Virtual trademark registrations surge as fashion embraces metaverse

By Nigel Taylor  -  30 May 2022

The metaverse and, more importantly, metafashion, is gaining traction in the UK. Demand for virtual clothing trademarks has jumped by a third to 2,146 in past year, as more and more brands look to capitalise on the metafashion phenomenon.

According to a new study by intellectual property law firm Mathys & Squire UK trade marks were up 35% to 2,146 this year, reported CityAM.

It noted that digital clothing is a fast-growing market, with investment bank Morgan Stanley predicting could be worth $50 billion by 2030.

Mathys & Squire said brands are taking action to protect their digital brands just as they would physical goods, “given the enormous growth potential and huge sums of revenue at stake”.

Gary Johnston, partner at Mathys & Squire, said: “Registering trade marks for virtual assets will give luxury brands legal ammunition to protect their intellectual property (IP), which accounts for a considerable proportion of their value.

“Ensuring that their brand value does not become diluted in the metaverse will be a major concern. High-end brands are extremely protective about where their clothing is stocked in the real world, so they will be equally determined to exert control about how they appear in the metaverse.”

In the metaverse, consumers can interact with items of clothing, trying them on virtually before buying them, either in real life or digitally. These virtual versions of fashion items are often in the form of non-fungible tokens (NFTs).

The company said these NFTs can be created cheaply, with relative ease, making it easier for clothing brands’ designs to be exploited by copycats.
Fashion powerhouses such as Dolce & Gabbana, Ralph Lauren, Gucci, Prada, YSL and Off-White have all registered such trademarks.

In late March, the virtual universe Decentraland hosted the first Metaverse Fashion Week, the biggest virtual fashion event to date, featuring around 70 brands, artists and designers.

And in April, Sandbox, a metaverse world that has attracted labels like Gucci and Adidas, announced it's joining Arianee, a consortium specialised in blockchain solutions for consumer brands.

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