

# Fashion Apparel Law Blog

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## [Fashion Forward: IDPPA Gains Unanimous Approval Of Senate Judiciary Committee](#)

On November 30, 2010, the Judiciary Committee of the United States Senate unanimously passed the Innovative Design Protection and Piracy Act (“IDPPA”) (S. 3728), [which was introduced by Senator Charles Schumer \(NY\) on August 6, 2010.](#)

The current bill, which may be brought before the full Senate prior to the December recess represents a compromise between American designers and the Council of Fashion Designers of America (“CFDA”) and apparel and accessory industry retailers and manufacturers and organizations such as the American Apparel and Footwear Association (“AAFA”). The bill would amend Chapter 13 of the Copyright Act to create protection for original and novel fashion and accessory designers based upon a “substantially identical” standard. The maximum damages available are a fine of \$50,000 in the aggregate and \$1.00 per copy. The term of protection would be limited to three years.

This is the furthest this type of design protection has progressed. It remains to be seen whether this bill can gain traction as Congress faces a number of issues prior to the December recess.