

Role of IPR in Fashion Industry

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ABSTRACT

The fashion industry is a dynamic and fast moving sector as creativity and innovation plays a pivotal roles in brands differentiation and market success. As this paper explores the significant role of the intellectual property rights in protecting the creative endeavors of the fashion designers and safeguarding the economic value of their creations. There are various forms of IPR including trademarks, copyrights, patents Industrial design and geographical indications.

KEYWORDS: Intellectual property rights, Trademark, Copyright, Patents, Industrial designs, geographical indications, Fashion industry

INTRODUCTION

Fashion industry is the fast moving and dynamic industry. With a billion dollar business globally. As creativity, innovation and branding plays a vital role in the fashion industry. And fashion designers are the one who creates this unique and eye catching designs. Especially in the fashion industry where trend emerge and evolve at a rapid pace. There is a rapid production and distribution of the inexpensive clothing which are inspired by the recent and latest trends. As retailers in this industry aim at delivering new styles quickly to changing consumers preferences. Now-a-days fast fashion is in the limelight as people are more relied on fast fashion so it is in the ability of the big corporations to produce the garments fastly and inexpensively and make new trends available to the people at fewer costs. To protect and preserve the distinctiveness, integrity and economic value of the fashion creations Intellectual property plays a important role in protecting and safeguarding the fruits of the creative labour by the fashion designers. As Intellectual property rights refer to collection of intangible rights which safeguards individuals innovations and creativity.¹ And it is a emerging field of law. And from the iconic logos to the signature designs fashion houses mainly rely on the trademarks, copyrights, patents and other forms of the IPR protection from infringement. Not only from infringement can prevent from counterfeiting and coping of the designs and now-a-days because of emerge in the technology and e-commerce platforms many people tend to align themselves with the latest trends but they would be a financial constraints so they mainly purchase counterfeit or copied versions of there original works.² Mainly fashion industry focuses on various forms of artistic expression dedicated to clothing and accessories like jewelry and shoes. In creating a unique design fashion designers play a pivotal role as there imagination and creativity are reflected on the garments they create. This designs can be protected with various forms of intellectual property rights As intellectual Property is divided into two types one is

¹ World Intellectual Property Organization (WIPO) (2016). Understanding Industrial Property.

² <https://www.mckinsey.com/industries/retail/our-insights/how-indias-ascent-could-change-the-fashion-industry>

industrial property under which Trademark, Patent, Industrial design and geographical indication comes into picture whereas under Non- industrial property Copyrights comes into existence

RESEARCH OBJECTIVE

1. How do intellectual property affect innovation and creativity within the realm of Fashion industry?
2. What are the different types of intellectual property which are relevant in Fashion industry
3. How do fashion companies/ brands utilize this intellectual property to protect intangible assests
4. What are laws that govern intellectual property in fashion industry in India
5. How does counterfeiting affect the fashion industry

1. TRADEMARK

Trademark plays a vital role in the fashion industry. As Trademark is a brand entity which has the capability of distinguishing the goods and services from others.³ it can be a word, symbol, design or it can be a combination of this. These names and logos can be trademarked based on the product such as clothing, shoes, perfumes and accessories. Each and every product is recognized by its brand and this brand's logo and there slogans are advertised and they are protected through trademark. As fashion industry mainly rely on the brand value to make profits in their businesses.⁴

In India trademark is protected through Indian trademark act 1999. This act defines trademark under Section 2(zb) of the Indian trademark act which states “ A mark capable of being represented graphically and can distinguish the goods and services of one person from those of others.”⁵ As Trademark protects the reputation and goodwill of the fashion brands by preventing unauthorized use or imitation by the competitors. By having a trademark brands it basically maintain the consistency and quality standards associated with the products and they even serve as a barrier against counterfeiting goods and the act provides for legal action against the infringement. Sometimes fast fashion brands imitate the logos, branding or other distinctive trademark which are associated with the luxury fashion houses. This can lead to consumer confusion, damaging the reputation of the original brand and diluting its exclusivity.

As trademark not only protects brands but it also safeguards the consumers by indicating product origin, quality and safety. As consumers often identify the brands through there logos, names, specific pattern or colors. Mainly there should be a distinctive element in the product. Apart from trademark a trade dress can also be protected through trademark as it ⁶ mainly focuses on the visual appearance, configuration, packaging or interior of the product as it includes designs, shape color of the product.

