

MEDIA MENTION

Christopher Kelly Quoted on Chanel's Dispute with Vintage Reseller

WWD

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Wiley Rein partner Christopher Kelly, chair of the firm's Trademark Practice, was quoted by *WWD* in an April 5 article about luxury fashion brand Chanel's continuing dispute with an online consignment shop. Chanel Inc. is accusing in its New York federal suit that the vintage reseller is offering inauthentic versions of their iconic handbags and accessories.

Chanel claims that the online vintage shop has sold at least seven counterfeit bags and that the store's supposed expert authenticators of vintage products are not to be trusted. According to *WWD*, Chanel's suit is unique in that it takes direct aim at the heart of the luxury resale market which promises authentic designer labels at lower prices when compared to buying directly from the respective design houses.

According to *WWD*, the fashion industry is concerned with Chanel's case as it argues that only their team can verify the authenticity of their respective products.

"They're really watching to see to what extent a luxury brand owner can work its way around 'Fair Use' and 'First Sale' to dictate how their products are subsequently sold," said Mr. Kelly.

The article mentions that online reselling platforms such as EBay have been able to overcome similar cases brought against them because they are a platform for products to be resold and not a direct reseller.

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"The Chanel cases are different, because the reseller is basically guaranteeing the authenticity of products," Mr. Kelly said. "That goes beyond simply putting them up for sale."

The article can be found here (*subscription required*).