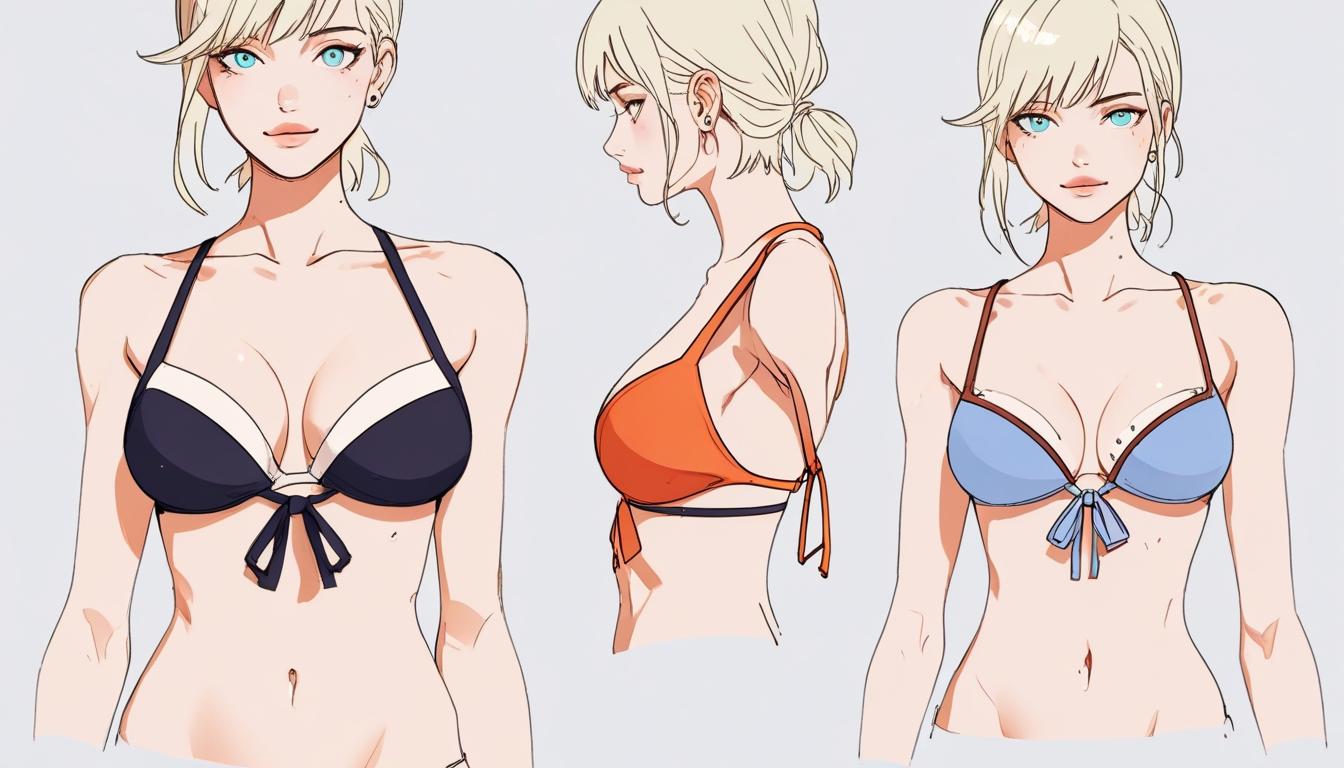
# Bikini designer loses landmark legal battle against Boohoo over design copying claims



Sonia Edwards, a 53-year-old bikini designer from Newport, Gwent, has lost a high-profile legal case against the fast-fashion giant Boohoo.com and four associated companies. The dispute centred around alleged design infringements of five garments, including Edwards’s well-known “Infinite” multiway bikini top, which first gained recognition at the Clothes Show Live in 2011.

Ms Edwards, who began her design career in 2010 and has had her work worn by celebrities such as Liss Jones from The Voice and Lateysha Grace, as well as featured in Vogue, launched her case in London’s High Court seeking a court order to prevent Boohoo and the linked companies from importing or selling garments she claimed copied her original designs. These companies included Prettylittlething.com Ltd, Nasty Gal Ltd, Miss Pap UK Ltd, and Debenhams Brands Ltd.

The five disputed designs included a halter neck bikini top, a rib organza mesh puff sleeve top, the Taylor velvet ruched midi skirt, a twist front skirt, and leather front ruched leggings. Ms Edwards alleged that Boohoo and its linked companies had copied specific features of these designs, particularly focusing on the multiway bikini top which she argued had unique elements such as a strap forming one piece without fastening and two front breast panels with openings allowing the strap to pass through.

Speaking to the judge, Ms Edwards detailed her creative process: “I am a self-taught designer who relies on a hands-on, improvised approach when designing, through trial and error until I produce a design that satisfies my own visions. I don’t follow trends, and work with my own creative freedom.” She noticed during the Covid lockdown that her designs appeared more frequently on online fast-fashion platforms, prompting her legal action.

However, representing Boohoo and the other defendants, barrister Andrew Norris KC contended that the contested design features did not amount to protectable shapes under copyright law. He highlighted that multiway bikinis were an established concept within fashion and that the variations Ms Edwards described were matters of construction or methods of wear rather than unique, protectable design traits.

In his ruling, Judge Tom Micheson KC acknowledged Ms Edwards’s contributions to fashion and her prior recognition but ultimately rejected her claims. The judge noted the large volume of fast-fashion clothing produced weekly by companies like Boohoo and the limited originality of Ms Edwards’s designs. He pointed out that her social media presence was minimal—her Instagram account had only 268 followers in 2020—reducing the likelihood that Boohoo’s designers had access to or copied her work.

"The stark truth is that there are also only so many ways to design clothing to fit the human body," the judge stated, emphasising that chance similarities inevitably occur given the scale and speed of fast-fashion production.

While recognising the reality of design copying within the fashion industry, especially in fast-fashion, Judge Micheson concluded that there was insufficient evidence to support the allegation that the defendants had copied Ms Edwards’s designs. He remarked, "Given the enormous numbers of articles being churned out by the likes of the defendants each week, it is completely unsurprising that as a matter of chance, some of these resemble articles designed previously by others, including the claimant."

The judge acknowledged Ms Edwards’s disappointment, saying she “has campaigned for some time to shine a light on what she sees as injustice against the small designer in the fashion industry,” but deemed her complaints misdirected on both factual and legal grounds.

Following the judgement, Ms Edwards’s legal challenge to Boohoo and the related companies stands dismissed, marking a significant legal decision in the ongoing tensions between small independent designers and large fast-fashion retailers. The case illustrates the complexities of intellectual property rights in an industry characterised by rapid trends and mass production.

Source: [Noah Wire Services](https://www.noahwire.com)

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