Eg:- tick mark on Nike, jaguar on the puma

Trade Dress A trademark is a type of intellectual property protection that occurs when a product acquires a secondary meaning. The visual characteristics of the product or packaging inform the consumer about the history of the product. Distinguishes the appearance and body of an object and traces its past. Business dress is a part or section of the law. An image, set, packaging or interior of a product is an example of a trade presentation. It also includes the tone and color of any object or object. For example, the design and colour of Adidas shoes.

³ <https://www.wipo.int/trademarks/en/#:~:text=What%20is%20a%20trademark%3F,protected%20by%20intellectual%20property%20rights.>

⁴ <https://www.altacit.com/ip-management/ipr-in-fashion-industry/#:~:text=Trademark%20is%20a%20word%2C%20phrase,from%20similar%20products%20or%20services.>

⁵ https://www.indiacode.nic.in/handle/123456789/1993?sam_handle=123456789/1362

⁶ <https://www.parkerip.com/blog/everything-you-need-to-know-about-protecting-original-clothing-designs-in-the-textile-industry/>

A. Louis Vuitton Malletier S.A v/s My other bag inc No. 16-241-cv

Louis vuitton is a luxury fashion brand. And this brand is trademark protected. In this case Louis vuitton and my other bag's case. MY other bag stated to sell the canvas tote bag which was exactly like the cartoon images of various luxury brands logo which included louis vuitton's iconic monogram also so Louis vuitton claimed my other bag's for infringing its trademark. By using it my other bag diluted the distinctive quality of the brand. For this My other bag's responded that there products fall under the category of "fair use doctrine" which allows to use the copyrighted material for commentary, criticism and parody and also stated that it did not create any confusion in the consumer neither infringed trademark.

Decision

The federal court in 2018 gave the judgement in favour of My other bag, dismissing Louis vuitton's claims stating that My other bag's products were in a form of parody and did not cause any sort of confusion in the consumer neither diluted louis vuitton's trademark⁷

Basically Trademark helps fashion brands to stand out in the market. By registering the trademark people will recognize there brand based on the quality of the products and services.⁸

B. Christian louboutin v/s Yves Saint Laurent America, Inc., 696 F.3d 206 (2d Cir. 2012)

Christian Louboutin is a luxury footwear brand which is known for its high heeled shoes with distinctive red lacquered outsoles. So in 2011 Yves Saint Laurent released a collection of high heeled shoes featuring red soles which were prompting Christian Louboutin. So Christian Louboutin filed a lawsuit for trademark infringement. As the case was heard by the United States District Court for the Southern District of New York, which ruled in Favour of Christian Louboutin and granted trademark protection. However Saint Laurent appealed in united states court of appeals. The court held that the while single colors usually cannot trademarked. As using the contrasting red sole on the footwear had acquired a secondary meaning and had thus become distinctive of the brand. Therefore the court upheld the Christian Loubotin's trademark for the red lacquered outsoles, but with the limitations it only applied when the sole contrasted with the rest of the shoe. So as a result the Yves Saint Laurent was allowed to continue selling shoes with red soles as long as the entire shoe was red. However, Yves Saint Laurent was prohibited from using red soles on shoes where the sole did not contrast in color with the upper portion of the shoe.

2. COPYRIGHT

The second most important intellectual property right in the fashion industry is copyright. Copyright basically protects the original artistic works which include painting, drawing, graphic work and textile designs. In copyright an actual dress(when made) can't be copyrighted but a textile design can be protected. Apart from this copyright gives protection for artistic craftsmanship, such as one-off fashion garments and jewelry. Mainly copyright gives protection to the original work only such as designs, fabric, patterns and artistic elements. And this should be expressed in tangible form such as sketches, drawing or on physical garment. ⁹As fashion designers can obtain copyright protection for there original ideas. These protection extends to both two-dimensional (eg; Sketches, patterns) and three- dimensional (eg:- Garments, accessories). By protecting the design under copyright act the creator/ fashion designer

⁷ <https://caselaw.findlaw.com/court/us-2nd-circuit/1762991.html>

⁸ <https://blog.ipleaders.in/trademark-effective-way-protect-fashion-brand-analysis/>

