

Supply Chain Management
Course Number: 22:799:657
Course Title: Fashion Law and Supply Chain Compliance

COURSE DESCRIPTION

Law pervades almost every aspect of the fashion business. To succeed as a global fashion manager, one needs the tools to strategically engage with a diverse range of legal issues at various stages of business. This course will trace the lifecycle of garments and examine the legal issues at each point. At the early design stage, there are questions of trademark and copyright laws to protect our designs, and the risks of international piracy and counterfeiting. We then turn our attention to building a business in order to market, sell, and manufacture our products and designs. This will require an understanding of topics such as corporate and partnership law, contracts and sales, real estate, and labor and employment laws, including how to navigate relationships with independent contractors, such as fashion models. Given the degree to which production has become integrated and dependent on global and dependent on complex supply chains, at the manufacturing stage managers need to understand trade and tariff regulations, import/export laws, international arbitration, and labor and environmental compliance in the supply chain. We will pay particular attention to law and compliance in the global supply chain, where “private” forms of law making and enforcement often have to substitute for ineffective public law enforcement.

COURSE MATERIALS

Primary Text: Fashion Law: A Guide for Designers, Fashion Executives, and Attorneys 2nd Edition, by Guillermo C. Jimenez (Editor), Barbara Kolsun (Editor), ISBN 978-1609018955

- The text will be at the Rutgers Newark bookstore, as well as online.
- In addition, I will be posting supplemental readings on Canvas for each week. These will include legal cases, business cases, academic journal articles, and media articles.
- You need to subscribe to Women’s Wear Daily. You can obtain an educational discount by using your .edu email address at the WWD website.

LEARNING GOALS AND OBJECTIVES

A central objective of this and any law course is to learn critical thinking skills. In every topic that we explore, we will be working on our ability to critically analyze the issues and materials. Weeks and years from now when the details and facts become more hazy, what you will retain is the legal method. That is,

the ability to reason from specific facts and premises to arrive at conclusions that are supported by evidence.

By the end of this course, you will be able to:

- **Recognize and know the definitions** of a variety of legal terms, concepts, and rules.
- **Apply** those terms and concepts to hypothetical and real life fact patterns and events.
- **Critically assess** those rules and concepts and evaluate whether or not you believe those are normatively good or bad rules from the perspective of societal values and policy.
- **Identify potential legal issues and risks** that will arise in your everyday professional and personal lives.
- **Articulate legal issues and your ideas concisely and accurately.**
- **Be an educated client** who will know how to ask a lawyer pertinent and important questions.

In addition, I will be indicating chapter learning objectives in Canvas for each class session and learning module.

ACADEMIC INTEGRITY

I do NOT tolerate cheating. Students are responsible for understanding the RU Academic Integrity Policy <http://academicintegrity.rutgers.edu/>

I will strongly enforce this Policy and pursue *all* violations. On all examinations and assignments, students must sign the RU Honor Pledge, which states, “On my honor, I have neither received nor given any unauthorized assistance on this examination or assignment.” I will screen all written assignments through *SafeAssign* or *Turnitin*, plagiarism detection services that compare the work against a large database of past work. Don’t let cheating destroy your hard-earned opportunity to learn. See business.rutgers.edu/ai for more details.

ATTENDANCE AND PREPARATION POLICY

Attendance is important for the class, both for you and for me. If I am to be absent, I will send you notice via email and Canvas as far in advance as possible.

- For weather emergencies, consult the campus home page. If the campus is open, class will be held.

- Expect me to arrive on time for each class session. I expect the same of you. If traffic or work conditions make it difficult to make it to class on time, then please make arrangements with your office to leave earlier.

- Expect me to prepare properly for each class session. I expect the same of you. Complete all background reading and assignments. You cannot learn if you are not prepared. The minimum expectation is that for each 3-hour class session, you have prepared by studying for at least twice as many hours.

- Expect me to participate fully in each class session. I expect the same of you. Stay focused and involved. You cannot learn if you are not paying attention.

CLASSROOM CONDUCT

If this class is to be successful, we need to be ready to disagree, but to do so respectfully. Like a democracy, the classroom requires respectful discourse where we feel free to express our views supported by facts and reason, and to do so without fear of ad hominem attack or fear of ridicule.

