

Luxury Fashion Meets Cultural Legacy: Legal Dimensions of the Kolhapuri and Prada Controversy

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Abstract

At Milan Fashion Week June 2025, an unheard-of revolution unfolded on the global stage, initiated by a pair of sandals from the prestigious Italian Luxury Brand Prada. The brand unveiled its Spring/Summer menswear collection, which featured several artistic pieces, but it was the ‘minimalist leather sandals’ distinguished by a distinctive toe-loop design. The Western Fashion Press crowned it as another iteration of refined simplicity. For viewers of India, it was easy to recognise their cultural heritage, these were Kolhapuri Chappals, the legacy of Maharashtra and Karnataka, the iconic handcrafted leather sandals with an eight-century heritage rooted in the soil. But the woods caught fire after noticing the omission of the luxury brand, which failed to credit the inspiration. This transcended to a Fashion controversy, crystallising decades of simmering discontent into a focused global debate on cultural appropriation, the profound inadequacy of intellectual property frameworks in protecting traditional knowledge, and the stark power imbalance between global luxury giants and the native artisan communities whose living heritage fuels their seasonal creativity. This paper aims to legally analyse the Prada Kolhapuri Chappal Controversy. The paper traces the divergent yet parallel histories of both entities and presents the artisan chronicles of the legal battle in the Public Interest Litigation before the Bombay High Court in July 2025. The paper further analyses India’s Geographical Indications of Goods (Registration and Protection) Act, 1999 (GI Act) and its ability to protect India’s culture from being overshadowed by the Fashionable Western Coloniality. The paper also tracks down the painful and persistent global pattern of cultural extraction in the name of ‘fashion’, tracing controversies involving Louis Vuitton, Gucci, Dior, Urban Outfitters and other big names of the fashion industry. This pattern proves that the Prada controversy was not merely an isolated incident but a systematic issue. The paper concludes by providing a pathway for action by building transparency, developing comprehensive legal reforms, ethical collaborations and the much-needed shift in the ethos from unilateral extraction to equitable partnership.

Keywords: Cultural Authorship, Geographical Indication, Fashion Law, Artisan Rights, Luxury Brand Accountability.

[1] Collision of Two Legacies

It is not merely designing footwear or apparel; it is about two different value systems, worldviews, and the very definition of innovation and heritage. To understand the magnitude of the collision that occurred in June 2025, the depth and distinct nature of the two legacies that converged need to be appreciated. The tale starts in 1918, when Mario Prada was an expert who owned an elegant boutique selling leather trunks, bags, and travel accessories to rich, discerning Milanese clientele. The boutique found its early identity on impeccable material like crystal, fine leather, walnut wood and superb, durable construction. The brand is hailed as quite luxury which understands practicality. The boutique transformed itself into a fashion powerhouse with the coming up of Mario’s granddaughter Miuccia Prada. In the late 1970’s, she changed the dynamics and brought an intellectual and subversive spirit to the house. The line of black nylon backpacks was introduced in 1985; during that time, luxury was synonymous with status-driven, opulent material, and using industrial nylon was heresy. Soon the line of black packs turned into a sensation, establishing Prada’s genius for “ugly chic” —the alchemical ability to transform the mundane into the desirable, to challenge conventional notions of beauty and luxury.³ The bricks of

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³ GLAM OBSERVER, *The History of Prada* (May 11, 2023), <https://glamobserver.com/the-history-of-prada/>.

the empire were put together alongside Miuccia and her partner, Patrizio Bertelli, a formidable businessman with a relentless drive for expansion and vertical integration. The Prada Group presently is a behemoth with a market capitalisation in the tens of billions of euros, encompassing brands like Miu Miu, Church's, and Car Shoe. Known for its cerebral aesthetic, minimalism often moving around themes of elegance, uniformity, and deformity, has made its place as one of the most influential visual languages in contemporary culture..⁴

On the other hand, the Kolhapuri Chappal was born in the humid climate of the Deccan Plateau, as per historical accounts its genesis can be traced to the 12th or 13th century, many narratives relate it to the regime of King Bijjala of the Kalachuri dynasty in Karnataka. The artistic magic spread its pixie dust under the rule of the patron of local arts and crafts, Chhatrapati Shahu Maharaj of the Maratha Empire in Kolhapur around the early 20th century.⁵ In order to create a Kolhapuri Chappal is an exercise of skill, patience and the symbiotic relationship with natural materials. The making process starts with the mindful selection of raw hides, mostly from cow or buffalo, which unlike other practices are not treated with quick, chemical tanning agents. Instead, the artisans use the tapestry of their traditional methods for vegetable tanning, employing extracts from the bark, leaves and fruits. This is an eco-friendly process which takes several weeks in order to give the leather a unique suppleness, remarkable durability and aroma. The week-long process aims to mould to the wearer's foot over time and ensure the leather breathes. After this, the chappal is handed over to the craftsman for whom it is not merely a job but a *vritti* (a hereditary vocation and a source of familial pride) often belonging to the *Chambhar* (cobbler) or the *Dhor* (tanner) communities.⁶