⁹ <https://bytescare.com/blog/copyright-infringement-in-fashion>

gets an exclusive right on that design apart from that he has a right to reproduce, distribute and display their design thereby preventing it from unauthorized copying. However copyright laws only protect the non-functional aspects of design such as artistic embellishment, prints and decorative elements whereas functional elements like garment shapes and clothing styles are not protected under the realm of copyright laws. However it doesn't give protection for producing multiple copies of the item or design. Only 50 copies of the design can be protected. Mainly copyright infringement occurs due to producing knock-offs or even closely imitating popular designs.¹⁰

In India copyright is protected under Indian copyright act, 1957. under Section 13 of the Indian copyright act gives protection for the original literary, dramatic, artistic, musical works with cinematographic films and sound recordings. However Fashion designs are protected under artistic work which is defined under Sec 2(c) of Indian copyright act which states "a painting, a sculpture, a drawing (including a diagram, map, chart or plan), an engraving or a photograph, whether or not any such work possesses artistic quality; a [work of architecture]; and any other work of artistic craftsmanship".¹¹ Whereas section 14 of the act gives an exclusive right for a copyright owner which includes the right to reproduce the work, communicate to public, adapt it and to distribute the copies to the public.¹²

Examples : Textile designs including pattern, prints and motifs

Fashion sketches, illustrations and photography

Fashion lookbooks catalogs, films and runway show

Fashion accessory and jewellery designs.

Copyright infringement in the fashion industry occurs when someone uses, reproduces or imitates this copyrighted fashion designs are used without proper authorization or permission from the owner.

Examples of copyright infringement

1. **Counterfeiting** - counterfeiting means producing and selling of counterfeit replicas of the branded fashion items without the proper authorization of this original brand.
2. **Knock offs**- Creating and selling of the products that closely imitate of the popular designs or styles attempting to deceive consumers into believing that they are purchasing the original design only.
3. **Unauthorized reproduction** - Copying and reproducing the copyrighted textile prints, patterns or graphics without the consent of the original designer or copyright owner.
4. **Uncredited use** - Using the copyrighted fashion photographs, illustrations or artwork without proper attribution or permission from the original creator.
5. **Design piracy** - Replicating and selling the fashion designs that are substantially similar to the original creations without the permission of the licensee.
6. This may lead to the financial loss of the original designer.¹³

In 2008 Marc Jacobs was accused of plagiarizing an amateur of a Swedish artist named Gosta, who ran a petrol station in a small village and made his living by selling postcard, scarves and other things. As he copied the design. This matter was settled outside the court as monetary compensation was given to Gosta's son. In this case the artistic work of Olofsson's original painting exists beyond and it is entirely a

¹⁰ <https://spicyip.com/2016/06/ritu-kumar-v-biba-designs-free-at-50.html>

¹¹ <https://copyright.gov.in/documents/copyrightrules1957.pdf>

¹² <https://copyright.gov.in/documents/copyrightrules1957.pdf>

¹³ <https://www.linkedin.com/pulse/copyright-infringement-fashion-bytescare/>

separate from the utilitarian aspect of scarf. From this case we can draw a conference that designs are subject matter of copyright.¹⁴

C. Ritika private limited v/s Biba Apparels private limited (2016)

Facts of the case: The plaintiff and the defendant are the famous apparel brands in India. As both the companies design contemporary ethnic wear and creative fusion fashion. This case is about copyright infringement and registered design. As Ritika private ltd filed a case against Biba apparels stating that Biba has copied the designs and work of the plaintiff which had been selling under the brand name “Ritu kumar”. As the former claimed that she is the first owner and accused by selling the designs under their name without the permission has earned lot of profits. Whereas the defendant on the other hand denied plaintiff claims stating that plaintiff had never registered the disputed design under design’s act of 2000 And even mentioned that section 15(2) of the copyright act states if it had been reproduced/manufactured for more than 50 times the owner rights would be ceased. Therefore no copyright violation.

