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## Chanel Avoids Genericide By Taking Its Trademark Seriously

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## **Keywords**

fashion industry

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by Ashley Kobi

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*Editor's note: The following blog post was posted on [www.ipbrief.net](http://www.ipbrief.net) on September 27th, 2010.*

Chanel took out a full back page advertisement in *Women's Wear Daily* last week to dissuade further "misuse" of the Chanel name. *Women's Wear Daily*, a trade journal for the fashion industry, has been referred to as "the bible of fashion." It has a circulation of over 50,000. The ad by Chanel reads:

A note of information and entreaty to fashion editors, advertisers, copywriters and other well-intentioned mis-users of our Chanel name: Chanel was a designer, and extraordinary woman who made a timeless contribution to fashion. Chanel is a perfume. Chanel is modern elegance in couture, ready-to-wear, accessories, watches and fine jewelry. Chanel is our registered trademark for fragrance, cosmetics, clothing, accessories, and other lovely things. Although our style is justly famous, a jacket is not 'a Chanel jacket' unless it is ours, and somebody else's cardigans are not 'Chanel for now.' And even if we are flattered by such tributes to our fame as 'Chanel-issime, Chanel-ed, Chanels, and Chanel-ized,' PLEASE DON'T. Our lawyers positively detest them. We take our trademark seriously. Merci,

Chanel, Inc.

The ad was prompted by various writers' reports of collections exhibited during New York's fashion week, which used variations on the Chanel moniker to describe other designers' collections. According to Anne Sterba, an intellectual property lawyer at Rothwell, Figg, Ernst & Manbeck, Chanel is trying to prevent their name from becoming generic. Sterba told Cheryl Wischhover at *Fashionista* that Chanel's ad exhibits active policing of their brand, which

could prove essential "if they end up in court with a trademark issue" because it would allow them to show a judge that they've been trying to actively protect their brand, and that would give them additional credibility.

Although, one has to wonder, was the full page ad in *Women's Wear Daily* cheaper/more efficient/more effective than sending out a slew of cease and desist letters, which Chanel has done in the past? I would be curious to find out if Chanel supplemented its advertisement with cease and desist letters to the seemingly numerous "well-intentioned misusers" targeted by the ad. In addition, is the public ad addressed to the fashion industry at-large likely to create a backlash against the brand by ruffling fashion industry reporters' feathers? Or is the Chanel brand so iconic that it can withstand any ad-related ill-will?