Luxury Group at McCarter

Fashion and luxury are about inspiration and artistry. Designers and fashion houses are innovators and entrepreneurs. You lead the way. You take risks. You think big. You also have practical, day-to-day business and legal concerns. That's where we come in.

We have been working in the fashion and luxury goods arena for decades. We understand your business goals as well as the frequent obstacles you face. Our group can effectively address your needs from day one; counseling you every step of the way. You can count on our experience to anticipate problems before they arise, so you can focus on building your business.

Whether just starting to develop concepts for a handbag or having sold the sexiest high heels for decades, you can rely on McCarter's Design, Fashion & Luxury Group to help blaze the path from sketchbook to showroom, and from factory floor to boutique shelf.

## Just starting out? We will get you going.

If you're just getting your business off the ground, we know you have some basic questions:

- When, and where, is copyright, trademark, or design patent protection even available?
- Can I protect my product design? My packaging, labels and website, too?
- How do I structure my agreements with foreign manufacturers or suppliers?
- What quality control measures are most effective?
- How do I set up my new retail accounts?
- How do I protect my online business in other countries? My terms and conditions of sale? Website privacy notices? Terms of use?
- Should I have my employees sign contracts to protect my intellectual property rights?

You can't afford *not* to be protected, and we can tailor a cost-effective program that meets your business and financial realities.

## Growing your business? We will keep you on track.

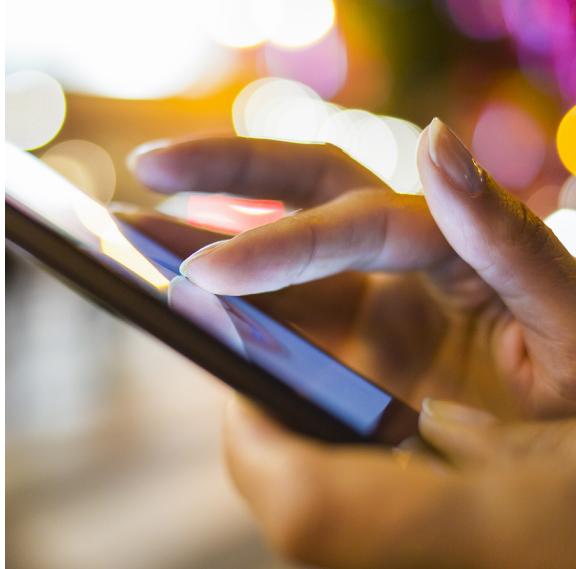
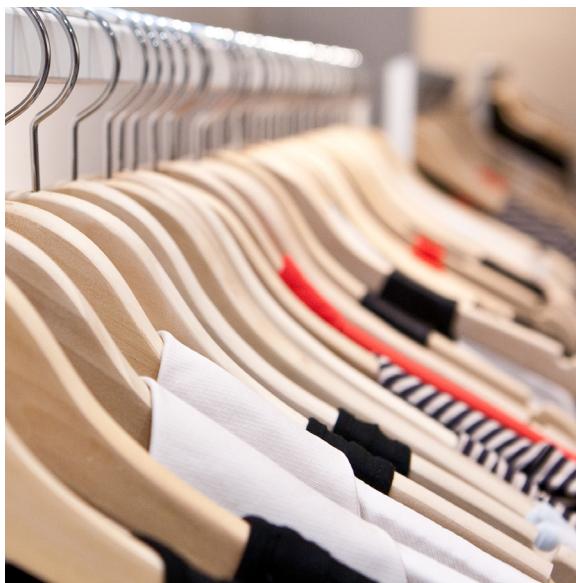
Established brands have more questions:

- Should I buy another brand? License my brand to someone else?
- I've created new packaging for my fragrance. Can I protect it?
- How can I protect my product from being copied and sold online via eBay, Twitter, Tumblr, Facebook, or Instagram?
- Counterfeits are showing up from China. How do I stop another company from making fakes?
- How do I stop a competitor from making the *almost 100%* copy? How close is too close?
- My product is showing up at a deep discount in Paris, or New York, or Texas. What can I do? How do I control "gray market" goods?
- What do I need to know before expanding into other countries? What trademark and design rights do I have in the EU?
- What are the implications of financing or going public?
- We're opening a major retail store or showroom. What should the lease and contractor agreements cover?
- What should I do when hiring (or firing) my COO or Head Designer? How do I protect sensitive business information?
- I want to leverage my multi-brand portfolio across various distribution channels. Who can help me improve my business processes?