DECISION: The court held that for any design to be protected it should be registered under the designs act because under copyright act if the design is produced for more than 50 times through industrial method then the design would not be protected under the copyright act. So the court found that the designs were produced through the industrial process so the defendant has not violated any copyright. There was no any sort of instance where the defendant attached a print of plaintiff’s artwork in his clothing.¹⁵

D. H & M v/s FOREVER 21

The plaintiff (H&M) sued the defendant (Forever 21) for copying its “Beach please tote bag” As plaintiff claimed that defendant has done copyright infringement. Trade dress infringement and unfair competition. For this violation the plaintiff demanded immediate cessation of production, manufacture, marketing and selling of those bags along with monetary relief but this matter was settled out of the court.¹⁶

3. PATENTS

Patents is an intellectual property rights which protects novel and innovative technologies.¹⁷ In fashion industry also patents are used to protect innovative textile technologies and manufacturing processes which can be used in the production of fabrics and material for the fashion garments it can be anything as new weaving techniques, dyeing methods and fabric composition which offer unique properties such as durability, stretch ability or sustainability. Unlike copyright patent are given to the functional aspect of the garment. Basically to register an sort of the innovation that innovation should be novel and non-obvious in nature apart from this it should be useful and original. By registering this innovation the patent holder gets the sole right to his/her creation it can be the product, process or design related to fashion. India it is governed under the Indian patent act. Usually patenting fashion designs are very rare. But currently it has become a trend of adding device to the clothing as the technology is evolving. In India patents are protected under Indian patent act but there are no specific sections related to fashion industry if any invention is novel, non-obvious and it is used industrially then it is protected.

¹⁴ Ibid

¹⁵ <https://lawessential.com/ip-case-laws/f/ritika-private-limited-v-biba-apparels-private-limited-2011?blogcategory=IP++Case+Laws>

¹⁶ <https://www.yourlegalcareercoach.com/top-10-lawsuits-under-fashion-law/>

¹⁷ https://www.wipo.int/ip-outreach/en/ipday/2017/innovation_and_intellectual_property.html

Here are few examples

1. An American designer Lauren scott added radio frequency identification tags to children's wear. In clothes this tags carry medical information in case of an accident or emergency as it could prevent abductions by triggering an alarm if it's perimeter is breached¹⁸.
2. An Italian company named grindi srl invented Suberis which is an innovative fabric made up of cork it was said to be smooth as velvet, light as silk, washable, unscratchable, stain-resistant with water and fireproof. For this invention an international patent application is filed under PCT in 1998 to protect this unique product. As this fabric is used in manufacturing of clothing, footwear and sportswear.
3. Nike's air sole technology - Nike has patented it's air sole cushioning technology which was invented by Mr rudy in 1979
4. Adidas boost technology - Adidas has patented its boost technology which involves encapsulating thousands of thermoplastic polyurethane energy capsules to provide responsive cushioning and energy return in running shoes
5. Smart watches - fitbit holds patents for its wearable fitness trackers and associated technologies which include sensors, algorithms and user interfaces which track activity levels, heart rates and sleep pattern
6. Spanx shapewear designs - Spanx has patented various designs and technologies for its shapewear garments including the compression panels, seamless construction and targeted shaping zones for different body areas.

E. Crocs Inc v/s Aqualite India Ltd, CS(COMM) 960/2016

Facts: Crocs Inc is a renowned footwear company, filed a lawsuit against Aqualite India ltd for manufacturing and selling shoes that allegedly infringes on Crocs design patent.

Issue: The main issue was whether the Aqualite India ltd's shoes infringed upon the design patent of Crocs

Judgement: The Delhi high court held in the favour of Crocs Inc holding that Aqualite India ltd's shoes infringed upon the crocs design patent and the court granted injunction restraining Aqualite India Ltd from manufacturing or selling the infringing shoes

F. Adidas v/s Nike (2016)

The sneaker and shoe war between adidas and nike is never ending. As Nike launched a comfortable athletic flyknit technology shoe after which Adidas also introduced an identical shoe named Primeknit. As it infringes the patent of Nike's flyknit. In order to protect its market from Nike. Adidas instituted an appeal challenging Nike's Patent the court upheld the patent by dismissing the claims of the appellant.

