



Subject Area : Fashion & Textile Design

INTEGRATING INTELLECTUAL PROPERTY RIGHTS (IPR) EDUCATION IN FASHION DESIGN CURRICULA IN INDIA: A CRITICAL IMPERATIVE

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Fashion education, Intellectual Property Rights, Legal literacy, Indian fashion industry, Design curriculum, Innovation	The fashion sector thrives on originality and constant innovation, yet its survival depends heavily on mechanisms that secure intellectual contributions. In India, although the fashion industry is gaining international recognition, awareness and utilization of Intellectual Property Rights (IPR) remain inadequate, particularly among students and early-career designers. This paper highlights the urgent necessity of embedding IPR education within fashion curricula across India. By examining relevant legal frameworks, industry challenges, and global practices, the study emphasizes how IPR knowledge not only protects creative assets but also promotes innovation, supports sustainability, and strengthens economic growth. The paper concludes by recommending a multi-level strategy for curriculum integration to cultivate designers who are both creatively confident and legally informed.
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INTRODUCTION

Fashion design is more than aesthetics—it represents the convergence of art, culture, and commerce. Every drape, silhouette, fabric treatment, and accessory is an outcome of intellectual and creative labor. Without legal safeguards, however, these expressions are vulnerable to unauthorized reproduction and commercial misuse. Intellectual Property Rights (IPR) provide the legal foundation for acknowledging and protecting such innovations.

While industries like biotechnology, pharmaceuticals, and IT have established IPR as a key driver of progress, the Indian fashion sector has not fully adopted this perspective. Fashion institutes largely prioritize design skills, material knowledge, and creative expression, while legal literacy receives little emphasis. This research argues that integrating IPR into fashion pedagogy is critical for equipping future designers with the knowledge required to protect and commercialize their creativity.

Fashion Education in India: Strengths and Gaps

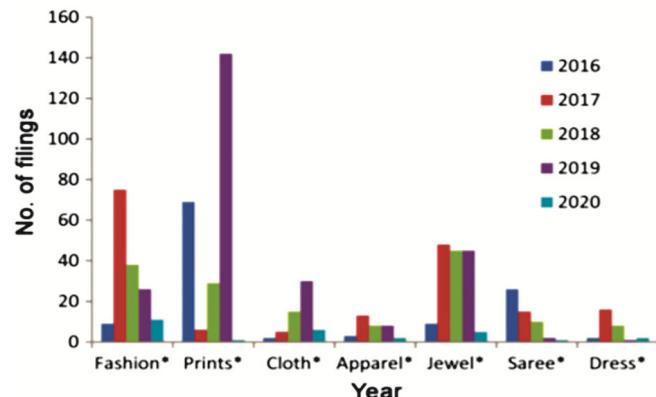
India's fashion industry is enriched by centuries of textile traditions, craftsmanship, and contemporary experimentation. The industry has expanded significantly due to globalization,

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digital commerce, and consumer demand for uniqueness.

At the same time, challenges such as rampant counterfeiting, plagiarism, and unlicensed use of creative designs persist. Young designers often lack the awareness or resources to legally safeguard their work, leaving them vulnerable in both local and global markets. Current fashion curricula focus extensively on aesthetics, garment construction, and studio practice but seldom equip students with the legal tools required to navigate today's design economy. This educational shortcoming creates a gap between creativity and its protection.



Reference: Journal of Intellectual Property Rights <https://or.nisepc.res.in/index.php/JIPR>

Intellectual Property Rights in Fashion

Fashion design is inherently intertwined with Intellectual

Property Rights (IPR), as creativity must be safeguarded for commercial and cultural sustainability. The main forms of IPR relevant to fashion include:

- **Copyright** – protects original artistic expressions such as sketches, prints, embroidery motifs, and surface ornamentation.
- **Trademark** – secures brand identifiers such as names, logos, slogans, and distinctive design elements.
- **Design Registration** – covers the aesthetic shape, form, or configuration of garments and accessories.
- **Trade Secrets** – protect confidential know-how, such as unique dyeing techniques, weaving methods, or specialized manufacturing processes.

For designers, these rights extend beyond legal safeguards—they define brand identity, establish market differentiation, and enable commercial expansion.

Indian Examples of IPR in Fashion

1. Copyright in Textile Designs and Embroidery

Indian designers frequently encounter unauthorized reproductions of their surface ornamentation and textile motifs. For instance, *Sabyasachi Mukherjee* has repeatedly highlighted cases where his signature floral prints and embroidery patterns were copied by local boutiques without authorization. By asserting copyright protection, he has been able to send cease-and-desist notices and maintain exclusivity over his work.

2. Trademark Protection of Brand Identity

Prominent Indian designers such as *Manish Malhotra*, *Ritu Kumar*, and *Tarun Tahiliani* have registered their names and logos as trademarks. This ensures their brand identity is safeguarded against counterfeit labels sold in domestic and international markets. Trademark registration helps these designers protect their reputation, especially as their products are sold through luxury retail chains and global e-commerce platforms.

1. A notable case is *Sabyasachi Couture Pvt. Ltd.* vs. unauthorized sellers, where the designer pursued legal action against businesses using “Sabyasachi” in domain names and social media handles to sell counterfeit garments.