The footwear is constructed by hand-stitching with the help of a sturdy thread and needles, no nails, synthetic adhesives, or screws are used. Coming to the primarily simple design, the signature element of the chappal is the toe-loop or trap which elegantly secures the foot. Often a braided leather strap (*the patta*) which forms the main body, is anchored to a sole that is stitched on with a unique looping technique. This process takes at least 15-20 hours of labour spread over days, because the leather needs to be worked, rested, and then worked again. The tiresome process results in footwear which is celebrated for its longevity, comfort, and timeless aesthetic whether at home or in a cosmopolitan boutique. There are quite a lot of variations that exist like the *Paya tan* (braided), *Kapashi* (plain), or styles with intricate punch work. The Chappal moves beyond the physical attributes as it holds great economic and socio-cultural status as a powerful symbol of Indian craftsmanship. It is the example of sustainable fashion originating its roots long before the term itself was even coined. With the use of artisanal production, biodegradable material, and slow material it marks its place in the mindful fashion choices and economically acts as a vital lifeline. This industry supports about 10,000 artisan families directly, with thousands more involved in ancillary trades like leather supply, retail and dyeing. With the annual production of 600,000 pairs and a market value of approximately ₹9 crore, out of which 30% are exported, earning foreign exchange, this is not merely a trade cycle but the primary bulwark for several families against the agrarian uncertainty and rural unemployment.⁷

The Kolhapuri chappal was awarded an Intellectual Property Right (IPR) shield to protect the goodwill from fraudulent claims- a Geographical Indication⁸ (GI) tag in 2019, owned by LIDCOM and LIDKAR in Karnataka. This is a certification given to products that have characteristics essentially attributable to a specific state or area like the GI tag given to the Kolhapuri Chappal, which covers eight districts (Kolhapur, Sangli, Satara, and Solapur in Maharashtra; and Belagavi, Bagalkot, Dharwad, and Bijapur in Karnataka).⁹ For years, these two worlds, one that emerges from the soil and preserves the community and the latter that thrives on reintervention and

⁴ *Id.*

⁵ Kolhapur PR, *Kolhapuri Chappal History: Craft, Culture, And Commerce* (May 16, 2025), <https://kolhapurdistrict.in/kolhapuri-chappal-history/>.

⁶ M.S. Dabade & R.N. Naik, *Local to Global: A Study of Kolhapuri Chappal*, 3 IIP: INTL MULTIDISCIPLINARY RES. J. (IIPIMRJ) 98, 99-100 (2026).

⁷ Ashreet Acharya, *Beyond Copyright: Designing a Sui Generis Framework for Folklore and Traditional Knowledge Protection in India*, 31 J. INTELLECTUAL PROP. RTS. 1 (2026).

⁸ Geographical Indications of Goods (Registration and Protection) Act, 1999, No. 48, Acts of Parliament, 1999 (India).

⁹ Ananthu S. Hari, *Geographical Indications and Community Empowerment in Asia: Navigating International Legal, Institutional and Trade Asymmetries*, INTL SOC. SCI. J. 1, 8-10 (2026).

discontinuity existed in specific realms. For the Kolhapuri heritage, it was preservation and for the Prada heritage, it was constant innovation. The clash on the runway in Milan Fashion Week was the meeting of peers in dialogue, where one language of craft was absorbed into another, more dominant one, with the original speakers left unnamed.

1. From Runway to Courtroom

In June 2025, on a bright Milanese day, the atmosphere was one of hushed anticipation. The Fall/Winter 2025 Collection (FW25) presented the reimagination of femininity, challenging the perceptions of traditional beauty. Models showcased the latest version from Raf Simons and Miuccia Prada, the collection by show notes was described as embracing “*a shift of attitude—dismantling of power and meaning.*” And the footwear added the missing piece completing the vision - a series of simple, T-strap, flat leather sandals.¹⁰

For the audience, this footwear was a minimalist and clean accessory flowing with the collection’s essence. But across the ocean, on social media platforms like Instagram, X, Facebook, and WhatsApp groups in India, the smoke of recognition was emitted from the fire of outrage. It was shocking to see the similarity between the classic Kolhapuri Chappal and Prada’s Sandals, the precise placement and proportion of the leather toe-loop and the criss-cross of the straps made it clear that it was not merely inspired by but was a direct copy. The outrage ignited more when the official narrative remained silent on any Indian connection despite the disturbing leather ring as show mementoes, a literal, tangible reference to chappal’s defining feature.¹¹

The native market in Kolhapur sold this handcrafted piece between ₹500-₹2,500 and even premium, branded versions by socially conscious Indians rarely go beyond ₹5,000, albeit on the other hand the Prada sandals were listed for the pre-order of not 100X or 500X of the authentic price but skyrocketed it to 1000X making the sandal with the brand tag of approx. ₹1.2 lakh (about \$800 or €740).¹² The disparity was staggering and made the whole fiasco a potent symbol of how artisans struggle for minimum wages and recognition and the giant luxury brands appeared to profit astronomically from their inherited, collective property without a word of acknowledgement.¹³

The backlash spread like wildfire on social media with hashtags and fashion watchdogs’ forensic side-by-side posts. From fashion journalists to actresses like Kareena Kapoor Khan joined the chorus. It was not the war against mere copying but about power and erasure. Journalist Mansvini Kaushik pointedly wrote, the brand’s theme of “*dismantling power*” was ironically undercut by its act of overlooking “*the power and meaning embedded in Kolhapuri’s cultural heritage.*”¹⁴

The soul of the magicians of Kolhapur was taken, polished and sold back to the world at a price which they could never dream of, without their name on it. After 78 years of independence the indigenous communities’ arts are still being stolen, it is not merely economic exploitation but a denial of their history and identity.¹⁵ And the legal armour given by the Indian statutes felt merely like a ceremonial parchment, symbolically important but practically feeble against the might of a global brand. The response of the global fashion icon Prada was a wall of silence, the colonial trade routes stitched into the modern runway. This silence poured gasoline on the fire, the

¹⁰ Maggie Clancy, *Prada Responds After Viral Toe-Ring Sandals Draw Comparisons to India’s Kolhapuris*, FOOTWEAR NEWS (July 1, 2025), <https://wwd.com/footwear-news/shoe-trends/prada-sandals-kolhapuri-chappal-spring-2026-milan-1237944031/>.

