

**Millissa Mathai**

Counterfeit fashion in New York City - Fueled by suburban housewives?

December 12th, 2010 11:13 pm ET

Related articles

- [New York Celebrity Style: Blake Lively](#)
- [The season of tights: Bandage tights.](#)
- [Frank PR Holiday Party](#)
- [Asellina Opening](#)
- [Top 10 fashion must haves for every fashionista](#)
- [How to dress for work in style](#)

Popular articles

1. [Alexander Wang resort handbags](#)
2. [Who will replace Carine Roitfeld at Vogue Paris?](#)

Popular slideshows

1. [Fall's hottest shoes and accessories in hues of red, garnet, ruby](#)
2. [Angelina Jolie in Versace](#)
3. [More avant-garde two-button sport jackets](#)
4. [Handcrafted Wood Pens by Gary Ford](#)

Most commented articles

1. [Jon & Kate Plus 8: Kate's hairstyle - hot or not?](#)
2. [Latisse vs. LiLash: Two eyelash growth products put to the test](#)

Do you like this story?

Rob Holmes likes this. [Unlike](#)

It is a brisk winter afternoon on Canal Street in New York's Chinatown. The narrow sidewalks are buzzing with tourists, vendors and New Yorker's rushing home from work. The smell of Chinese delicacies fill the air and the sounds of a busy marketplace are on full volume. "Gucci handbag, Prada, Louis..." a short Asian man wearing a blue windbreaker and white sneakers walks up to a woman with a short black bob, red fanny-pack and gold framed aviator sunglasses asking, "Miss you want a coach bag?" as he hands her a postcard featuring a selection of handbags. The woman takes the card and examines it with glee. "How much?" she asks, pointing to a bag that caught her attention. "Seventy dollars for you miss!" says the man, "Come with me." She begins walking with the man down the street and they both disappear into a building. After ten minutes she reappears with a quaint smile carrying a plain black plastic bag, which is probably housing a fake Chanel, Gucci, or even Prada handbag. Transactions like this happen everyday.

On February 26, 2008, Mayor Bloomberg's Special Enforcement Unit shut down thirty-two shops in New York City's Chinatown and confiscated over one million dollars in counterfeit goods. "Trademark counterfeit according to the International Trademark Association is theft. It is defined as distributing or manufacturing a product that

3. [What Not To Wear hires new stylist; Nick Arrojo cut](#)
4. [Fashion faux pas: First Lady Michelle Obama wears teal to the Tomb of the Unknown Soldier](#)
5. [Jackson Rathbone talks women, cheating, and how to seal the deal for a second date with him!](#)
6. [Michelle Obama: fab or drab?](#)

bears a trademark that is identical to or substantially indistinguishable from a trademark registered with the US Patent and Trademark Office,” says attorney Mariessa Terrell, the founder of SBC Law Group, a boutique brand management and intellectual property law firm in Washington D.C.

Even after New York law enforcement’s crackdown on counterfeit fashion, it still remains to be a massive problem. According to the United States Department of The Treasury, Americans spend over 200 billion dollars on counterfeit goods every year. Counterfeiting accounts for 7% of the worldwide trade. The Department of Homeland Security has reported that 63% of counterfeits come from China.

Counterfeit vendors on Canal Street in Chinatown have found a new way to sell their knockoffs. They now use laminated postcards, which showcase their inventory of knock-off designer handbags. When a customer shows interest in purchasing one of the bags the vendors lead them to a backroom in a random building where they house their inventory of counterfeit handbags from designers ranging from coach to Hermes. The knockoffs often sell for one tenth of the price of the real handbag.

Many would argue that the fashion industry thrives on the copying of designs, but how does one draw the line? According to Terrell, “Under current US law, it is legal to copy fashion designs, just not the trademarks. Current US copyright law does not generally protect fashion designs because clothing is considered ‘utilitarian’. There are exceptions, though. Clothing can be copyrighted if the shape of the garment can be considered a “sculpture” or the design, image or pattern on the clothing can be considered pictorial.”

Selling counterfeits is illegal but if you buy one you are not subject to prosecution. “I wish the city would crack down not just on the people that sell these bags but also the people that buy them,” Says Mellini Kantayya an actress and writer from Brooklyn. “This of course is totally unscientific, but it seems to be tourists or women from the NYC suburbs. No New Yorker I know would be caught dead with a fake bag. If they put a couple of housewives

from Fairfield County or Westchester in the slammer this holiday season the problem would disappear by January 2011,” says Kantayya.

Consumers don't realize that these counterfeit goods are cheap because they are badly made in sweatshops and can be dangerous. For example, counterfeit designer sunglasses have little or no UV protection, which could lead to extreme damage of the retina. Even with all of these dangers women still buy counterfeit bags knowingly, but why?

“I've purchased a fake bag when I was in college. College kids don't exactly make bank so why not buy something affordable and seemingly designer to fit in with the rest of society who can afford designer duds,” says Yelena a recent Fashion Institute of Technology graduate. When asked if she would do it again, Yelena replied, “Entry level jobs don't pay that well either so probably until I can actually afford the real thing and not feel guilty about the purchase.”

Yelena's feelings echo the same rational held by many women who purchase knockoff handbags after caving into societal pressure to carry the latest “it bag”. They are finding it even easier to purchase counterfeit handbags through the Internet.

According to an article recently published in the Washington Post, Federal customs agents have seized over 82 websites accused of selling and trafficking counterfeit handbags. “There's such a huge demise in retail in general, counterfeiting has also been hit the number and power of websites have gone down as counterfeiters cannot afford to employ twenty employees anymore,” says Rob Holmes Founder & CEO of IPCybercrime.com a leading expert of the counterfeiting world who speaks frequently at the White House about this issue.

“When I give my talk about counterfeiting called ‘Jeans For Jihad’ I show two slides of different mobs, the first is one of The Sopranos, the second is a slide of Desperate Housewives,” said Holmes. He believes that the rise of home businesses run by everyday housewives in Middle

America is a major issue. "I know a woman from the who goes to N.Y. to watch Broadway plays. She would go to her source on Canal Street, stock up on dozens of knockoffs and ship them back to her home in the suburbs through the UPS store. She would then sell them to her friends in the neighborhood," says Holmes.

Most of these suburban housewives do not understand the threatening consequences of their actions. The International Anti-Counterfeiting Coalition estimates that counterfeiting accounts for 750,000 lost jobs in America. Counterfeiting is also linked to terrorism. Allegedly, one of the terrorists involved in the 2004 Madrid bombings was a counterfeiter. According to Holmes, other terrorist organizations in the Middle East have also used the sales of counterfeit fashion to fund their militia. "We need to educate these people who are selling counterfeit goods mindlessly on how their actions effecting society. We need to get them on our side," says Holmes.

Back in Chinatown, counterfeit vendors continue to walk up and down Canal Street, holding onto their laminated cards prying on suburban moms and tourists in "I Love NY" sweatshirts, desperate to make their next sale.

More on Examiner.com



99%

relevant

Beware of counterfeit electrical products warns CPSC

Tough economic times may send consumers scouring for inexpensive goods, but consumers may unknowingly ...

[Read More](#)



99%

US shuts down 82 websites and seizes counterfeit goods

92%

[How to spot a fake handbag](#)

[Parse.ly Powered](#) [Opt Out](#) [My Interest Profile](#)