We will analyze your unique situation to put as many arrows in the quiver as possible.

## Curated Counsel

Savvy designers know there's more to success than simply scoring a trademark or design rights on a shoe – and so do we. Designers, brand owners, retailers, and manufacturers need help not only with IP matters, but also with customs, import/export regulations, taxes, employment contracts and disputes, leases, insurance, partnerships, mergers and acquisitions, and financing. We provide a full-service platform to help you achieve your goals in the most efficient way. You will have either a single point of contact or access to the entire team, as you prefer.



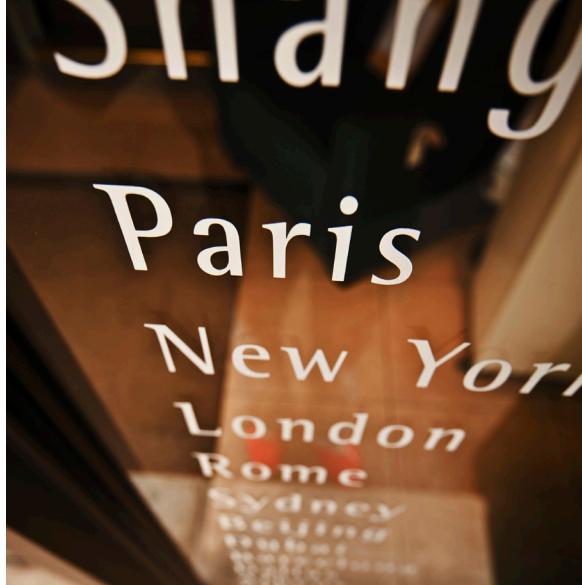
## The Digital Space

Today's companies – especially in the fashion and design industries – operate in the digital space. This has spawned a new era of branding, marketing, and protection concerns, with online retail, digital design, 3D printing, social media, and mobile technology creating new opportunities and challenges. We help you embrace the advantages afforded by the digital age. We guide you in effectively launching new collections or product lines online, including protecting designs and trademarks, addressing social media issues, reviewing websites and other online marketing programs, and protecting data privacy and security. We clear any obstacles with our comprehensive programs developed to protect, monitor, and take action on brand misuse over the Internet.



## The Paradigm has Changed

All successful companies eventually inspire knock-offs. Counterfeiting is a multibillion-dollar industry that can destroy a brand—unless you fight back. Taking down online retailers and auction sites that sell fake merchandise alone is not the solution. You need a comprehensive enforcement strategy in the places that most affect your markets. We combine forensic investigation and analysis, portal-based resources, and boots-on-the-ground investigators to identify and take down the infringers who are really hurting your brand and business. We can make a significant difference and provide true value for the expense.



## We're so Global

You can count on McCarter wherever in the world your business takes you. Our client roster includes some of the biggest and brightest international designers and fashion companies, such as Alexander Wang, Christian Louboutin, Ted Baker, Tag Heuer, Givenchy, Dior and Milk Studios, as well as other leaders in watches, fragrances, couture, ready to wear and sports apparel. Take advantage of our decades of experience protecting brands in the United States, China, Japan, Korea, the EU, Russia, and Latin and South America. We have an insider's knowledge of both legal and cultural issues, as well as close relationships with local law firms and law enforcement agencies. You may not know if you're receiving the right support from those firms and agencies, but we do.

# Our Portfolio

We help fashion industry businesses with:

- Strategic guidance for international companies (and those aspiring to be) on the implementation of global brand protection programs
- Comprehensive analysis of the current status of a brand, including its strengths, weaknesses, and potential legal problems
- Business formation and dissolution
- Licensing issues, including negotiation, termination, and litigation
- Mergers and acquisitions, financing, and investment
- Leasing real estate and construction
- Legal compliance
- High-profile trademark, trade dress, copyright, and patent litigation
- Investigation and civil and criminal prosecution of infringers and counterfeitors in the United States and abroad
- IP protection across public auction sites, business-to-business and business-to-consumer Internet sites, and social media platforms
- Manufacturer and distribution agreements
- Gray market and parallel goods
- Immigration issues for foreign nationals
- Labor and employment issues including wage and hour and non-competition disputes
- Executive compensation and employee benefits.



# Our Team

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