

# CALIFORNIA ApparelNews

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**MEET AND GREET:** New mini trade show OC Mix was held in the Irvine, Calif., headquarters of Z Supply. The show featured a handful of apparel and accessories brands, including Level 99 (pictured above).

## TRADE SHOW REPORT

### OC Mix: Regional Trade Show Bows in Irvine, Calif., With Contemporary, Swim Brands

By Sarah Wolfson *Contributing Writer*

A small group of Southern California fashion and accessories labels hosted **OC Mix**, a mini trade show held April 18–19 in a space within the Irvine, Calif., headquarters of **Z Supply LLC**.

In addition to Z Supply's own labels—**Rag Poets**, **Others Follow**, **Black Swan**, **White Crow** and **Z Supply**—exhibitors included **Wildfox**, **L\*Space by Monica Wise**, **Splendid**, **Herschel Supply Co.**, **Chaser**, **Mila**, **Lucy Love**, **Some Days Lovin**, **Level 99**, **Minkpink** and **Havaianas**.

The event was housed in Z Supply's 1,500-square-foot showroom and drew buyers from **Xpecting**, **Cali Girl**, **Sassy & Chic**, **Blue Moon**, **Jack's Surfboards**, **Girl Talk**, **Sunny**

**Days**, **No Rest for Bridget**, **Tilly's**, **Urban Attic**, **Bloom** and **Salon Zinnia**.

"There was a need for a small show to bring local retailers and buyers within the Orange County area together," said Greg Garrett, Z Supply cofounder.

Garrett said his company's sales representatives had been requesting a local trade show and found interest from other companies.

"We had such a great response out of the gate," Garrett said. "We had more reps that wanted to do the show, but unfortunately we only have a limited space in our corporate showroom," he said.

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## Say Goodbye to Sport Chalet

By Deborah Belgium *Senior Editor*

When Norbert Olberz and his wife, Irene, bought a ski and tennis shop in La Cañada Flintridge, Calif., in 1959 and named it **Sport Chalet**, the surfing industry was barely on the scene.

The couple was big into the ski scene—even setting up a separate shop in a former gas station for ski rentals. In their store, they stocked scuba gear and mountain-climbing merchandise for the outdoorsy type, and, when surfing became popular in the 1960s, they started selling long boards and wet suits.

Eventually the chain grew to some 55 stores, but on April 16 the retail group that bought the chain two years ago announced it was closing all 47 stores in California, Nevada, Utah and Arizona and ceasing online sales. Sport Chalet will be no longer.

Store-closing sales will be going on until April 29, said the chain's owner, **Vestis Retail Group**, also the parent company of **Eastern Mountain Sports** and **Bob's Stores**, which are



**SO LONG:** Sport Chalet is marking down everything as the retail chain closes all its stores.

closing nine stores.

Two days after announcing it was closing Sport Chalet, Vestis filed for Chapter 11 bankruptcy protection with plans to sell Eastern Mountain Sports and Bob's Stores to **Versa Capital Management**, a Philadelphia private-equity investment firm that created Vestis Retail Group, based in Connecticut. Versa's other apparel-related businesses include **Avenue Stores**, **The Wet Seal** and **Polartec**.

"When Vestis first acquired EMS and Sport Chalet, each company faced significant operational challenges and was on the verge of liquidation. We have made significant progress in stabilizing the businesses and improving overall performance across all our brands," said Mark Walsh, chief executive of Vestis, in a statement. "As a result, EMS and Bob's are now delivering solid performance but have been burdened by limited financial flexibility due, in part, to the unique competitive

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## Lord & Taylor Accused of Paying Bloggers to Write About Clothes

By Deborah Belgium *Senior Editor*

In the last decade, the fine line between paid advertising and commentary has grown more complicated as social-media sites and fashion blogs become the norm for getting out the word about a new product.

But the Federal Trade Commission has become more vigilant about making sure there is truth in advertising and consumers are not deceived.