3. Design Registration for Unique Silhouettes and Accessories

Many accessory designers in India, such as *Amrapali Jewels* and *Tanishq*, have used design registration to secure the unique shapes and patterns of their jewelry. Similarly, Indian footwear brands like *Metro Shoes* have sought design registration to prevent copies of their distinctive products. For fashion designers, registering the silhouette of a draped sari gown or an innovative blouse design can serve as a barrier against mass-market replication.

4. Trade Secrets in Craft-Based Fashion

Traditional crafts and artisanal techniques form the backbone of Indian fashion. Techniques such as *Bandhani* from Gujarat, *Ikkat* weaving from Odisha and Andhra Pradesh, and *Kalamkari* block-printing are often guarded by artisan communities as trade secrets. Contemporary designers like *Anita Dongre* and *Rahul Mishra* work with such crafts, ensuring that production methods

remain closely guarded and adding legal contracts to prevent disclosure to competitors. Protecting trade secrets is particularly important in India’s craft-driven fashion economy, where copying traditional techniques without credit threatens livelihoods.

5. Geographical Indications (GI) in Indian Textiles

While not always classified under mainstream IPR in fashion, Geographical Indications (GI) also play a crucial role. Famous examples include *Banarasi Silk*, *Kanjeevaram Sarees*, and *Pochampally Ikat*. These GIs ensure that only products originating from specific regions can be marketed under these names. For designers collaborating with artisan clusters, GIs provide authenticity and strengthen brand value.

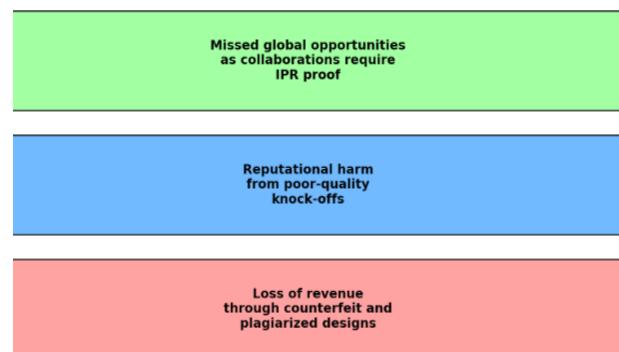
Significance of IPR Awareness for Indian Designers

The above cases illustrate how IPR is not just about legal formalities but also about economic survival and brand growth in the Indian context. Without IPR literacy, emerging designers risk:

- **Loss of revenue** through counterfeit and plagiarized designs.
- **Reputational harm** when poor-quality knock-offs are sold under their name.
- **Missed global opportunities** since international collaborations often demand proof of IPR ownership.

In a highly competitive fashion economy, IPR thus acts as both a shield and a growth enabler for Indian designers.

Significance of IPR Awareness for Indian Designers



Why IPR Education is Essential for Fashion Students

The integration of IPR training into design curricula offers three key benefits:

1. **Awareness and Legal Clarity** Students often have misconceptions about automatic copyright or differences between design registration and trademarks. Structured instruction clarifies these processes and empowers them to act at the right time.
2. **Encouragement of Innovation** Knowing that their ideas are protected allows designers to experiment more freely. Legal literacy instills confidence in taking creative risks and exploring original concepts.
3. **International Competitiveness** IPR-trained designers

are better positioned to secure collaborations, enter licensing agreements, and defend their brands in global markets, strengthening India's overall fashion ecosystem.

Barriers to IPR Integration in Fashion Curricula

Despite its necessity, IPR education remains underdeveloped in Indian design institutes due to:

- **Faculty limitations:** Many instructors come from purely creative backgrounds and lack legal expertise.
- **Curriculum density:** Programs already emphasize technical, practical, and aesthetic skills, leaving little space for legal subjects.
- **Industry-academia disconnect:** Limited collaboration with legal professionals or IPR specialists prevents real-world exposure.

These barriers require systemic reforms that combine institutional will with collaborative strategies.

Proposed Strategies for Integration

To overcome the identified challenges, a comprehensive approach is necessary:

1. **Curricular Inclusion** Introduce mandatory IPR modules across design programs, covering copyrights, trademarks, design registrations, patents, and licensing frameworks. Case studies from Indian and global contexts should be included.
2. **Applied Learning through Workshops** led by lawyers, policy experts, and IPR consultants can make legal concepts tangible. Students can study disputes, legal victories, and lessons from the fashion industry.
3. **Experiential Activities** Mock trials, cease-and-desist drafting, and simulated design registrations provide hands-on exposure. Partnerships with law schools could facilitate IPR clinics for emerging designers.
4. **Industry Collaboration** Engagement with councils, export houses, and legal firms can create mentorship opportunities, internships, and competitions that emphasize ownership and licensing.

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5. **Flexible Learning Models** MOOCs, hybrid courses, and certification programs can extend IPR literacy beyond formal degree programs, serving alumni and independent designers as well.

CONCLUSION

Fashion education cannot remain limited to aesthetics and technical expertise; it must also include the legal knowledge necessary to secure creative output. IPR education bridges the gap between design imagination and market application, ensuring designers are equipped to protect, scale, and monetize their innovations.

For India to establish itself as a global fashion hub, its education system must prioritize legal literacy alongside creativity. Collaborative efforts among policymakers, educators, and industry leaders are crucial for embedding IPR into design curricula. By doing so, India can foster a generation of designers who are innovative, empowered, and respected internationally.

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