

A new era of fashion: an African perspective

By [Tiffany Conley](#)

28 Jan 2015

In the words of famed fashion designer Alexander McQueen, "It's a new era in fashion - there are no rules. It's all about the individual and personal style, wearing high-end, low-end, classic labels, and up-and-coming designers all together."

Design Indaba 2015 - 'Africa is now!'

A new era in fashion and design in Africa is exactly what the upcoming Design Indaba Expo 2015 seeks to promote and develop. The Design Indaba Expo 2015 is a dynamic platform for designers and creative businesses to showcase their wares and market themselves to the general public and industry buyers. The Design Indaba Expo has grown to become the biggest curated design event in the Southern Hemisphere and is the only platform that welcomes advertising, craft, decor, fashion, product design, industrial design, new media, publishing, visual art, jewellery design and graphic design, all under one roof.

The Design Indaba Expo follows hot on the heels of the AFI Mercedes Benz Fashion week 2014 that was themed "Our Heritage Reimagined". The AFI (African Fashion International) Mercedes Benz Fashion week showcased the designs of various designers from all over Africa who all demonstrated their African identity through fashion, in a globally relevant way.



Tiffany Conley: It is therefore important to consider protecting your creative work by some form of intellectual property.

Take notice of Africa's talent

The Design Indaba is AFI Mercedes Benz Fashion Week, South African Fashion Week (SAFW), Africa Fashion Week, African Fashion Week Nigeria (Lagos Fashion Week), Zimbabwe Fashion Week, Soweto Fashion week, Zanzibar Fashion Week all seek to promote African designers and ensure that the rest of the world takes notice of the spectacular talent in fashion in Africa. AFI Executive Chairperson, Dr. Precious Moloi-Motsepe was recently quoted as saying "my heartfelt belief, underpinned by research and market understanding, is that Africa holds the promise of a positive future for the production and consumption of luxury goods and fashion."

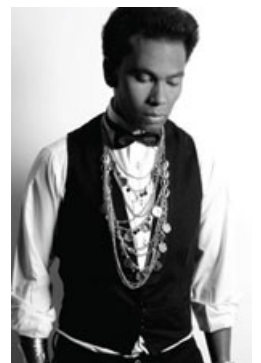


Fashion events are popular throughout the continent - and prove time and again that Africa's designers are right up there with the best in the world. (Image: Public Domain)

There is no doubt that in an emerging economy such as ours, the intellectual capital in fashion and designs linked to unique brands are vital to the growth of the economy. By protecting their rights we can ensure that the value of the intellectual property in the unique designs, prints, textiles, logos etc. remains that of our African designers which naturally, means that such capital although showcased internationally, is preserved and protected in Africa for generations to come.

Well-known South African designers such as David Tlale, Jenny le Roux, Clive Rundle, Elzbieta Rosenwerth, Nkhensani Nkosi, Anisa Mpungwe, Gert-Johan Coetzee, Errol Arendz,

Gavin Rajah, Thula Sindi, Simon Rademan and Marianne Fassler (AFI Designer of the Year 2014), as well as Hazel Eki Aggrey-Orleans (Nigeria), Taibo Bacar (Mozambique), Omoyemi Akerele (Founder of Lagos Fashion and Design Week and AFI 2014 winner of Outstanding Contribution to African Fashion), immediately come to mind as being on the forefront of promotion of the outstanding and world class intellectual property in fashion designs which has emerged from Africa and taken centre stage at many international events. The designs of David Tlale and Gavin Rajah (2013 Winner of MBOISA with his "pebble dress"), even featured at the New York Fashion Week and Paris Fashion Week respectively.



David Tlale's work is renowned. (Image extracted from the [David Tlale website](#))

A few fashion designers to look out for at this year's Design Indaba Expo is **Lo Studio** (by Elzanne Louw who has introduced the subtle elements of craft into her range), **Coast and Koi** (by Caryn Wilensky who makes handmade, eye-catching footwear that incorporates locally inspired designs with African animal prints and beadwork), **Cape Côte** (African-inspired statement bags, coats and accessories) etc.



Jenny le Roux's work will be on display. (Image extracted from the Hbits.co.za website)

Art and fashion can co-exist

Proving that Fashion is more than trendy clothes on the runway, famous fashion designer Karl Lagerfeld most aptly said that "Art is Art. Fashion is Fashion. However, Andy Warhol proved that they can co-exist together". Art can therefore be said to be the root of fashion designs and it is because of this fact, that there is no denying that intellectual property exists in every step of your creation. From the physical drawings or graphic designs (in which copyright and/or registered

design protection may be possible) to the logo or label of your brand (trademark) to even any technical innovation e.g. an innovative crease-free fabric (in which patent protection may exist).

With all these advantages of preserving and protecting the intellectual property in fashion designs, many fashion designers are often still disillusioned by the fact that fashion designs have a short product life cycle, either seasonal or no more than six to twelve months which may appear not to justify the considerable time and financial cost involved. However, whilst each type of intellectual property should be examined on a commercial viability basis (i.e. whether the cost of protecting your intellectual property as a designer via patents or registered designs would add long-term value to your business), it is important to ensure that, at the very least, your core trade marks are registered and that the public is alerted to your trade mark and copyright by using the relevant TM and © symbols on your designs and creative work.



Elegance at its best. (Image: Public Domain)

Protect your creative work

It is therefore important to consider protecting your creative work by some form of intellectual property but, at the very least, by registering your trade marks and alerts the public to your copyright. The intellectual capital contained in your business as fashion designers can no longer be an after-thought, not only for the protection of your rights, but for the preservation of African fashion brands, patterns, colours, textures and designs for generations to come.

Adams & Adams

Adams & Adams is the official legal advisor and associate sponsor of the Design Indaba

Should you require more information or advice about the possible protection of your intellectual property, please do not hesitate to contact us or visit the Adams & Adams Stall at the Design Indaba Expo 2015. Or follow us on Twitter for the latest Design Indaba 2015 updates [@Cr8vedesignlaw](https://twitter.com/Cr8vedesignlaw).

Also, watch this space for my next article where I will deal with details of the specific protection available to you as fashion designers, for the protection of your valuable fabrics and designs.

ABOUT THE AUTHOR

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Strutting their stuff. (Image: Public Domain)

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