4. DESIGN

A design is the visual appearance of the product it can be decorative pattern on the garments. If it is new and unique design then it can be registered under the designs act. Same or similar designs with slight modifications can't be registered. Apart from this any design featuring the scandalous graphics can't be registered. Among all the intellectual property rights the protection of design is the most relevant to the fashion industry. In India designs are governed by design's act 2000 where designs are defined under section 2(d) which states a "design" as features of shape, configuration, pattern, ornament, or

¹⁸ <http://www.wipo.int/edocs/lexdocs/laws/en/au/au332en.pdf> as on 21st October, 2014

composition of lines or colors applied to any article, whether in two-dimensional or three-dimensional form. As design can be clothing footwear, accessories, textile patterns, and surface ornamentation applied to fashion articles. Fashion designers can seek design registration for their original designs under this provision.¹⁹ Section 5 of the design's act provide for registration of designs. Section 11 deals with infringement of the registered designs and it provides remedies, As fashion designers can take legal action against the infringers who produce or sell counterfeit versions of there designs. And it provides protection for the period of 10 years. By registering a design it helps the owner to prevent it from exploiting its new or original ornamental or aesthetic aspect it can be 3d features (any attractive shapes) or 2 D design (Example: purse, garment or accessory) which can obtain intellectual property protection. Not only this designs printed on the fabrics can also be protected because of the combination of the images, lines or colors that are incorporated into an industrial product for the decoration purposes.

G. PUMA V/S FOREVER 21, No. CV17-2523 PSG Ex, 2017 U.S. Dist. LEXIS 211140 (C.D. Cal. June 29, 2017)

Facts of the case: Rihanna served as a brand ambassador for puma's "fenty" label she is a world's renowned music artist and she even served as a women's creative director for Puma clothing and footwear since 2014. And fenty products were marketed as a luxury items so they kept there volumes small and the sales limited in order to create desirability. In 2015 Puma created and released Puma by Rihanna " Creeper sneaker" as part of there footwear line. As the design of these shoe distinguishes the "Creeper" from other footwear in the market. Later in 2016 Puma relased Fur slides and 2017 Bow slides sandals all of this were collectively known as fenty shoes and they have achieved a notable success. As shoes had received a significant media attention as this shoes were covered in vanity fair, W Magazine, Allure, Vogue and Harper's Bazaar. As Puma's Fenty shoes where protected by a variety of intellectual property rights. As Forever 21 blatantly copied each of these shoes in order to capitalize on the substantial goodwill of Puma, Rihanna and the fenty shoes. As they released a variety of shoes under its image name. So in 2017 Puma filed a lawsuit against forever 21 in the district court of california claiming that the designs of the shoes produced by forever 21 are similar to those of the puma's fenty collective shoes. And they have infringed the puma's plan patent.

Cause of action

1. Design patent infringement
2. Copyright infringement
3. Federal trade dress infringement
4. Unfair competition

Judgement: Judge Philips Gutierrez found that there is a discrepancy between what puma has publically advertised and what they have stated in their official patent and copyright application. Puma claimed that the Rihanna designed the shoe which is the questioncand neither they listed Rihanna artist work on the copyright applications or as an investor on the design patent. As Puma misrepresented the facts to the patent and copyright office which misled the public by saying Rihanna designed the shoes and she contributed. The court rejected forever 21's claims for violating the design patent, Lanham act allegatiuons for unfair competition, false designation of origin and trade dress infringement.

¹⁹ https://www.indiacode.nic.in/show-data?actid=AC_CEN_11_61_00003_200016_1517807322629§ionId=2569§ionno=2&orderno=2

5. GEOGRAPHICAL INDICATIONS

Geographical indication is a form of intellectual property rights as it protects the product based on its geographical location and possessing the qualities, reputation or characteristics. As consumer identify and associate certain products based on there geographical origin. Especially in fashion industry the geographical indication can include textiles, fabrics, garments, accessories or even specific production methods. Geographical indications helps the consumers identify products that originate from a specific geographical area which is also known for producing high quality fashion items. It gives quality assurance and standards by the local authorities or industry organizations. As it protect the product from unauthorized imitation. And mainly it contributes in preservation and promotion of cultural heritage and traditional craftsmanship. Whereas in India the geographical indications are governed by the geographical indication act 1999. As this act doesn't specifically target the fashion industry. But it protects fashion related products

Example : Kanchipuram silk sarees, Mysore silk saree, lucknowi chikankari, Pochampally Ikat, Chanderi fabric etc

H. People tree v/s Dior

People Tree is a small scale Indian business that handprints its own textiles. As it sued the French luxury fashion brand Christian Dior for the act of plagiarism of designs. In the lawsuit, the plaintiff claimed that the defendant had copied several block printing designs that the plaintiff had created with the help of some Rajasthani artisans.