¹¹ Ashreet Acharya, *Beyond Copyright: Designing a Sui Generis Framework for Folklore and Traditional Knowledge Protection in India*, 31 J. INTELLECTUAL PROP. RTS. 1 (2026).

¹²TOI Business Desk, *Prada-Kolhapuri Row: Luxury Giant Denies GI Breach in Rs 500 Crore Legal Dispute, Calls Them ‘Simple Leather Sandals’*, THE TIMES OF INDIA (July 20, 2025), <https://timesofindia.indiatimes.com/business/india-business/prada-kolhapuri-row-luxury-giant-denies-gi-breach-in-rs-500-crore-legal-dispute-calls-them-simple-leather-sandals/articleshow/122796375.cms>.

¹³ Zoya Mateen, *Why Prada – and other luxury brands – keep getting India wrong*, BBC News (July 18, 2025), <https://www.bbc.com/news/articles/cgmwnlnrd1eo>.

¹⁴ Ashreet Acharya, *Beyond Copyright: Designing a Sui Generis Framework for Folklore and Traditional Knowledge Protection in India*, 31 J. INTELLECTUAL PROP. RTS. 1 (2026).

¹⁵ TOI Lifestyle Desk, *Indian Artisan Rights vs Prada: PIL Demands Apology Over Kolhapuri Copy*, THE TIMES OF INDIA (July 5, 2025), <https://timesofindia.indiatimes.com/life-style/fashion/buzz/indian-artisan-rights-vs-prada-pil-demands-apology-over-kolhapuri-copy/articleshow/122269354.cms>.

controversy ceased to be a niche fashion industry topic and evolved into a national conversation in India, about colonial legacies and respect, economic justice and the true value of the *swadeshi* craftsmanship in the globalised economy.¹⁶

When luxury spoke in euros; the artisans knocked on the doors of justice to reply in the language of rights. In July 2025, five advocates from Pune filed a Public Interest Litigation (PIL) led by Ganesh S. Hingmire, in the Bombay High Court. The petition frames the issue of not just Intellectual Property Rights (IPR) but as a fundamental affront to cultural and constitutional rights.¹⁷ The petitioners contended that Prada's actions not only went against the right of a citizen under Article 21¹⁸ ensuring the right to livelihood and cultural identity but also the duty of the state to protect the economic interests of weaker sections like the artisans under Article 46.¹⁹ This fiasco resulted in the blatant infringement of the Geographical Indication of Goods (Registration and Protection) Act, 1999²⁰ and amounted to "*unjust enrichment and common law tort of 'passing off.'*"²¹ They prayed for an immediate injunction against the commercialisation of the product, to direct the brand to collaborate with the community and demanded a public apology.²²

The case was adjudicated by the division bench of Chief Justice Alok Aradhe and Justice Sandeep Marne. The hearing resolved more on the procedural propriety and less on the philosophical question of cultural appropriation. The court failed to stitch equality into couture, as a result of which the court dismissed the Public Interest Litigation (PIL) on 16th July 2025. The court stated several systematic constraints, firstly noting lack of locus standi revealing that the advocates were third-party and had no legal standing u/s 21 and 22 of Geographical Indication of Goods (Registration and Protection) Act, 1999²³, that puts the exclusive right to sue with the registered proprietor or authorised user, which in this case were LIDKAR and LIDCOM were not a party to this Public Interest Litigation (PIL). The bench clearly ruled that legal action could only be initiated by the Kolhapuri chappal's registered proprietors, as per the Geographical Indication of Goods (Registration and Protection) Act, 1999 (Bombay HC, 2025).²⁴ Secondly, the division bench expressed the limit of the writ jurisdiction under Article 226 which is meant for enforcing fundamental rights and addressing state failures not Intellectual Property infringement claims which are meant to be brought before a commercial court by a civil suit as per the rules of the Geographical Indication of Goods (Registration and Protection) Act, 1999.²⁵ Lastly, the court addressed the elephant in the room which was not the formal basis for dismissal, the proceedings spotlighted the core legal weakness. The backbone of the petitioner's grievance was the copied design but the law only explicitly protects the name and Prada never used the word "Kolhapuri", they simply called it "leather sandals". By the plain reading of the Geographical Indication of Goods (Registration and Protection) Act, 1999²⁶ there was no infringement. The court's dismissal on procedural grounds avoided a definitive ruling on this substantive, painful issue, but the problem was now laid bare for all to see.²⁷

The course of the river changed, and the landlord who borrowed the heritage adopted the structured engagement from silence. This pivot offers a rare, real-time case study in corporate crisis management and the potential for

¹⁶ Zoya Mateen, *Why Prada – and other luxury brands – keep getting India wrong*, BBC News (July 18, 2025), <https://www.bbc.com/news/articles/cgmwnlnrd1eo>.