Recently, **Lord & Taylor** settled charges lodged by the FTC claiming that the retailer last year paid some 50 fashion bloggers anywhere between \$1,000 and \$4,000 to post commentaries on **Instagram** and other social-media spots about a paisley dress that was part of Lord & Taylor's **Design Lab** private-label collection. Each post was preapproved by Lord & Taylor and targeted to women between the ages of 18

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## Loyola Law Event Tackles the Legal Risks of Social Media, Technology and Advertising

By John Irwin *Editorial Manager*

It's a whole new—and challenging—world. Today, a **Facebook** user who sees a "How was your day?" message on her Facebook feed might be seeing an advertisement that a business specifically tailored for that individual. With 3-D printers available for home use, allowing consumers to "print" just about anything—even 3-D homemade handbags—some companies are starting to worry about DIY copyright infringement. Holograms of celebrities—including those who have passed away—are being created to endorse products. Companies can recruit people from all over the world to post photos on social media for the companies' promotional benefit. But all of these situations—which weren't possible 10 years ago—leave people open to the risk of running into trouble with the law.

With that in mind, the legal ramifications of the continuous evolution of technology and social media and how they

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# Revolve Denim Has a Vintage Look With a Contemporary Fit

E-commerce powerhouse **Revolve** clothing has added another line to its roster with the launch of **Grlfrnd** denim, a made-in-Los Angeles vintage-inspired denim collection that is produced by **Alliance Apparel**, the manufacturing business acquired by Revolve last year. (Alliance Apparel also produces **Lovers + Friends**, **Tularosa** and **NBD**.)

Revolve celebrated the debut of Grlfrnd on April 13 at its new members-only store, located on Melrose Avenue in West Hollywood, Calif. Bloggers, brand ambassadors and loyal customers are given an exclusive shopping experience at the Revolve social club, which also serves as an event space for the company. The three-level space includes a storefront, where Grlfrnd denim debuted, as well as a showroom

and an upper deck with an expansive 360-degree view of the city.

With Grlfrnd pieces hung on display in the modern space, the April 13 event drew fashion editors and bloggers as well as international influencers such as Patricia Manfield, Pernille Teisbaek, Gala Gonzalez and supermodel Hailey Clauson. On the rooftop, DJ duo Simi/Haze provided the soundtrack. Select guests were welcomed to personalize their piece of choice with a monogram detail along the bum or jacket collar.

"This is our first denim collection," said Breanna Warner, Alliance Apparel's director of brand marketing. While other Revolve brands have included denim pieces, Grlfrnd is the company's first purely denim collection. "We are excited to be focusing wholly

on a high-end, quality, made-in-LA denim label," she said.

The debut collection pays homage to '90s supermodels—as well as a few present-day models. Styles are named after iconic muses such as the "Claudia," a mid-rise, super-stretch skinny jean. There's the straight-leg "Helena" style, the high-rise "Cindy" cut-off short and the "Kendall" super-stretch skinny pants.

Grlfrnd features a range of styles that includes skinnies, cropped flared, button-fly and high-waist skinnies with tapered ankles. There's a new, modern boyfriend style and a mid-rise with raw-cut hem. Standout pieces include the "Abbey" flight suit, the "Miranda" den-

im dress and the "Cara" cropped trucker jacket.

"There has been a huge resurgence in the demand for a vintage aesthetic, but the fit is always difficult," Warner said. "We really focused on premium materials, sexy fits and modern tailoring to ensure every woman feels her best in this denim."

The Grlfrnd denim Spring/Summer '16 collection is available exclusively at Revolve's website ([www.revolve.com](http://www.revolve.com)) with retail price points ranging from \$148 to \$320.—Sarah Wolfson



**CUSTOMIZED:** At the launch party for Grlfrnd, Revolve's new denim collection, guests were able to get pieces from the collection customized with a monogram detail.

## TRADE SHOW REPORT

### OC Mix *Continued from page 1*

OC Mix provided an opportunity to connect with buyers who may have missed earlier trade shows—as well as a chance to help retailers looking for quick-turn goods to restock depleted inventories.

