## **CONTENTS**

Susan Scafidi	7
Professor and Academic Director,	
Fashion Law Institute at Fordham University School of Law	
FIAT FASHION LAW! THE LAUNCH OF A LABEL—AND	
A NEW BRANCH OF LAW	
Monica B. Richman	19
Partner, SNR Denton	
A FASHIONABLE CAREER	
Alan Behr	43
Partner and Head, Fashion & Luxury Goods Practice,	
Alston & Bird LLP	
IN FASHION LAW, TIMING IS EVERYTHING	
Lois Herzeca	71
Partner and Co-Chair,	
Fashion, Apparel and Consumer Products Practice Group,	
Gibson, Dunn & Crutcher LLP	
NEGOTIATING A SUCCESSFUL LICENSING DEAL	
Vicki Dallas	83
Partner and Chair, Apparel Industry Practice Group,	
Rutan & Tucker LLP	
THE OPPORTUNITIES OF FASHION LAW	
Richard Reinis	95
Senior Partner, Steptoe & Johnson LLP	
AN EXPLORATION INTO THE PRACTICE OF	
FASHION LAW	

Charles E. Colman	113
Founder, Charles Colman Law PLLC	
AN OVERVIEW OF INTELLECTUAL PROPERTY	
ISSUES RELEVANT TO THE FASHION INDUSTRY	
Darrell G. Mottley	205
Shareholder, Banner & Witcoff Ltd.	
THE TOOLS FOR PROTECTING FASHION LAW CLIENTS	
Steven R. Gursky	219
Partner and Head, Intellectual Property Department,	
Olshan Grundman Frome Rosenzweig & Wolosky LLP	
SUCCEEDING IN FASHION LAW: A MIX OF	
GOOD FORTUNE, HARD WORK, AND SKILL	
Charles Klein	229
Partner, Davidoff Malito & Hutcher LLP	
EXAMINING THE AGREEMENTS OF FASHION LAW	
Douglas Hand	251
Partner, Hand Baldachin & Amburgey LLP	
WHEN LICENSING AND BRANDING MEET	
Ann K. Ford	267
Partner and Chair,	
Trademark, Copyright and Media Practice,	
DLA Piper LLP (US)	
WORKING WITH CLIENTS IN THE FASHION INDUSTRY	<b>:</b>
IP TIPS AND TRENDS	
Appendices	283

## **APPENDICES**

Appendix A: H.R. 2511	285
Appendix B: Written Statement on H.R. 5055, "The Design Piracy Prohibition Act"	293
Appendix C: Trademark License Agreement	308
Appendix D: Checklist for Conducting Basic Trademark Searches	313
Appendix E: License Points for Consideration	315
Appendix F: Main Points for Trademark Licenses for Fashion Designs	318
Appendix G: Sample License Provisions	326
Appendix H: Incorporation Questionnaire	330
Appendix I: Checklist for California LLC Formation	334
Appendix J: Sample Terms and Conditions	338
Appendix K: Sample Factoring Form	340
Appendix L: Independent Sales Representative Form Agreement	341
Appendix M: Factoring Agreement	349
Appendix N: Sample US Design Patent, Crocs	370
Appendix O: Sample US Design Patent, Hatfield	371
Appendix P: Model Term Sheet for Trademark Licensing and Design Services	372
Appendix Q: Sample Organizational Chart	378
Appendix R: Collaboration Discussion Points	379

Appendix S: Steps and Timeline for Intent-to-Use  Trademark Applications in the United States  Appendix T: US Copyright, Design Patent and  Trademark Protection for Jewelry and Other Accessory Designs	380 381		
		Appendix U: IP Flowchart	384