

It Bags & Tribal Blankets

**Or: Why Traditional Cultural
Expressions Need to be
Protected**



Ark Bag

MAY 2, 2017

Cult Gaia Ark Bamboo Handbag



IMAGE: CULT GAIA



ERNESTO RUSCIO/GETTY

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Michelle Williams's Bag Will Be *Everywhere* This Summer—Here's How to Buy It Now

JESSICA ALBA — JUL 29, 2016

Jessica Alba Just Wore the Bag With a Cult Following

by RENEE SWANBERG





Star Style
@starstylecom

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Rosie Huntington-Whitley's Cult Gaia bag is back in stock #rosiehuntingtonwhiteley Shopping info at www.starstyle.com... [instagram.com/p/BU-Hs9BBmHz/](https://www.instagram.com/p/BU-Hs9BBmHz/)



STAR STYLE[®]
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4:04 AM - 6 Jun 2017





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Cape Town, Western Cape

designdschungel Summer on my mind 🧡
#designdschungelgoescapetown
#capetown #capetownlife #southafrica
#letsgosomewhere #summervibes
#summeroutfit #whitedress #cultgaia

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sassi994 🥰🥰🥰

nessa_ptn Sonnenschein 🥰

jenny__me_ So hübsch 🥰🥰

nua_organics_ Love

zoeythomas_ Your style and feed is
gorgeous 🥰 love it!

fashionstylebyjohanna Du hübsche
strahlemaus 🥰

sincere_sally_model_search Hey Laura, ❤️
We should collab together! DM
@sinceresallyboutique and let them know



4,387 likes

FEBRUARY 9

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Freehand Miami

elizabethromerox Waiting on the bartender 🍹 | <http://liketk.it/2ACo8#liketkit> @liketoknow.it

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nawazk92 🍷

cookiesandlipsticks Love that jumpsuit girl! 🤩👉👈❤️❤️❤️❤️❤️

mrs_emontano Love this look 😍😍

the.outfitter_ So pretty ❤️❤️

herrliferulez Okayyy gorgeous 🔥🔥

fudodeals Check our page to find happy hours @fudodeals

prakash12334u4i4 🤔🤔from here

badnewsbritt Stylish AF ❤️

thepinklemonblonde I love this place!

baumanncosmetic Love this look 🤩



947 likes

13 HOURS AGO

Log in to like or comment.





Cult Gaia Ark Bag | Review, Unboxing, WIMB, IDK?

