**Fashion Design**

Student’s Name

Institution

Course

Dare

Fashion design in the United States is not copyrighted. According to Section 101 of the Copyright Acts, only pictorial, sculptural and graphic work for specific fashion content is protected under the law. According to legislators, fashion design is solely utilitarian, hence no copyright protection. Although the move does not seem fair, particularly with music, art, and literature having copyright protection, it might be supported under various circumstances. For instance, it is difficult to copyright apparel because of integrating different pallets of fashion in the product. For such cases, the question remains, should the apparel, design, material, or creativity be copyrighted?

Therefore, in my opinion, the fashion industry should not be copyrighted. This is because of the complexity involved in the attribution of a design to a specific persona. For example, copyrighting a dress means crediting all its constituents to the designer. How then would you classify the materials used, yet they were bought or outsourced from other designers? Thus, according copyright laws to fashion designers remains a technical issue because of the technicality involved in patenting the design and product.

On the other hand, the fashion industry should not be copyrighted because of the replicative nature of fashion designs. While creative and innovative designs are birthed every day, the ideas are always a replica, advancement, or integration of different and existing designs. Thus, it is difficult to give credit for the originality of such designs. Besides, the lack of copyright protection in this industry has amplified creativity and innovativeness, as designers replicate and fashion new ideas from other designs. Patenting and copyrighting such an industry will impede innovativeness and creativity, leading to a boring fashion sense in the United States. Therefore, fashion should be accorded copyright protection.

References

<https://www.ted.com/talks/johanna_blakley_lessons_from_fashion_s_free_culture#t-869775>