"We have retail partners from San Diego and Orange County and even some in LA that sometimes don't make it to the LA markets," Garrett said. "We wanted to create an easy working environment for the stores and the reps. They can shop from a variety of brands and have no hassle finding parking. [We] offer them breakfast, lunch, and even a wine-and-cheese cocktail hour. We are also making sure that this show doesn't conflict with any of the other shows and that it also makes sense in offering deliveries to the stores that need to restock on some products."

Megan Mack, with Jack's Surfboards in Huntington Beach, Calif., was invited to attend OC Mix by Kendra Coleman, Z Supply's West Coast sales representative. Mack was looking for swimwear, casual dresses and graphic tank tops. "I am here to look at Z Supply and other brands we carry and new ones as well," she said. "I also haven't been to the Z showroom, so it was a cool motivation to check that out too."

Mack said she typically attends larger trade shows such as **Agenda**.

"But those bigger shows only happen every so often, so it's good to see what's new and refresh," she said.

The buyers at OC Mix were split between those looking for Spring/Summer/Immediate deliveries and those placing Fall orders. Sales reps said they were landing orders from existing accounts and new stores.

Debby Martin, national sales and marketing for L\*Space, said she decided to do the show because of the convenient setting.

"It is basically in our own backyard," she said. "With L\*Space being a brand made in Southern California, this platform is really easy. We are [able] to see all the buyers and align ourselves with some great brands."

L\*Space, which sells to a variety of retailers—including **Diane's**, **Principessa**, **Hiptique**, **Nordstrom** and **Shoptop**—was exhibiting "at-once goods" for Spring/Summer 2016 and premiering new silhouettes for the Summer collection with a lighter color palette.

"That is what is great about [this show]—we get to sit down, work on orders one on one, especially with new accounts. And with

the buy-now, sell-now situation with retail, it's really nice to be able to offer at-once goods," Martin said.

Splendid West Coast Account Executive Diana Phornsutiphajit said she was able to capture more of an Orange County audience at OC Mix.

"Because we already have seen a lot of our [existing] accounts for Fall and closed our orders, we are looking for new accounts from Los Angeles and San Diego," she said. "[So many] of the sales reps are struggling with a lot more road work, which means time away from the office. With this show, we are able to take the time needed to make new relationships or revisit existing ones."

Although most exhibitors previously showed their lines at **Los Angeles Fashion Market** and **CALA**, many said the idea of having a local show was appealing to both sales representatives and buyers.

Jocelyn Rodgers, women's West Coast sales representative for Wild Fox, said she appreciated the chance to exhibit alongside other good brands. The timing was perfect for



**IN THE MIX:** L\*Space was one of the brands showing at OC Mix.

Wild Fox's July deliveries as well, she said.

Shanon Martin, with **The Village Showroom**, was presenting Fall 2016 collections for Chaser and Summer deliveries for Mila. OC Mix was a good fit because the two brands have a big Orange County base. "We sell a lot here, so we reached out to [our] stores. They were really into the idea of [attending] a local show," she said.

Other exhibitors, such as Jenny Wessel, West Coast women's sales manager for Herschel Supply Co., utilized OC Mix to showcase special Holiday 2016 pieces that would suit the women's market.

"We wanted to get in front of Orange County contemporary stores that might not know that Herschel does things specifically for women, and we want to be everywhere we can to suit that market," she said.

OC Mix will return for a July 18–19 run in Irvine. For information, contact Beatrice Rosu at (949) 236-7011. ●



**JUST DENIM:** Grlfrnd is Revolve's first collection solely focused on denim.



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# How California's Minimum Wage Increase Will Affect the Industry

By Alyson Bender *Contributing Writer*

With the recent decision to increase California's minimum wage to \$15 per hour by 2022, we asked industry watchers what they think the impact will be on the state's apparel industry—the largest manufacturing center in the U.S.