10,609 views



114



8



SHARE



SAVE



Lauren Pence

Published on 20 Apr 2017

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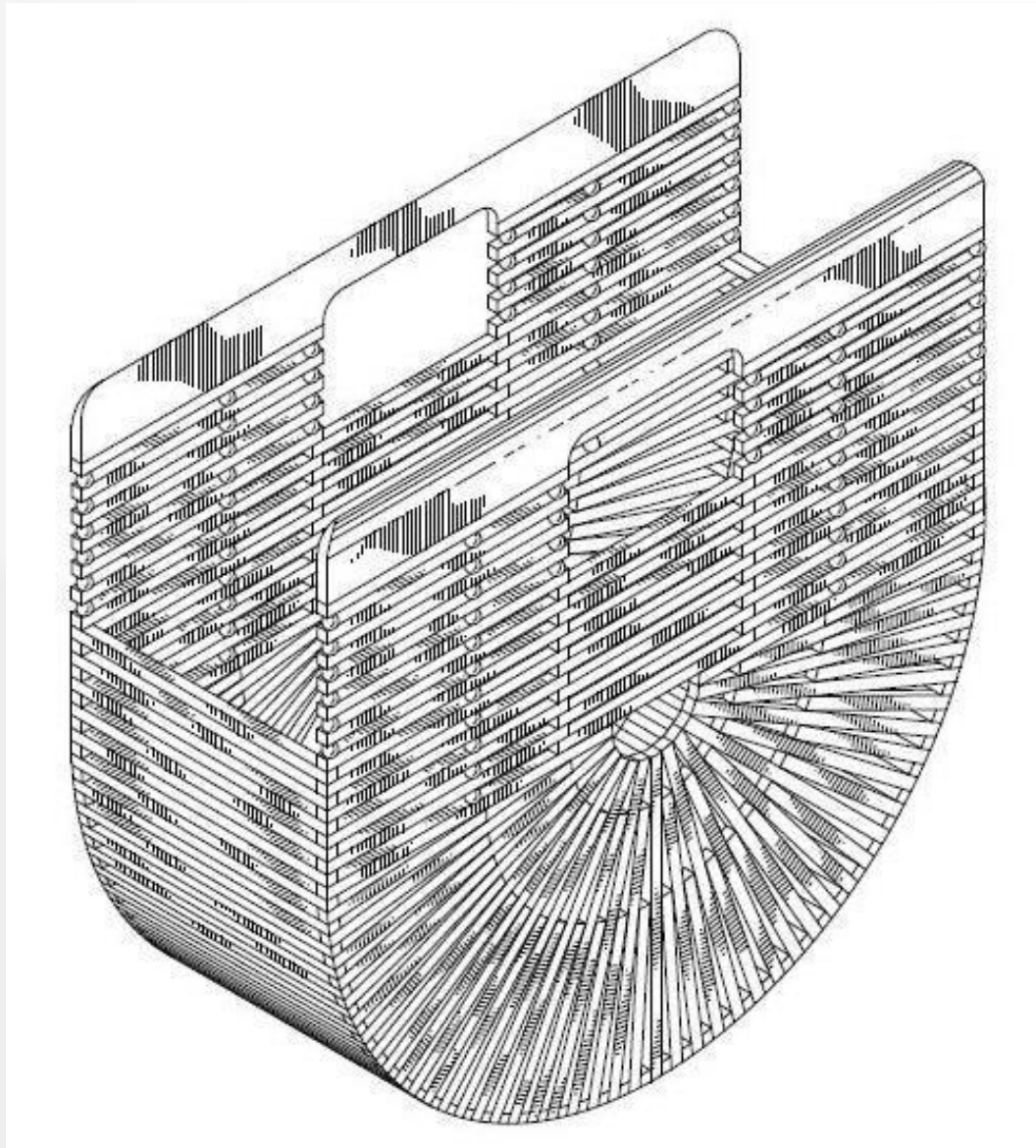
Hey guys! Super random video BUT NONE THE LESS! Here's the very Instagram'd Cult Gaia Ark Bag in all it's glory. This video is part unboxing, part review, part whats in my bag. ENJOY~

An 'It' Bag Faces Its Imitators



Tal Noy carries a Cult Gaia bag during Tel Aviv Fashion Week. Christian Vierig/Getty Images

3D Trade Mark (Trade Dress)



Trade Dress

2 important requirements

1. Acquired Distinctiveness
2. Cannot be functional

Int. Cl.: 32

Prior U.S. Cl.: 45

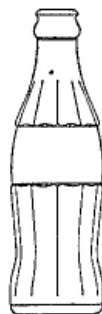
United States Patent Office

Reg. No. 1,057,884

Registered Feb. 1, 1977

TRADEMARK

Principal Register



The Coca-Cola Company (Delaware corporation)
310 North Ave. NW.
Atlanta, Ga. 30313

For: SOFT DRINKS, in CLASS 32 (U.S. CL. 45).
First use July 8, 1916; in commerce at least as early as
Sept. 1, 1916.

The mark consists of the three dimensional configura-
tion of the distinctive bottle as shown.

Owner of Reg. No. 696,147.

Ser. No. 88,384, filed May 25, 1976.

JOHN C. DEMOS, Examiner

Int. Cl.: 30

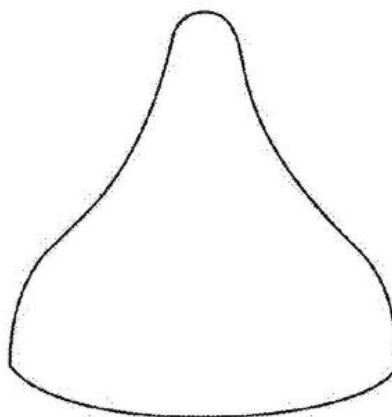
Prior U.S. Cl.: 46

Reg. No. 3,028,381

United States Patent and Trademark Office

Registered Dec. 13, 2005

**TRADEMARK
PRINCIPAL REGISTER**



HERSHEY CHOCOLATE & CONFECTIONERY CORPORATION (DELAWARE CORPORATION)

4860 ROBB STREET, SUITE 204
WHEAT RIDGE, DE 80033

FOR: CANDY; CONFECTIONERY BITS FOR BAKING, IN CLASS 30 (U.S. CL. 46).

