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## In the Old Days, My Dad Subdued Fashion Pirates *September 26, 2006; Page A15*

Your article concerning fashion knockoffs and attempts to control them ("[Can Fashion Be Copyrighted?](#)"<sup>1</sup> Marketplace, Sept. 11) rang a major memory bell with me. During the late 1930s my father was the head of a fashion industry trade organization called the Fashion Originators' Guild of America. Its members were all relatively high-end design and couture houses who wanted to eliminate the copying of their designs by manufacturers who would produce inexpensive knockoffs. They called it style piracy.

My dad designed a very effective countermeasure: He hired part-time shoppers all around the country who would seek out such copies in their local retailers. When they found copies they would notify the Guild, and the Guild would send a letter asking the offending retailer to stop. If they refused, no Guild member would sell to them. Since it was important to carry the high-end couture, the system worked.

A number of retailers sued, however, alleging illegal restraint of trade in violation of the Sherman/Clayton Act. Parallel suits moved up through the federal courts in the First and Third districts, and conflicting decisions were eventually resolved in the Supreme Court, which found for the retailers.

My dad devised an alternative system, which would have been both effective and legal, but the manufacturers had no stomach for more litigation, and style piracy bloomed. Now the cycle begins again.

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