The main issue in this case was that the plaintiff used a technique called as “ Dabu” and which used for many years but did not any geographical indication protection. So the defendant exploited the design. And this case was settle out of court.

CHALLENGES

1. **Counterfeiting and Piracy** - Rampant infringement of trademarks, copyright and designs which are leading to the financial losses and brand dilution
2. **Enforcement challenges** - Difficulty in enforcing the IPR laws globally due varing legal frameworks, Jurisdictional issues and lack of resources.
3. **Fast fashion and trends** - Rapid turnover of the fashion trends makes it challenging to protect and enforce IPR effectively before trends become obsolete
4. **Copycat Culture:** Proliferation of knock-off designs and imitation products exploiting legal loopholes or operating in jurisdictions with lax enforcement.
5. **Online Marketplaces:** Proliferation of e-commerce platforms facilitating the sale of counterfeit goods and making it difficult to monitor and regulate infringement.
6. **Lack of Awareness:** Limited understanding among designers, manufacturers, and consumers about the importance and implications of IPR protection.
7. **Complex Supply Chains:** Globalized supply chains increase the risk of IPR infringement at various stages of production, distribution, and retail.
8. **Design Piracy:** Copying of innovative designs and creative works without proper attribution or compensation, discouraging investment in originality.
9. **Legal Costs and Procedures:** High costs associated with litigation and lengthy legal procedures deter small designers and businesses from pursuing IPR protection.

10. Emerging Technologies: Challenges posed by emerging technologies like 3D printing, which facilitate the easy replication of fashion designs, complicating IPR enforcement efforts.

CONCLUSION

Intellectual property rights serve as an indispensable tool in the fashion industry as the fashion industry plays a vital role in protecting the creativity, innovation and economic value of the fashion designs. And these designs are protected by Trademarks, copyrights, patents, industrial designs and geographical indications. As all these collectively contribute in safeguarding the distinctive elements of fashion brands, ensuring their integrity and reputation in the market. Trademark not only differentiates brands but also maintains consistency and quality standards. Copyright protects original artistic works and designs which provide the designers with exclusive rights and it prevents people from unauthorized copying. Patents also play a crucial role in protecting innovative technologies and processes in the fashion industry, fostering innovation and driving technological advancement. Industrial design protects the design under the designs act and it preserves the design's uniqueness. Geographical indications contribute to the preservation of traditional craftsmanship and cultural heritage in the fashion industry which enhance the value and authenticity of the products originating from the specific regions. As there is a comprehensive protection provided by the intellectual property rights, it fosters creativity, incentivizes innovation and promotes fair competition in the fashion industry. However, there are challenges which are faced such as counterfeiting, piracy and legal complexities as it needs a proper effective mechanism which upholds the rights of the creators and ensures the sustainable growth of the fashion ecosystem.

SUGGESTIONS

- 1. Educate Fashion Designers and Brands:** Provide workshops, seminars, and educational resources to fashion designers and brands about the importance of IPR, including trademarks, copyrights, and design patents.
- 2. IPR Awareness Campaigns:** Launch awareness campaigns within the fashion industry to highlight the risks of infringement and the benefits of protecting intellectual property.
- 3. Develop Clear IPR Policies:** Encourage fashion companies to develop clear and comprehensive IPR policies that outline how they will protect their creative assets and respond to infringement.
- 4. Enforce IPR Vigilantly:** Advocate for stricter enforcement of IPR laws and regulations to deter counterfeiting, piracy, and unauthorized copying of fashion designs.
- 5. Collaborate with Legal Experts:** Fashion companies should collaborate with legal experts specializing in intellectual property law to develop effective strategies for IPR protection and enforcement.
- 6. Promote Ethical Sourcing:** Emphasize ethical sourcing practices within the fashion industry to discourage the production and sale of counterfeit goods and support legitimate businesses.
- 7. Support Innovation:** Encourage innovation and creativity within the fashion industry by rewarding original design concepts and technologies through IPR protections.
- 8. Engage in Industry Dialogues:** Participate in industry dialogues and forums to discuss IPR challenges and share best practices for protecting intellectual property in the fashion sector.
- 9. Encourage Collaboration and Information Sharing:** Foster collaboration and information sharing among fashion companies, industry associations, and government agencies to address common IPR concerns and promote collective action.