FIRST USE 7-26-1995; IN COMMERCE 7-26-1995.

OWNER OF U.S. REG. NOS. 1,986,822, 2,187,189 AND OTHERS.

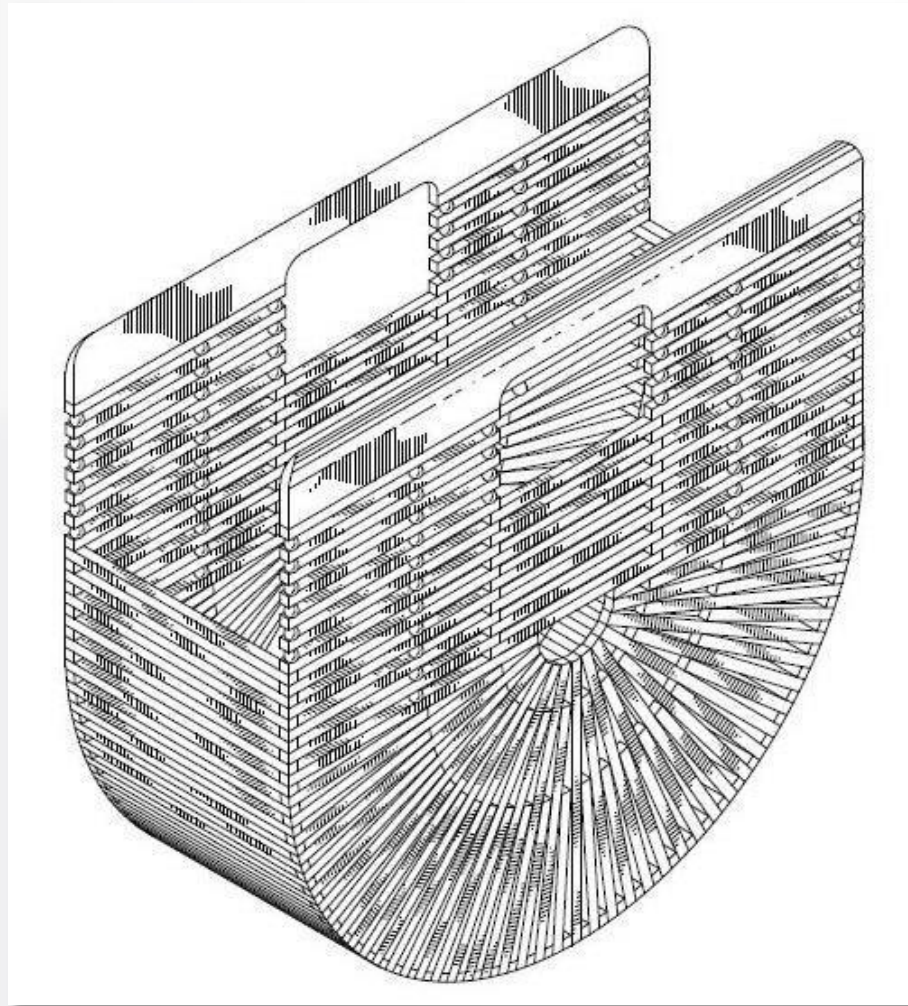
THE MARK CONSISTS OF THE CONFIGURATION OF A CONICALLY-SHAPED CHOCOLATE PIECE APPROXIMATELY 12-16 MM HIGH AS MEASURED FROM THE BASE TO THE PINNACLE AND 14-18 MM IN DIAMETER AS MEASURED AT THE BASE OF THE CHOCOLATE PIECE.

SEC. 2(F).

SER. NO. 78-501,278, FILED 10-18-2004.

PAUL F. GAST, EXAMINING ATTORNEY

Distinctive of a single trade source?



USPTO: Non-Distinctive

“Consumers are aware of Japanese bamboo half-moon shaped carrying-bags”

“Humans in Japan and the Japanese fishing industry needing a carryall for lunch have routinely utilized the style.”

“Applicant’s mark is merely an appropriation of a style of bag from the Japanese culture.”

“Merely reintroducing and training Americans on how to stylishly wear a traditional piece via social media is not sufficient for acquired distinctiveness and recognition as a source indicator for the goods.”