The decision, signed into law on April 4 by Gov. Jerry Brown, follows a similar measure approved for the city of Los Angeles. Also on April 4, New York Gov. Andrew Cuomo signed legislation to raise New York City's

## Joe Rodriguez Executive Director, Garment Contractors Association



We understand and are sympathetic to the fact that it is very difficult for a person to earn a minimum-wage salary and meet the growing demands of living expenses here in California, especially when they are the only person in the household with an income. However, the raise of minimum wage is putting many manufacturers in an uncomfortable predicament. Many of our members are consciously trying to manufacture domestically, but the reality is they cannot remain competitive within the industry by paying \$15 per hour. This is going to lead to manufacturers questioning, "Is it better to lay off employees in order to keep their manufacturing costs competitive, or explore the alternative of moving the jobs elsewhere [overseas]?"

Another issue that we are anticipating is that we have found many production workers are not readily able to find other like employment. The government only tracks the unemployed for six months, and to qualify as being unemployed the person needs to prove they are actively looking for a job. Af-

ter six months, they are no longer counted as being unemployed and are ultimately forgotten. This has led many people to believe that the current 5 percent unemployment rate is misleading, and manufacturing layoffs will possibly unaccountably spike. This could lead to these workers either remaining unemployed for the rest of their lives, due to lack of jobs, or force them to learn other skills and join other industries.

Currently, the federal minimum wage stands at \$7.50 an hour.

California's minimum wage will increase from \$10 per hour to \$10.50 on Jan. 1 for businesses with 26 or more employees. Annual hikes will raise the minimum to \$15 per hour in January 2022. Smaller businesses have until the end of 2022 to comply.

The raise in minimum wage will undeniably bring a definite blow to manufacturing in California, but when push comes to shove, as a society we will have to make very difficult decisions regarding this predicament.

The raise in minimum wage will undeniably bring a definite blow to manufacturing in California, but when push comes to shove, as a society we will have to make very difficult decisions regarding this predicament.

## Rob Lohman Co-owner, Groceries Apparel



I think the minimum-wage hike will force our industry to find new, more-sustainable business models. Groceries is different than most made-in-California brands because we manufacture our own products and we operate our own factory. Because of this we realize savings off our COGS [cost of goods

sold] labor inputs, and we use these savings to in turn pay higher wages and offer healthcare to our employees. We've cut out the middleman from our supply chain. The minimum-wage increase doesn't affect us as much because we aren't reliant on wage suppression to succeed. Our business model allows our highest output employees to earn well over \$15 per hour right now, so this wage increase simply raises the minimum output bar for us over time.

I'm sure some brands will decide to offshore their production, but I believe the brands that understand why they pay higher wages will find a way. Made in California is about providing living wages for humans, not higher wages as compared to third-world standards. It all depends on why your customers buy your products. If your customer base is looking for cheap and cheapest, your brand might be at risk. If they're looking for products that are compassionate for the environment and the humans that made them, your brand will endure. There are many things I'd rather worry about than paying my employees a higher share of the returns. For all the bad that has been spread about Dov Charney, he understood this, and he doesn't get enough credit.

There are many advantages to manufacturing in California, including quality control and speed to market. Again, it comes down to what your customers expect from your brand. And trust me, with the exposure and speed of information provided by social media, they are increasingly expecting more out of us.

## Steve Barazza Chief Executive Officer, Tianello



We have been manufacturing in California for 33 years. Made in America is part of Tianello's business model; it is part of who we are.

Workers' compensation is already expensive in California, and with a 20 percent to 30 percent salary increase, it is going to make workers' comp 20 percent to 30 percent more expensive. In order to offset the higher wages to keep us where we are, we are going to be increasing margins and automating some of the work.

To increase our margins, e-commerce will be essential. From [www.tianello.com](http://www.tianello.com), we are able to sell direct to consumer. We

will also be sourcing higher-quality fabrics from abroad direct to mills, cutting out the middlemen. By working with more-expensive fabrics, such as woven silk (as opposed to woven cotton), we will better be able to work with the margins. Higher-quality manufacturers will be okay, and budget manufacturers will continue to outsource overseas.