¹⁷ Const. of India art. 21.

¹⁸ Const. of India art. 21.

¹⁹ Const. of India art. 46.

²⁰ Geographical Indication of Goods (Registration and Protection) Act, 1999 (India).

²¹ *Id.*

²² SCC Online Blog, *Bombay High Court dismisses PIL in Kolhapuri Chappal GI violation case against PRADA* (July 19, 2025), <https://www.scconline.com/blog/post/2025/07/19/bom-hc-kolhapuri-chappal-gi-violation-prada-dismissed/>.

²³ Geographical Indications of Goods (Registration and Protection) Act, 1999, §§ 21–22 (India).

²⁴ SCC Online Blog, *Bombay High Court dismisses PIL in Kolhapuri Chappal GI violation case against PRADA* (July 19, 2025), <https://www.scconline.com/blog/post/2025/07/19/bom-hc-kolhapuri-chappal-gi-violation-prada-dismissed/>.

²⁵ *Id.*

²⁶ Geographical Indications of Goods (Registration and Protection) Act, 1999 (India).

²⁷ Ananthu S. Hari, *supra* note 9, at 6.

remediation. The brand's narrative evolved from a flat refutation to an admission of 'design inspiration' drawn from traditional handicrafts. More importantly, the company moved toward a restorative approach, indicating that they were open to direct communication with Indian craftspeople to ensure the exchange was both meaningful and respectful of cultural rights.²⁸ Prada made its Corporate Social Responsibility (CSR) executives travel to Kolhapur, where they met the artisans and visited their workshops understanding the process. This firsthand experience represented the physical recognition of the creators as legitimate stakeholders worthy of a conversation, not just a distant source of inspiration. At the Consulate General of Italy in Mumbai, a formal agreement, the "*Prada Made in India x Inspired by Kolhapuri Chappals*" project was culminated, in a ceremony signifying commercial and diplomatic weight, LIDCOM, LIDKAR and Prada signed a Memorandum of Understanding (MoU).²⁹

For the first time, a mega-luxury brand entered into a formal, benefit-sharing partnership with Indian Artisans following a major appropriation controversy, setting a precedent. The Memorandum of Understanding (MoU) included the terms of pricing for about €800 (\$930 or ₹84,000)³⁰ plans for the brand to collaborate with state bodies on training programs for artisans to elevate their skills of craftsmanship, allowing training in Italy,³¹ gave the contract of production of approx. 2,000 pairs of sandals to Indian artisans and lastly the project was publicly framed as an ethical partnership where the brand gave full credit to the artisans.³²

2. A Lock without a Key for Global Doors: When the Law Watches But Cannot Act

The procedurally slippery trek of the Kolhapuri Chappal served an invaluable and stark diagnostic, exposing the gap between the aspirational goal of protection and the gritty reality of enforcement for traditional knowledge in a modern, globalised marketplace. Driven by the aspirational goals of the TRIPS Agreement, the Indian legislature formulated the Geographical Indication of Goods (Registration and Protection) Act, 1999, to recognise and safeguard products inextricably linked to their place of origin.³³ It was an accent which revealed where the products came from, products like the Darjeeling Tea, Alphonso Mango, Kanchipuram Silk whose very essence is tied to their terroir.³⁴

But the case in hand was slightly different from common circumstances that may come: What if someone doesn't steal the name, but steals the look? What if a company meticulously replicates the unique visual identity of "*Kashmiri Mirch*" rolling plantations and distinctive style, packages it in a sleek new brand called "*Mountain Mist Elixir*", and markets it across the globe? This is where the statue lacked resulting in the failure pointed out in the controversy with the global brand. The walls of the Geographical Indication of Goods (Registration and Protection) Act, 1999³⁵ are limited only to labels of the origin and ignore the expression of the origin which the community developed over centuries. And this gap is deliberately being exploited by global giants like Prada, Dior, LV, they legally replicate the design and give a new name, escaping infringement. The heartbreaking irony

²⁸ Vinaya Deshpande Pandit, *Global fashion giant Prada acknowledges Kolhapuri inspiration*, THE HINDU (June 28, 2025), <https://www.thehindu.com/life-and-style/fashion/prada-finally-acknowledges-kolhapuri-chappals-inspiration-for-footwear-in-fashion-show/article69747610.ece>.

²⁹ Stephen Garner, *Following Backlash, Prada Works With Indian Government to Produce Leather Sandals Locally*, FOOTWEAR NEWS (Dec. 11, 2025), <https://wwd.com/footwear-news/shoe-industry-news/prada-kolhapuri-chappals-india-made-leather-sandals-1238422250/>.

³⁰ Dipali Jagtap and Cherylann Mollan, *Prada to launch \$930 'Made in India' Kolhapuri sandals after backlash*, BBC News (Dec. 12, 2025), <https://www.bbc.com/news/articles/czxppe4q84do>.

³¹ Dabade & Naik, *supra* note 6, at 101.

³² Pathikrit Sen Gupta, *Rs 84,000 A Pair: Prada & Kolhapuri Turn 'Solemates', Luxury Brand To Sell 'Made In India' Chappals*, NEWS18 (Dec. 12, 2025), <https://www.news18.com/lifestyle/rs-84000-a-pair-prada-kolhapuri-turn-solemates-luxury-brand-to-sell-made-in-india-chappals-9766648.html>.

