

Christian Louboutin's recent legal victory in protecting his signature red sole was an important first for the fashion industry. It cements the idea that branding can be defined through more than just words or logos, and that the message it conveys dictates the price people are willing to pay. It also highlights bigger questions for the industry: what constitutes a brand, and is it right to trademark a colour?

The real message communicated by those red soles

The 'golden arches', the 'swoosh', the three stripes – there are plenty of designs that we associate with brands and companies before we've seen their name. Some are subtler still – think of the shape of a VW Beetle or a lego brick; neither need a logo to tell us which company they belong to.

And so it is with the Louboutin red sole. Many people who know relatively little about fashion could recognise the significance on a high-heeled shoe, even if they could not name the designer. The feature that has been a signature of the French shoe company for almost 20 years was recently deemed so intrinsically linked to the brand that a court declared it could not be used by any other company. It signified an important first for the fashion industry as it was effectively saying that a colour could be trademarked.

Seeing red

Christian Louboutin, the designer and powerhouse behind the brand, originally took umbrage with French fashion house YSL in 2010 when it produced a red shoe with a red sole – a design Mr Louboutin said was "virtually identical" to his own. He sought a court injunction against the sale of the shoes and damages of \$1 million.

The first court that heard the trial in France ruled in favour of YSL – that it had not infringed any trademarks with its red monochrome shoe, and that you could not, in fact, 'own' a colour within the fashion industry.

Unsatisfied, Mr Louboutin took the case to the court of appeals, which overturned the decision at the beginning of

Some of the most famous women favour Louboutin's heels. Singer Rihanna, stepping out in his thigh-high boots, is among the many celebrities he has created bespoke footwear for.

PHOTO CREDIT: FEATUREFLASH / SHUTTERSTOCK.COM



September. However, it did rule that a red sole was admissible where the entire shoe was red. And so both sides claimed a victory – YSL saying the shoes did not infringe any trademarks, and Mr Louboutin pleased that the judges declared the sole to be "a distinctive symbol that qualifies for trademark protection".

During a recent interview with CNN Asia, Mr Louboutin explained the significance to him personally: "It's my name, it's my company, it's my signature. So, it's basically my life."

First steps

It is this easily recognisable feature that has helped his company grow from one small shop in Paris in 1991 to more than 30 stores in 16 countries selling more than 500,000 pairs per year. It is the marketing and the top-end positioning of the brand that makes the shoes so coveted, and makes women willing to pay upwards of \$400 per pair. "I really believe a shoe is a communication tool between people," says Mr Louboutin. Although he isn't referring to the shoes in this way, the message they communicate is that the wearer is affluent, successful and confident. What woman wouldn't want to be seen to have those attributes? No wonder Mr Louboutin fought so hard to be the bearer of that particular message.

The brand did not begin with the red sole, however. That idea was borne some years later when Mr Louboutin was examining a drawing and a mock-up of a high-heeled pump, and struggling with the notion that there was something missing. Sitting next to a model painting her nails, he grabbed the red varnish and covered the soles. "And I thought, well, it is as simple as that. It's really amounts to colour," he says.

The depth afforded to the shoe led him to plan a different coloured sole for every season, but "the first season I did a red sole and it immediately became a signature".

The rich and famous

He says his ability to empathise with women comes from growing up with three sisters in a "feminine" environment. "A lot of women look at shoes the way I look at them – with a lot of attention, a lot of love," he says. And the inspiration behind his designs are often the women themselves. "Sometimes you come across a woman in the street and the way she walks, the attitude she has walking, becomes a shoe," he explains. "And sometimes I'm thinking of a very specific person."

Those specific people have included actress Kristin Scott Thomas and dancer Dita Von Teese, who both appear in his 20th anniversary book published last year, as well as numerous other famous women including singers Beyonce and Rihanna.

Mr Louboutin's name was cemented in the mainstream psyche by the TV series *Sex and the City*. Heroine Carrie Bradshaw's obsession with designer shoes boosted the profiles of Manolo Blahnik and Jimmy Choo, too – although that a freelance journalist could afford to spend at least \$400 on a pair of shoes stretched the realms of the imagination somewhat. In fact, in one episode the characters worked out that Ms Bradshaw could have bought a good-sized New York apartment with the money she could (theoretically) have saved.

Which leads to the question of cost. What makes someone pay a comparatively large amount for a pair of shoes – sometimes in the thousands of dollars – when similar versions are available at a fraction of the price?