Vintage-Japanese



Jasmin Larian-2013



Etsy



Limbhad ★★★★★ (318)

bamboo bag, beach bag, handbag, summer bag, vintage bag, women bag, bag of sticks, wooden bag

SGD 57.37 ~~SGD 63.75~~

You save SGD 6.38 (10%)

Message Seller

Local taxes included (where applicable)

Free delivery with SGD 239.04 purchase from Limbhad

Add to basket



Rare find — there's only 1 of these in stock.



Overview

Vintage from before 2000

11. Jasmin Larian is not alone in capitalizing on the reproduction of the Classic Japanese Design for fashion purposes, as there are multiple third parties who have sold these identical bags into the United States since at least as early as the 1960's through today, some of which are depicted below:



Red Dress



Poshmark



Miuco/Amazon



DSAIKGTR/Amazon



VM Fashion
Kiss/Amazon



Beauty
Yaya/Amazon



Perennial Chic



Storenvy



Mercari

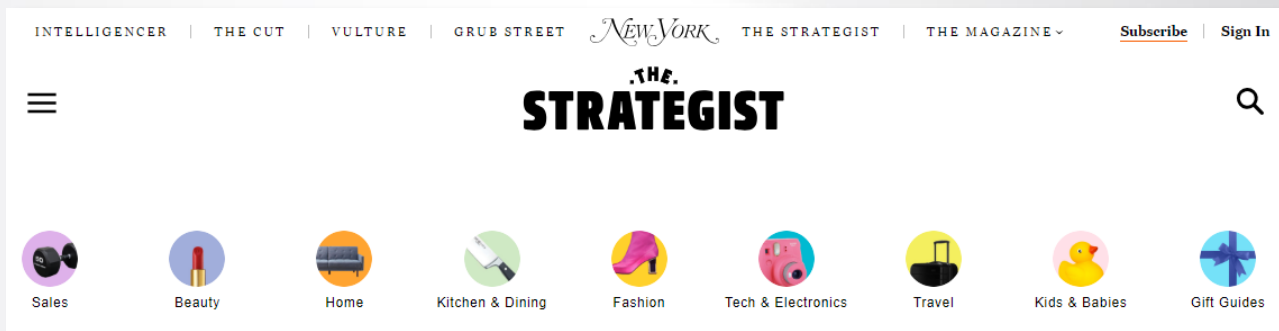


St. Hamilton and
Co

Mere publicity not determinative

“While the style may have been promoted as the new ‘it’ style for a season with high sales, coverage routinely highlights that the style is not new or distinct.”

“Beyond a cursory look at pages from the unseasoned fashion bloggers and ‘blogger babes of Instagram’; true industry insiders, cultural institutions, critics and readers pushed back at any distinctiveness of the bag, in particular *toting* its cultural roots and past trends by higher- and lower-end designers.”



I see these 1950s fan-shaped bamboo bags in vintage stores all the time. They're often called birdcage bags, and the going rate is usually around \$50, though they're usually in rickety shape from being decades old. Lots of them even come with some kind of fabric lining to keep the secrets of its contents from being exposed to the world. It's a lovely style, adding architectural structure to a breezy spring outfit, and I've often admired them, so I was thrilled to find a brand-new version online made by the brand Vintga that costs only \$40.

I know what you're thinking — that it's a Cult Gaia knockoff. The brand's adorable bamboo Ark bag was introduced in 2016 and became the hottest summer bag of 2017; it's also more than a hundred dollars, which is not expensive for a handbag, necessarily, but certainly more than the bamboo bags cost on Etsy. And while Cult Gaia has become proprietary over the design of the bag, the truth is that it's actually existed for quite some time (and for much less than \$158).



WOMEN'S STYLE / ACCESSORIES

A modern minimalist bamboo bag

Cult Gaia's Ark design evokes classic Japanese picnic bags from the 1940s



Cult Gaia bamboo Gaia's Ark bag, \$118 (also available in larger size) | Image: Andy Barter

Jewelry & Accessories / Bags & Wallets / Ark Handbag



BEST SELLER

Ark Handbag

★★★★★ 6 Reviews

Item# 122512-122512 In Stock

\$128 ~~\$115.20~~ Member Price

MEMBERS SAVE UP TO 20% & GET FREE SHIPPING [DETAILS](#)

Qty:

1

Add to Cart

♥ Add to Wishlist

📍 Find in store

Description

This handbag, made entirely of bamboo, is a reproduction of a classic Japanese bag featuring a single compartment interior for all your daily essentials.