³³ Geographical Indications of Goods (Registration and Protection) Act, 1999 (India).

³⁴ A.K. Diger, *The Protection of Geographical Indications in India: Issues and Challenges* 5 YUCITA L. REV. 12, 15-18 (2012).

³⁵ Geographical Indications of Goods (Registration and Protection) Act, 1999 (India).

of this “*design loophole*” which is the first major crack in the shield is that the artisans legally own their *name*, but not the visual identity that makes that name meaningful.³⁶

Moving further, commonly the Intellectual Property Rights are territorial, hence, an Indian Geographical Indication registration is enforceable within the boundaries of India. And the respondent in the case is based in Italy, making the origin of the sandals Italian. The shield is not just full of holes; it is also shackled to their own soil, powerless beyond it. Even if the barefoot artisans won the case before the Bombay High Court whose jurisdiction is limited to India by the legislation, resulting in limited power to stop the sales across the globe, or perhaps attach the assets of the brand. In order to complete the full circle the poor artisans need to initiate fresh, costly lawsuits in each jurisdiction, relying on complex principles of comity or specific international treaties. Not only artisans but even the state bodies have limitations when it comes to budget, this is a prohibitively daunting prospect.³⁷

While the Bombay High Court was presiding over the case they revealed the last and the most subtle disconnect in the governance. The GI tag was held in trust by LIDKAR and LIDCOM, government corporations. The artisans are merely beneficiaries not right-holders. Making it difficult for the artisan possessing the intergenerational skill and knowledge has no direct legal enforcement right under it. Their agency is mediated through the state. When the PIL was dismissed because the “wrong people” (the concerned lawyers) had filed it, this layered disempowerment was dramatised: the most deeply affected stakeholders were not the ones the law recognised as having the standing to defend their own heritage.³⁸

Knocking on the doors of other legislations seems like a shield that guards the name, not the narrative. Firstly, the Copyright Act, 1957³⁹ only protects an original artistic expression fixed in a tangible medium excluding the “utilitarian articles” and does not protect “styles” “techniques” or “methods” of the craft. The Kolhapuri Chappal’s design has evolved collectively by an identifiable individual author. It sits firmly in the realm of “traditional knowledge,” which copyright law is poorly equipped to handle.⁴⁰ Secondly, the Design Act, 2000⁴¹, is limited to the protection of visual appearance and to get the design registered it needs to be original and new and the artistic design of Kolhapur fails to meet the novelty requirement.⁴² Lastly, the final door of common law tort is also closed, as it protects merely the goodwill associated with the unregistered trade symbols and to come under this domain the artisans need to prove that Prada’s sandals misled a significant number of consumers into believing they were *actually* Kolhapuri chappals or were in some way endorsed by or connected to the Indian artisan community. Given Prada’s overwhelmingly powerful standalone brand and the vast contextual chasm between a ₹500 village market purchase and a ₹1.2 lakh luxury buy, proving this consumer confusion would be an extraordinarily difficult legal hurdle.⁴³

3. A Supply Chain That Carries Design But Not Origins: A Global Pattern Of Borrowing

The repeated appropriation by the global brands in every fashion week is not merely a small coincidence but the colonial extraction rewritten in the name of fashion. The pattern reveals consistent themes; erasure of authorship, decontextualization and inequitable value capture. There are many examples where indigenous designs are lifted season after season, stripped of origin and packaged in the name of a luxury product.

³⁶ Ananthu S. Hari, *supra* note 9, at 6.

³⁷ Neerav Merchant, *Cross-Border Enforcement of Judgments Against States - India*, INT’L BAR ASS’N LEGAL PRAC. DIV. (2024), <https://www.ibanet.org/document?id=cross-border-enforcement-India>.

³⁸ SCC Online Blog, *Bombay High Court dismisses PIL in Kolhapuri Chappal GI violation case against PRADA* (July 19, 2025), <https://www.scconline.com/blog/post/2025/07/19/bom-hc-kolhapuri-chappal-gi-violation-prada-dismissed/>.

³⁹ Copyright Act, 1957 (India).

⁴⁰ *Protection and Prevention: The Shortcomings of U.S. Copyright Law in Combatting Cultural Appropriation in the Fashion Industry* 15 IND. J.L. & SOC. EQUALITY 107, 120-125 (2023).

⁴¹ Designs Act, 2000 (India).

⁴² ICLG, *Designs Laws and Regulations Report 2025: India* (Jan. 12, 2025), <https://iclg.com/practice-areas/designs-laws-and-regulations/india>.

⁴³ 15 U.S.C. § 1125(a) (2018).

The labour and aesthetic symbolism of Indian royalty were surgically bypassed by the Indian artisans, laid by one of the most popular Creative Directors of Chanel Karl Lagerfeld. His tour in 2011, “*tour de force*” which transformed a Maharaja’s palace with models with saree-draped gowns, *jadau* jewellery, embroidered *anakalis* paired with *maang tikkas*, celebrated India as merely a decorative motif, while the real, living India craft ecosystem received no credit, orders or investment. From the jewellery to the clothes everything appeared to be Indian but was actually made by Chanel’s Parisian artisans in ateliers like Montex and Lesage.⁴⁴

One of the cases that wounded the Five K’s of the Sikh Community by appropriating their religious identity was in the year 2019, when the global giant luxury brand Gucci listed an “*Indy Full Turban*” for a whopping \$790 copying the inseparable identity turban (*dastaar*), which is even a target of discrimination and violence against the Sikhs. After looking at a non-sikh model wearing the holy article of faith, the Sikh community was fierce and instantaneous, as it commodified the symbol of faith into a seasonal trend.⁴⁵ This incident highlights appropriation that violates not just creative rights, but the very core of religious and ethnic dignity.

