

Supranational Democracy: A dialogue among scholars, civil society and creative thinkers about global democratic solutions to global challenges

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Behind the label: rethinking sustainability in the fashion industry

Business engagement in human rights protection is a pressing issue in today's hectic marketplace, as consumers increasingly turn to a specific brand not only for purchasing good and services, but also seeking for products that can positively contribute to social and environmental changes for communities at large.

As it becomes an essential aspect of companies' reputation for CSR, trademarks' role is evolving, and its less recognized "*trust function*" is progressively overcoming the more apparent and widely acknowledged *quality-signaling function*.

Trademarks have become the point of leverage for an increasing number of multi-stakeholder initiatives aimed to influence business practices and consumer purchases. Voluntary codes of conduct, self-monitoring and auditing practices often impose stricter obligations than the law, creating new standard-setting authorities that do not depend on the nation-state system. Promoted by a mix of NGOs, companies, and trade associations, such soft norms or voluntary actions rely on the value embodied in the brand to promote fairness, justice, and sustainability in business practices across national borders.

This paper assesses the role of intellectual property law in fostering proactive branding strategies within the fashion industry, by impacting on consumers' perception of a brand's CSR commitment.

As consumers are showing greater propensity to purchase goods that are "green" and "ethical", even if this means paying higher prices, IP rights can be incorporated to a fashion asset, adding value to those products that are manufactured in compliance with responsible social and environmental criteria, and ultimately enhancing sustainability within the entire supply chain.

To this end, it is mandatory to remedy the lack of transparency and harmonization underlying existing sustainability standards. Thus, we argue that existing multi-stakeholder platforms, such as the Italian *Camera Nazionale della Moda*, should engage in formulating standardized labels and/or collective trademarks, building on the successful example of the Indications of Origin in the agro-food sector, as a means of supporting and incentivizing responsible value creation within the fashion industry.

Relying on the impact of social media, fashion bloggers and influencers, as well as the advancements in technology, we also advocate for the development of impartial tools, such as apps and social media campaigns, as a starting point to help consumers obtain, understand and compare information on the validity and credibility of harmonized social and environmental labels.

These initiatives would ultimately benefit not only big fashion brands, but especially SMEs engaged in sustainable fashion practices, which would be able to better position their products in the market and profiting from the credibility, authority, and value related to the label.

Maria Augusta Fioruzzi

Master's degree in Civil Engineering at the Polytechnic University of Milan, she has been consulting in the field of Industrial Property since 1983, with particular focus on business management and supervision both at the moment of acquisition and maintenance of foreign and Italian clients' portfolio and design.

She is now CEO and founding partner of De Simone & Partners SpA where she undertakes supervising and managing activities. Being also the chief officer of the Design Department, she is deeply involved in the creation of the anti-counterfeiting strategies, as well as in the management of customs cases and market analysis. She consults, advises and assists clients in the following areas: court litigation in Italy and abroad, extrajudicial activities, oppositions/appeals, patentability, anti-counterfeiting, freedom to operate.

She follows and supervises all phases from application to prosecution of Italian, European and international patent and design applications, cooperating closely with carefully selected qualified foreign law firms' associates.

She is a professional representative before the Italian Patent & Trade Mark Office and before the Office for Harmonization in the Internal Market.

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Graduated in Law at the University of Bari, he is a lawyer specialized in Industrial and Intellectual Property law currently serving the De Simone & Partners law firm in Rome. Since 2005 he has been in charge of industrial and intellectual property assisting Italian and foreign companies both in judicial and extrajudicial fields. He deals with the registration and management of industrial property rights in the international sphere.

He is an IP consultant for the National Olympic Committee (CONI), the International Olympic Committee (IOC) and the Continental Association of European Olympic Committees (COE).

He is teaching and researching as an adjunct Professor of Fashion Law and Industrial Property at the University of International Studies (UNINT) in Rome. He is Professor of Industrial Law and Protection of Made in Italy at Learn Italy USA LLC, Master in New Media Events and Communication in New York (USA), and Lecturer in Industrial Law and Olympic Ordination at the CONI Sports School, Course in Higher Management Specialization in Rome.

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Sara Cavagnero

She holds a Master Degree in Law, combined with further specialization in business and human rights, IP law and alternative dispute resolution acquired at McGill University in Montreal and at the University of Westminster in London.

She currently serves as a Junior Officer the Humanitarian Diplomacy department of the Italian Red Cross, after working as a Legal and Compliance consultant at the International Chamber of Commerce in Rome.

She previously dealt with economic development cooperation at the Delegation of the European Union in Indonesia, as well as with transnational legal aspects of IP protection, serving as a researcher at the United Nations Interregional Crime and Justice Research Institute (*UNICRI*) in Geneva.

She nurtures a keen interest in designing and implementing knowledge-sharing and advocacy strategies to raise awareness about human rights and sustainability issues in the business sector, and she carried out extensive research activities on Corporate Social Responsibility and Business and Human Rights as a Teaching Assistant at the International Organizations and Human Rights course at LUISS University.