In addition, an effective class, like any endeavor requires *attention*. We have enough distractions in our life, particularly digital. Accordingly, you are **not allowed to text, look at phones, or do any non-class related work during class time on laptops or otherwise**. You must put your phones away and all electronic devices that are not being used exclusively for reading or referring to e-texts, if you are using them. If I find that you are repeatedly doing so, I will ask you to leave class for the day and your absence will be noted.

Unconditional Rights to Change All Aspects of the Syllabus

Please note that while I do my best to adhere to the original terms of this syllabus, I reserve the right to change the syllabus at anytime throughout the semester. You will be notified both verbally in class, and in writing.

EXAM DATES AND POLICIES

There are two exams in this course:

Exam 1: (); Open Book.

Exam 2: (); Open Book.

The exams will not be comprehensive. Rather, they will cover the material from the last exam onward.

GRADING

Midterm	30%
Final Exam	50%
Participation	10%
Current Fashion Law Topics Short Paper	10%

COURSE SCHEDULE

Assignments

FL= Fashion Law

Session	Unit/Topic	Readings and Homework
1	I. Introduction to Course	FL: Chapter 1
2	II. Intellectual Property A. Trademarks B. Copyright	FL: Chapter 2&3; Cases: <u>Adidas-America, Inc. v. Payless Shoesource, Inc.</u> , 546 F.Supp.2d 1029 (D. Oregon 2008) <u>Gucci America v. Guess</u> 843 F.Supp.2d 412 (S.D.N.Y. 2012) <u>Laboutin v. Yves Saint Laurent</u> 709_F.3d_140 (2013) <u>In Re : Erik Brunetti</u> (Dec 2017)
3	II. Intellectual Property: C. Patents & Piracy	FL: Chapters 4 & 5; Canvas: Piracy Paradox (Available on Canvas – This is a long article. Give yourself time); HR Bill HR 2511
4	III. Intellectual Property: D. Licensing E. Counterfeiting	FL: Chapters 7&8; Calvin Klein Inc. Warnaco (HBS Case) Licensing Practices and Christian Dior
5	IV. Operating Your Business A. The Corporate Form B. Finance	FL: Chaps. 9 &10 Readings: 1. What is Corporate Law? (Hansman & Kraakman); 2. Vertical Integration and Rapid Response in Fashion Apparel (Richardson)
6	Midterm Exam	In Class Exam
7	C. Contracts and sales	FL Chap 11
8	D. Employment Law	1. FL: Chap. 12

		<p>2. <u>Terry Richardson Is Just the Tip of the Iceberg</u></p> <p>3. <u>Proposed NY Law Aims to Protect Models From Harassment - The New York Times.pdf</u></p> <p>4. NY Assembly Law on Discrimination against Fashion Models.</p>
9	<p>V. International Law and Compliance</p> <p>A. Global Sourcing and International Trade</p> <p>B. Customs and Import Law</p>	<p>FL: 16 & 17</p> <ul style="list-style-type: none"> • <u>Fashion brands fear Trump’s trade policies will disrupt global production chains, with risk of tariffs squeezing profits - South China Morning Post.pdf</u> • <u>Renegotiating NAFTA and U.S Textile Manufacturing</u>  • <u>U.S Textile Manufacturing and the Proposed Trans-Pacific Partnership Agreement</u>
10	<p>C. Supply Chain Governance: Supply Chain Labor and Environmental Governance (1)</p>	<p>Current Events Fashion Law Issue Paper Due</p> <ul style="list-style-type: none"> • David Vogel, Private Global Business Regulation

		<ul style="list-style-type: none"> Tam, Ethics and the Supply Chain
11	No Class	Current Events Paper DUE
12	D. Supply Chain Labor and Environmental Governance: Rana Plaza Focus(2)	<p>Research on The Alliance and the Accord (divided by groups)</p> <p>CCC, Rana Plaza Anniversary Statement (2017)</p>
13	E. Supply Chain Labor and Environmental Governance (3)	Codes of Conduct FLA and WRC
14	Final Exam	Administered Using Proctortrack

SUPPORT SERVICES

If you need accommodation for a *disability*, obtain a Letter of Accommodation from the Office of Disability Services. The Office of Disability Services at Rutgers, The State University of New Jersey, provides student-centered and student-inclusive programming in compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments of 2008, Section 504 of the Rehabilitation Act of 1973, Section 508 of the Rehabilitation Act of 1998, and the New Jersey Law Against Discrimination. More information can be found at ods.rutgers.edu.