The landmark case of the *Navajo Nation vs. Urban Outfitters*⁴⁶ opened the path of assertive resistance using the existing IP system making it a legal reclamation. The Native American tribal entity Navajo Nation held several U.S. federal trademarks in the name of “*Navajo*”. The respondent Urban Outfitters introduced numerous products using the petitioners’ trademarks “*Navajo*” which led them to be dragged into court under the Indian Arts and Crafts Act of 1990. The legal battle stretched for about 4 years and was settled in closed doors in 2016, Urban Outfitters agreeing to a future collaboration. This case is seen as a weapon of defending the cultural identity from an unauthorised commercial exploitation.⁴⁷

Not only luxury brands, but a fast fashion brand like Zara proudly showcases the absurdity of Fast Fashion Appropriation. In 2018, the brand caught the attention of the communities of South Asia, revealing the mechanisms of appropriation in their raw form. The brand sold a “*check mini skirt*” for £69. It was unmistakably a *lungi*; a wraparound garment worn by men costing merely a few dollars now being sold at a 2000% markup with 0% of cultural credit. This fast-fashion appropriation transformed the same garment which represented authenticity and rootedness, changing the dynamic of the cloth. From Rajinikanth’s *lungi* dance to Zara’s price tag, it was the same cloth, different climax.⁴⁸

Echoing Prada’s earlier approach, Dior’s 2025 Paris collection showcased a houndstooth-patterned coat in gold and ivory that utilised traditional *Lucknowi Mukaish* embroidery. Valued at \$200,000, the garment brought international attention and renewed scrutiny to the preservation and pricing of age-old metal wirework crafts. While the fashion experts were quick to spot this silent cultural appropriation, a highly specialised, region-specific, labour-intensive craft was turned into a luxury narrative.⁴⁹ It proved the Prada incident was not an anomaly, but a symptom.

There are several examples which present the loss of the indigenous craft from the historically colonised communities, extending the pattern beyond just South Asia. In 2017, Louis Vuitton’s menswear collection used

⁴⁴ Chanel Paris-Bombay Pre-Fall 2012 *Métiers d’Art Show*, VOGUE RUNWAY (Dec. 6, 2011), <https://www.vogue.com/fashion-shows/pre-fall-2012/chanel>.

⁴⁵ Sikhs say Nordstrom apologised for turban, waiting for Gucci, THE HINDU (May 19, 2019), <https://www.thehindu.com/news/international/sikhs-say-nordstrom-apologised-for-turban-waiting-for-gucci/article27177369.ece>.

⁴⁶ *Navajo Nation, The, et al. v. Urban Outfitters, Inc., et al.*, (D.N.M. 2016).

⁴⁷ *Navajo Nation and Urban Outfitters Reach Settlement Over Trademark Rights*, COLUMBIA JOURNAL OF LAW & THE ARTS (Aug. 2, 2019), <https://journals.library.columbia.edu/index.php/lawandarts/announcement/view/42>.

⁴⁸ *Zara’s lungi lookalike mocked by Asian internet*, BBC NEWS (Jan. 31, 2018), <https://www.bbc.com/news/world-asia-42883181>.

⁴⁹ Maggie Clancy, *Prada Responds After Viral Toe-Ring Sandals Draw Comparisons to India’s Kolhapuris*, FOOTWEAR NEWS (July 1, 2025), <https://wwd.com/footwear-news/shoe-trends/prada-sandals-kolhapuri-chappal-spring-2026-milan-1237944031/>.

the *Basotho blankets* of *Lesotho patterns* without any credit or collaboration.⁵⁰ In 2019, Nike followed the path of cultural appropriation using the *Mola* designs of the *Guna people of Panama*, the outrage by the community led them to cancel the Puerto Rico-themed sneaker.⁵¹ Even Chanel faced backlash for selling a \$1,300+ branded boomerang, trivialising an important cultural and hunting tool of Indigenous Australians.⁵²

It is said that colonialism paid to steal the sense of culture and promote homogeneity, even after years of independence, when we look at these stories happening across multiple continents that have an element of profound cultural value, it feels like the essence of colonialism is present sugar-coated with the commercial luxury narrative. What happened in the Milan Fashion Week is not an exception but a confirmation of a persistent, systemic imbalance in the global creative economy.⁵³ What was outdated at home becomes revolutionary abroad once luxury gives it a surname.

4. The Road for a Systematic Change

The infringement of cultural legacy is not merely a case study but shows the need to weave a fundamentally different pattern for the future. We need to build an ecosystem and rewrite the rules that reshape the cultural attitudes and reimagine the commercial relationships.

