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Is Intellectual Theft Slowly Destroying Creativity?

When Braelinn Frank, founder of Rave Nailz, received a screenshot from a fan of one of her nail designs on a T-shirt, selling on Shein, she knew trying to fight the 100-billion company would be a losing battle.

“My reaction was, I’m done”, says Frank, “Shein had been selling my design for over six months, the design took me 15 hours.”

This wasn’t the first time a fast fashion brand had stolen designs from a small business. Intellectual theft by fast fashion brands is an ongoing issue. These brands mass produce original designs, and present them as their own, except with lower prices and quality.

Shein is valued at over 100 billion dollars, facing over 50 ongoing counterfeit lawsuits. One of them, is for \$100 Million dollars, according to Statistics, November 2022.

The main reason for the rise in Intellectual theft by these brands is the rise in demand by consumers. H&M and Zara have around 100 million visitors every month and an annual revenue of \$1,000,000 billion. Shein has double the monthly websites visitors of those two brands combined, with an average of 256 Million every month, and 6000 new designs available every day, Similarweb reports, October 2022.

The consequences of this cycle are more are not limited merely to small businesses. Originality and creativity are losing their value in the industry. When everything needs to be fast and cheap, quality soon goes out the window.

“Unfortunately, I don’t think this cycle of stealing from small brands will stop,” Says Almma Ichak, founder of The Tropical Society. “I can only hope that people will understand how much harder it is for us to compete with these fast fashion brands.”

Over the past few years, the need for instant gratification has risen, with websites like Shein being some sort of fashion savior, providing trendy, fast, and incredibly cheap items.

To get inspiration, designers used to read fiction, go to the gallery or the cinema, and watch the crowded streets for something to catch their eye. Fashion lovers would hold their breath for the next season’s collection, a new spin on an old idea. For fast fashion brands that constantly get away with copying, these efforts are unnecessary.

Brands like Shein, Zara, and H&M, will look at small businesses’ Instagram pages or websites and copy their garments down to the last detail. This practice is encouraged by the masses, as people will often find an expensive item and ask on social media if there is a cheaper version of said garment.

“When it comes to fast fashion,” Says Olivia Pinnok, lecturer at the London College of Fashion and University of the Arts London. “economic success is more important and the rate at which designers have to churn out hit products leave little room for creativity so they're asked to piggy back off the success and creativity of others.”

The fast fashion industry is growing bigger every year, The global fast fashion market grew from \$91.23 billion in 2021 to \$99.23 billion in 2022 at a compound annual growth rate of 8.8%. The expected market size by 2026 is \$133.43 Billion dollars, according to The Business Research Company, October 2022.

RetailDive reports that Shein comprised 28% of U.S. fast fashion sales, surpassing H&M

(20%), Zara (11%), Forever 21 (10%) and Fashion Nova (8%). The company made up 13% of the total fast fashion industry sales at the beginning of 2021.

“Designers have been copying other designers for centuries!” Says Olivia Pinnock, “Creativity is still valued in society, if it wasn't then it wouldn't be being copied”

Humanity was introduced to technology recently, and quickly became addicted to anything fast and easy. Websites like Amazon provide consumers instant gratification, by having endless options that can be on one's door step the next day.

This has ruined our ability to detect quality and originality. People don't care about pieces that will take their breath away, but rather things they can get their hands on and satisfy their temporary needs.

While it doesn't seem like intellectual theft is coming to an end anytime soon, fans and followers are staying loyal to small businesses, and often confiscate these online retailers after they see a design was copied.

Rave Nailz currently have 30,000 followers on Instagram, and is planning to keep growing her business, despite the risk of having her design stolen again.

“The next day I woke up and decided to get back up to my fight!” Said Frank, “I'll never quit.”