[Rutgers University-New Brunswick ODS phone (848)445-6800 or email dsoffice@echo.rutgers.edu]

[Rutgers University-Newark ODS phone (973)353-5375 or email ods@newark.rutgers.edu]

If you are *pregnant*, the Office of Title IX and ADA Compliance is available to assist with any concerns or potential accommodations related to pregnancy.

[Rutgers University-New Brunswick Title IX Coordinator phone (848)932-8200 or email jackie.moran@rutgers.edu]

[Rutgers University-Newark Office of Title IX and ADA Compliance phone (973)353-1906 or email TitleIX@newark.rutgers.edu]

If you seek *religious accommodations*, the Office of the Dean of Students is available to verify absences for religious observance, as needed.

[Rutgers University-New Brunswick Dean of Students phone (848)932-2300 or email deanofstudents@echo.rutgers.edu]

[Rutgers University-Newark Dean of Students phone (973)353-5063 or email DeanofStudents@newark.rutgers.edu]

If you have experienced any form of *gender or sex-based discrimination or harassment*, including sexual assault, sexual harassment, relationship violence, or stalking, the Office for Violence Prevention and Victim Assistance provides help and support. More information can be found at <http://vpva.rutgers.edu/>.

[Rutgers University-New Brunswick incident report link: <http://studentconduct.rutgers.edu/concern/>. You may contact the Office for Violence Prevention and Victim Assistance at (848)932-1181]

[Rutgers University-Newark incident report link: https://cm.maxient.com/reportingform.php?RutgersUniv&layout_id=7 . You may also contact the Office of Title IX and ADA Compliance at (973)353-1906 or email at TitleIX@newark.rutgers.edu. If you wish to speak with a staff member who is confidential and does **not** have a reporting responsibility, you may contact the Office for Violence Prevention and Victim Assistance at (973)353-1918 or email run.vpva@rutgers.edu]

If students who have experienced a temporary condition or injury that is adversely affecting their ability to fully participate, you should submit a request via <https://temporaryconditions.rutgers.edu> .

If you are a military *veteran* or are on active military duty, you can obtain support through the Office of Veteran and Military Programs and Services. <http://veterans.rutgers.edu/>

If you are in need of *mental health* services, please use our readily available services.

[Rutgers University-Newark Counseling Center: <http://counseling.newark.rutgers.edu/>]

[Rutgers Counseling and Psychological Services–New Brunswick: <http://rhscaps.rutgers.edu/>]

If you are in need of *physical health* services, please use our readily available services.

[Rutgers Health Services – Newark: <http://health.newark.rutgers.edu/>]

[Rutgers Health Services – New Brunswick: <http://health.rutgers.edu/>]

If you are in need of *legal* services, please use our readily available services: <http://rusls.rutgers.edu/>

Students experiencing difficulty in courses due to *English as a second language (ESL)* should contact the Program in American Language Studies for supports.

[Rutgers–Newark: PALS@newark.rutgers.edu]

[Rutgers–New Brunswick: eslpals@english.rutgers.edu]

If you are in need of additional *academic assistance*, please use our readily available services.

[Rutgers University-Newark Learning Center: <http://www.ncas.rutgers.edu/rlc>]

[Rutgers University-Newark Writing Center: <http://www.ncas.rutgers.edu/writingcenter>]

[Rutgers University-New Brunswick Learning Center: <https://rlc.rutgers.edu/>]

[Optional items that many faculty include:

- Students must sign, date, and return a statement declaring that they understand the RU Academic Integrity Policy.
- Students must sign, date, and return a statement declaring that they understand this syllabus.]