1. Making a Stronger Shield

Law is never static, it needs to evolve in order to act as the active defender of cultural expressions. This coin has two faces, one, national legislative courage and the other, international diplomatic will. The first step is to enact a dedicated, standalone law for the comprehensive protection of Traditional Cultural Expressions (TCEs) to create a *Sui Generis* System, encompassing *motifs, designs, symbols, folklore, performance* and other intangible heritage. Drawing from draft treaties at the World Intellectual Property Organisation (WIPO), this law should grant originating communities inalienable collective moral rights (right to attribution, to object to derogatory or distorting use) and manageable economic rights. It must establish clear, accessible mechanisms for Prior Informed Consent (PIC) and Fair & Equitable Benefit-Sharing (FEBS) for any commercial utilisation.⁵⁴ Secondly, amend the Geographical Indication of Goods (Registration and Protection) Act, 1999, in order to protect the characteristic visual design elements, distinctive aesthetic features inherently associated with the registered product and overall appearance. We can close the “*Prada Loophole*” and align the law with the economic and cultural reality of how craft value is perceived, with the help of legally defining Infringement to include the unauthorized commercial use of a design that is *recognizably and distinctively associated* with the Geographical Indication-protected good, creating a likelihood of association in the mind of the consumer, even if the geographical name is not used.⁵⁵ Thirdly and most importantly, it is to introduce border measures and statutory damages, from the power of customs authorities to seize imports that infringe upon registered GIs or community designs, based on a readily accessible database to have pre-established statutory damages wherein there is Geographical Indication infringement or

⁵⁰ Mayeni Jones, *When does cultural borrowing turn into cultural appropriation?*, BBC NEWS (Sept. 28, 2017), <https://www.bbc.com/news/world-africa-41430748>.

⁵¹ *Nike Cancels Shoe After Indigenous Group Claims Theft of Sacred Design*, THE NEW YORK TIMES (May 13, 2019), <https://www.nytimes.com/2019/05/13/world/americas/nike-shoe-puerto-rico-guna.html>.

⁵² Andreas Illmer, *Ridicule and condemnation for Chanel's \$1,500 boomerang*, BBC NEWS (May 16, 2017), <https://www.bbc.com/news/world-australia-39932776>.

⁵³ Storyboard18, *From Prada's Kolhapuri Sandals to Louis Vuitton's Auto Bag: Most Controversial Luxury Fashion Releases of 2025*, STORYBOARD18 (Dec. 20, 2025), <https://www.storyboard18.com/digital/from-pradas-kolhapuri-sandals-to-louis-vuittons-auto-bag-most-controversial-luxury-fashion-releases-of-2025-86250.htm>.

⁵⁴ G.M.L. Rao, *Legal Protection to Indigenous Knowledge: Necessity for a Sui Generis System in India*, 11 J. INTELL. PROP. RTS. 115 (2006).

⁵⁵ S.R. Rao, *Prospects and Challenges of Geographical Indications in India*, 11 J. INTELL. PROP. RTS. 104, 110-12 (2006).

cultural appropriation.⁵⁶ Lastly, the framework should empower artisans collectively as direct right holders.⁵⁷ But this is not possible without enhancing International Intellectual Property Diplomacy and Enforcement with the help of launching strategic,⁵⁸ well-funded mission to register key Indian Geographical Indication's in major export markets using international systems⁵⁹ and bilateral treaties through the Ministry of Commerce and the Department for Promotion of Industry and Internal Trade (DPIIT), leveraging Free Trade Agreements and championing Binding International Instruments.⁶⁰

2. From Transaction to Transformation

The goal is to have new ethical models for collaboration, in order to systematically replace the old model of appropriation with a new ethos of partnership, based upon the foundation of transparency, justice and respect. The global fashion houses can adopt and publish a binding internal protocol, including the following checklist including context & content,⁶¹ collaboration & co-creation, credit & compensation.⁶² Fair-trade-style licensing contracts need to be drafted with the collaboration of legal experts, community representatives and ethical fashion advocates; governing the terms of use of cultural IP specifying duration, scope, attribution requirements, financial terms, quality control, cultural incentive use, strong clauses preventing derogatory, or misleading.⁶³ Further, harnessing technology for authentication and transparency with the help of digital Geographical Indication/craft mark labels,⁶⁴ and blockchain for storytelling and province.⁶⁵

3. Empowering the Source

Communities must be equipped with the help of holistic capacity-building training from NGOs, government agencies, and design institutions. Development of handicraft skills must be provided to artisans with training beyond craft mastery along with Intellectual Property law literacy.⁶⁶ Further, from robust and professional collectives, to facilitate and fund the creation of legally sound artist-led cooperatives.⁶⁷ Lastly, to curate real experiences and develop digital platforms that connect empowered artisans directly with global conscious consumers, allowing communities to capture a greater share of the final retail value, build their own brand narratives, and reduce dependency on intermediaries or capricious brand partnerships.⁶⁸

4. Singing the Chorus for Change

This is not a solo performance, the systematic change requires the contribution of consumers, media and academia. The consumer who is the end buyer holds immense power. There is a need for a conscientious consumer to ask

⁵⁶ Kartikey Singh, *Prada-Kolhapuri controversy: Can a G.I. tag prevent cultural misappropriation?*, THE HINDU (July 1, 2025), <https://www.thehindu.com/news/national/can-a-gi-tag-prevent-cultural-misappropriation-explained/article69756889.ece>.

⁵⁷ Dabade, M. S. & Naik, R. N., *Local to Global: A Study of Kolhapuri Chappal*, 3 IIP: INT'L MULTIDISCIPLINARY RES. J. (IIPIMRJ) 98 (2026).

⁵⁸ U.S. Patent & Trademark Office, *Geographical Indication Protection in the United States* (2013).

