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NEWS

Forever 21 Sued by Jewelry Designer

Los Angeles jewelry company **Christie Martin Designs Inc.** filed suit Nov. 17 in Los Angeles Superior Court against the fast-fashion retailer **Forever 21**. The suit from the Hollywood-based designer alleges the retailer took part in trademark infringement and unfair trade practices against the company.

In the complaint, Christie Martin, founder of her self-named design company, said the retailer was selling copies of her Old English line of jewelry. She found the alleged copies when she visited the Forever 21 store at **The Grove** shopping center in Los Angeles. She said that the product was not only a copy of her line, which is in the shape of letters in an Old English font, but it also replicated her logo on the back of the jewelry pieces.

She purchased five of the items. Prices ranged from \$3.80 to \$6.80. Her necklaces typically retail for more than \$130. Martin said that designs from her 5-year-old business had been knocked off before, but this was the first instance where her trademarks—a five-pointed star and her name, Christie Martin—appeared on an alleged knock-off.

She contended that the knock-offs would force her to lose business and reputation. “My main point is that L.A. designers are being robbed,” she said. “Before we get a chance to make any money at stores, our designs are knocked off.”

Larry Meyer, a senior vice president for Forever 21, said the company did not comment on legal matters. The Los Angeles-based company is forecast to earn more than \$1.1 billion in 2006.

No trial date has been set, and claims for monetary damages have not been specified, said Kyle P. Kelley, the Beverly Hills-based lawyer representing Martin.

Trademark litigation with fashion has been skyrocketing in the past few years, said Lloyd S. Mann, partner with the Sherman Oaks, Calif.-based firm **Mann & Zarpas, LLP**. He estimated that his legal work with fashion companies increased more than 20 percent in the past year.

Trademark litigation increased because of the skyrocketing business with nations that do not have the same trademark laws as the United States, according to Mann. He also said that there is more opportunity for trademark infringement because there are more retailers—both at e-commerce markets and traditional bricks-and-mortar stores.

Mann recommended several steps for fashion designers to protect themselves: **bull;** Hire an attorney and accountant who are familiar with the fashion business.

- Register trademarks with the U.S. Dept. of Commerce and its overseas counterparts.

- File trademarks as soon as the concept for the product has been completed.

- Hire a trademark watch service, or a company that will monitor the market to see if a trademark has been infringed.

—Andrew Asch