Louboutin uses the analogy of two bottles of wine. "The price goes from one to 10 times the price – everyone can



Louboutin's trademark is the red sole, a flash of which tells the world which brand they belong to – and, by association, the price.

PHOTO CREDIT: CHRISTIAN LOUBOUTIN

understand," he says. "You have cheap wine, and then you have more expensive wine."

He explains that manufacturing processes for high-end shoes differ vastly to those of the imitations. "A shoe like this will stay on the last longer," he says of his own design. "A shoe that costs less money would be done in two hours – mine would take probably a week."

The highest form of flattery?

While the West is in recession and the catchword is austerity, Mr Louboutin believes people are turning to luxury to counter the negativity and make themselves feel better. "I do not feel guilty doing something which is considered luxury, because this is my work. If you take the cinema industry just after the Second World War, for instance, it has never been more embellished. Why? Because at the end of a war, people didn't want to add to all the miseries they'd been living through."

One part of the globe that has fared well in the recession is Asia. In August, Louboutin opened his second store in Hong Kong, his seventh in China, capitalising on an increased desire for luxury goods as the population grows and disposable incomes rise. Where once consumers there would have been happy with counterfeit goods, a shift in attitudes coupled with a younger generation that sees high-end goods as status symbols has meant that demand for genuine Louboutins has rocketed.

While counterfeits might have lost their previous appeal, anywhere where there is demand there are people willing to take shortcuts. Earlier this year, UK-based hardware store Homebase claimed that sales of £1.49 tester pots of paint in shades of bright red had climbed as women resorted to creating DIY Louboutin heels. Peter Rooney, a manager at a London-based branch of Homebase, said: "We have recently noticed a significant number of girls in the store colour-matching the tester pots to pictures of designer shoes in fashion magazines and requesting tips on how to paint on leather or rubber." It's a similar picture elsewhere in the world, as women try to replicate the Louboutin look at a fraction of the price.

Sole survivor

While those cases are relatively small scale, a recent seizure of 20,000 counterfeit pairs of Louboutins at a US port highlighted a bigger problem when it was confirmed they had a street value of \$18 million. The shoes had been shipped from China, where they were thought to be manufactured for about \$3 per pair – making a tidy profit for those who can sell them on the black market. It raises the obvious question of how many fakes have not been caught at customs, and how many are profiteering on the back of the brand Mr Louboutin has built.

The company takes a “zero tolerance” policy to counterfeiting. It says: “Our programme uses our intellectual property rights, especially copyright laws, to force web hosts to close down sites they are hosting which we identify as selling fake products and violating our IP rights.”

In his CNN interview, Mr Louboutin told of a woman whose fiancé had originally plucked up the courage to speak to her because he saw her red soles and used them as a conversation starter. “So definitely, shoes are an element of communication between people,” he says.

While the decision to rule in favour of the brand over YSL caused some consternation among some fashion commentators, who brought up the argument of monopolies and competition, Mr Louboutin’s message was undoubtedly communicated through the ruling. “The stiletto is a very natural element of femininity. It doesn’t speak of a shoe, it speaks of a way to live.”



Christian Louboutin at the LACMA Art + Film Gala in Los Angeles, California last year.

PHOTO CREDIT: JOE SEER / SHUTTERSTOCK.COM

A large advertisement for Cambrelle. The background is a photograph of a line of soldiers in camouflage uniforms marching in unison. Overlaid on the image is the text "ARMIES MARCH ON CAMBRELLE®" in large white letters. Below this, in smaller white letters, is "ONLY THE BEST FOR YOUR COUNTRY'S BEST CAMBRELLE®. SPECIFIED BY THE WORLD'S MILITARY". At the bottom left is the Cambrelle logo in a green box. To the right of the logo, in white text, is "THE LEADING FOOTWEAR LINING", "Email: info@cambrelle.com", and "Web: www.cambrelle.com". At the very bottom, in small white text, is "Cambrelle® is a registered trademark of Camtex Fabrics".

ARMIES MARCH ON CAMBRELLE®

ONLY THE BEST FOR YOUR COUNTRY'S BEST CAMBRELLE®. SPECIFIED BY THE WORLD'S MILITARY

Cambrelle® THE LEADING FOOTWEAR LINING
Email: info@cambrelle.com Web: www.cambrelle.com
Cambrelle® is a registered trademark of Camtex Fabrics