⁵⁹ Basu S. K., *Status of Leather Industry in India*, LAGHU UDYOG SAMACHAR 9 (Apr.-May 2011).

⁶⁰ Intergovernmental Committee (IGC), WIPO, <https://www.wipo.int/tk/en/igc/>.

⁶¹ Brigitte Vézina, *Curbing Cultural Appropriation in the Fashion Industry with Intellectual Property*, WIPO MAGAZINE, No. 4, Aug. 2023, at 14, 16-17.

⁶² Zoya Mateen, *Why Prada – and other luxury brands – keep getting India wrong*, BBC NEWS (July 18, 2025), <https://www.bbc.com/news/articles/cgmwnlnrd1eo>.

⁶³ Dabade, M. S. & Naik, R. N., *Local to Global: A Study of Kolhapuri Chappal*, 3 IIP: INT'L MULTIDISCIPLINARY RES. J. (IIPIMRJ) 98 (2026).

⁶⁴ *100 Years of Design Protection: The Hague System*, WIPO MAGAZINE, Apr. 2025.

⁶⁵ Dabade, M. S. & Naik, R. N., *Local to Global: A Study of Kolhapuri Chappal*, 3 IIP: INT'L MULTIDISCIPLINARY RES. J. (IIPIMRJ) 98 (2026).

⁶⁶ WORLD INTELLECTUAL PROPERTY ORGANIZATION, *Developing a National Strategy on Intellectual Property, Traditional Knowledge and Traditional Cultural Expressions*, WIPO Publication No. 933(E) (2023).

⁶⁷ R.P. Singh, *The Maasai Intellectual Property Initiative: A 20th-Century Model for Turning Assets into Income*, 12 J. WORLD INTELL. PROP. 59 (2018).

⁶⁸ Narsi Benwal, *Bombay High Court Rejects PIL Accusing Global Fashion Giant PRADA Of Copying 'Kolhapuri Chappals'*, LIVELAW (July 17, 2025), <https://www.livelaw.in/high-court/bombay-high-court/bombay-high-court-pil-prada-copying-kolhapuri-chappals-297919>.

“*what is the story behind this design?*” and “*who made this*”. Social media can be used to applaud good practices and publicly question dubious ones.⁶⁹ The media is not just the cheerleader but a watchdog, fashion journalism must evolve beyond seasonal reports and uncritical hype. Journalism needs to question and investigate brands about their attribution, sourcing, and community engagement practices. They should make ethical and transparent conduct a key metric in reviews and industry evaluations.⁷⁰

5. Conclusion

This story goes beyond the stage of the Milan Fashion Week, in its essence, it is not only the turbulent story about the Kolhapuri Chappal but also the unheard cries of the indigenous communities and the artisans. The subsequent legal journey exposed the sobering, bureaucratic reality that our current systems of ownership and protection; constructed for individual inventors, corporate logos, and novel inventions; are archaic and ill-fitting for the slow, collective, intergenerational genius of traditional knowledge systems.⁷¹ Yet, there is the hope of change with Prada’s pressured collaboration, that protection will match the pace of profits. The cultural borrowing can be an ethical collaboration rather than an extraction with shared credit and partnership. The Memorandum of Understanding (MoU) which came out of the fiasco can be learned and improved upon, using it as the future of fashion. Enriching cultural exchange in the globalised world cannot be sustainably built on a foundation of inspiring without acknowledging, taking without giving, and of valuing the artefact while devaluing the artisan.⁷²

The way forward calls of the need to un hold the idea of decoloniality, and to enact strong yet flexible and smarter laws that can put the artisans and the creative directors at the same level and can see every design that has a story to tell of its living heritage, showing a profound cultural shift that understands “inspiration” as beginning of consensual, credited and mutually beneficial conversation.⁷³ Additionally, it is our duty as the caretakers of the heritage to recognise the artisans who have prepared the portion of the cultural magic for centuries, that true luxury is not found solely in the price tag or the prestigious label. But luxury is the sweat and hard work of the makers, their sustainable techniques even before the word sustainable was even propounded. In protection of the sole of sandal we need to ensure that the soul of our culture is not lost in the name of modernity, it is not the war of a pattern but ultimately to protect something far greater; the right of every culture and community to own its story, to govern its heritage, and to share equitably in the diverse, beautiful, and interconnected future it helps to create. The threads are in our hands; it is time to weave with justice.

⁶⁹Dabade, M. S. & Naik, R. N., *Local to Global: A Study of Kolhapuri Chappal*, 3 IIP: INT’L MULTIDISCIPLINARY RES. J. (IIPIMRJ) 98 (2026).

⁷⁰ Ashreet Acharya, *Beyond Copyright: Designing a Sui Generis Framework for Folklore and Traditional Knowledge Protection in India*, 31 J. INTELLECTUAL PROP. RTS. 1 (2026).

⁷¹ Ananthu S. Hari, *supra* note 9, at 6.

⁷² Vinaya Deshpande Pandit, *Global fashion giant Prada acknowledges Kolhapuri inspiration*, THE HINDU (June 28, 2025), <https://www.thehindu.com/life-and-style/fashion/prada-finally-acknowledges-kolhapuri-chappals-inspiration-for-footwear-in-fashion-show/article69747610.ece>.

⁷³ Brigitte Vézina, *Curbing Cultural Appropriation in the Fashion Industry with Intellectual Property*, WIPO MAGAZINE, No. 4, Aug. 2023, at 14, 16-17.