Why We Chose This

A traditional Japanese lunch bag has been reinterpreted into a contemporary handbag, changing the expectations of what a clutch can look like — and be made out of. The bamboo material is extremely durable and lightweight.

USTPO: Registration Refused

“While it is clear that applicant received recent notoriety for its current reiteration of the known cultural bag, the product is not distinctive.”

“To be clear, again, the style is not new. The record is unclear and silent as to what registrable elements applicant’s believes to have added to or differentiated from the original styles to create a source indicator for the goods.”



The Maasai

Fighting Back











FASHION & STYLE | SPECIAL REPORT: FASHION

Out of Africa

By SUZY MENKES JUNE 22, 2011

PARIS — Kim Jones has started his new role as men's style director at **Louis Vuitton** with a mission: to embrace, via the luxury label's travel history, the craft and culture of Africa.

The **vivid red and purple-blue of Masai blankets are a striking new take on the famous LV Damier check.** And the classic squares also are given a splotchy water-color look and texture for both shirts and scarves.

THAKOON

F/W 2011





CAMILLA MAASAI MOSH RECTANGULAR V NECK KAFTAN

The magic and beauty of exotic African culture converge together with this exclusive CAMILLA Maasai Mosh print. In a relaxed fit, the luxurious fluid silk crepe fabrication and hand embellished crystals make this number a free-spirited wardrobe essential.

We're anti-shoe.

**We're anti-boot. We're anti-sandal.
And we're definitely anti-flip flop.
In fact, we're anti anything that doesn't
defend your back against the corrosive power
of hard, flat surfaces. We're anti anything that
doesn't improve your posture. We're anti anything
that doesn't protect your knees or tone your muscles just
by standing there. Actually, we're anti anything that doesn't
change your life for the better. But something you can wear
on your feet that can do all of that? Now that we can get behind.**



The anti-shoe.



#6
EDITION

NATURAL BEAT MAKERZ & REGARTS PRÉSENTENT

MAASAI

01 MARS 2019

LE BIKINI

nbm
NATURAL BEAT MAKERZ

reg:
arts



"LIONS CAN RUN FASTER THAN US,
BUT WE CAN RUN FARTHER".

MAASAI TRIBE





DEFENDER





FREELANDER MAASAI



THE LAND ROVER EXPERIENCE



Maasai IP Initiative (MIPI)

- License Use of the “Maasai” name & signature
Maasai style
- Gain consensus within the community on
appropriate usage
- Distributing funds
- Projection: USD 10 million in annual license
fees

	Brand	Source	Status	Holder	Nice Cl.	Image
<input type="checkbox"/>	MAASAI	JP TM	Active	株式会社池商	9	
<input type="checkbox"/>	マサイ、 MAASAI	JP TM	Active	株式会社コ-レ-	3	マサイ Maasai
<input type="checkbox"/>	Maasai	EM TM	Active	Wilfried Janßen	31, 35	
<input type="checkbox"/>	MAASAI	EM TM	Active	CIAT - COMPAGNIE INTERNATIONALE ANDRE TRIGANO	19, 22	
<input type="checkbox"/>	MAASAI	ES TM	Active	MIGUEL JIMENEZ FERNANDEZ	41	
<input type="checkbox"/>	Fargesia Maasai	DE TM	Active	Janßen, Wilfried	31, 20, 45	
<input type="checkbox"/>	CAMP MAASAI	AU TM	Active	The Reach Foundation	41	
<input type="checkbox"/>	MIDNIGHT MAASAI	CA TM	Active	LEOPARD FROG VINEYARDS PROPRIETARY LIMITED	33	
<input type="checkbox"/>	daktari for maasai	DE TM	Active	Jörgens, Martin, Prof. Dr.	44, 35, 36	
<input type="checkbox"/>	MAASAI HONEY BEER	US TM	Active	Kenneth A. Pettine	32	
<input type="checkbox"/>	THROUGH THE EYES OF THE MAASAI	US TM	Active	Ole Ntutu, Salaton	41	
<input type="checkbox"/>	daktari for maasai dental care for tanzania internationales humanitäres Hilfsprogramm	DE TM	Active	Jörgens, Martin, Prof. Dr.	44, 35, 36	



International
Trademark
Association