## Lonnie Kane President, Karen Kane; Chairman, California Fashion Association



In California, there are many cost burdens that weigh on employment. Workers' compensation is already extremely expensive, and the number of family leave days is increasing. Raising minimum wage is not the sole issue but rather ultimately the straw that is going to break the camel's back [in regards to manufacturing-cost burdens in California]. We are given the choice to raise our prices or look for lower manufacturing costs elsewhere, namely offshore, Mexico or another state.

Currently everyone we compete with manufactures offshore. We cannot afford to be less competitive and are looking to possibly manufacture in Texas or South Carolina. We may try to keep limited light manufacturing [sewing] in California, but are currently exploring our options to remain competitive.

## Mark Werts Owner, American Rag; Author, "America's Simple Solutions"



Overall, if this continues it will eliminate 15 million jobs across America. Restaurants and manufacturing will be deeply affected. Currently, 40 percent of restaurant employee wages are below \$15 per hour in California. Paychecks are going to decline, and many businesses are going to be forced to close.

No one is smarter than the free market. Instead of voting based on being liberal or conservative, we need to use common sense. ●

## Calendar

### April 28

**TPC Spring Networking Event**  
City Tavern  
Los Angeles

### May 2

**Accessories The Show**  
**Moda**  
**Fame**  
Javits Center  
New York  
Through May 4

**Accessorie Circuit**  
**Intermezzo**  
**FWD by WWD**  
Javits Center  
New York  
Through May 4

**OffPrice**  
Gotham Hall  
New York  
Through May 3

**An Evening With Sue Wong**  
Sue Wong's design studio  
Los Angeles

### May 3

**Techtextil North America**  
**Texprocess Americas**  
Georgia World Congress Center  
Atlanta  
Through May 5

### May 4

**2016 West Coast Manufacturing Conference**  
City Club  
Los Angeles

### May 7

**Otis College of Art and Design's Scholarship Benefit and Fashion Show**  
Beverly Hilton  
Beverly Hills

### May 9

**Fashion Digital**  
W Hollywood  
Los Angeles  
Through May 10

### May 10

**"Take It to the Next Level," presented by One Step Retail Solutions**  
Old Ranch Country Club  
Seal Beach, Calif.

**A/R & Chargeback Management Workshop, hosted by AIMS**  
California Market Center, A1169  
Los Angeles

### May 11

**Kingpins**  
Pier 36/Basketball City  
New York  
Through May 12

There's more  
on [ApparelNews.net](http://ApparelNews.net).

For calendar details and contact information, visit [ApparelNews.net/calendar](http://ApparelNews.net/calendar).

Submissions to the calendar should be faxed to the Calendar Editor at (213) 623-5707. Please include the event's name, date, time, location, admission price and contact information. The deadline for calendar submissions is the Tuesday prior to Friday publication. Inclusion in the calendar is subject to available space and the judgment of the editorial staff.

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## NEWS

### Sport Chalet *Continued from page 1*

pressures facing Sport Chalet."

Vestis has secured a \$125 million debtor-in-possession loan from its existing lender, **Wells Fargo Capital Finance**, which will help ensure the company is able to meet its financial obligations. Vestis hopes to complete the sale of Eastern Mountain Sports and Bob's stores by midsummer.

Vestis acquired Sport Chalet, which had become a publicly traded company, for \$17 million and assumed \$52.4 million in debt. The California sporting-goods chain had not turned a profit in seven years, and its same-store sales had declined for six years. Over the years, Sport Chalet relied on loans to finance its business and open new stores—with debt mounting.

For fiscal 2014, Sport Chalet lost \$10.1 million on \$344 million in sales. When the retail chain was sold to Vestis in 2014, the average store size was 41,000 square feet and the company was known for having a wide selection of merchandise for every sport out there.

Over the years, the sporting goods retail environment has become more competitive with **Dick's Sporting Goods** recently entering the Southern California area. For years, **Big 5 Sporting Goods** has been a major player in the arena.

Last month, **Sports Authority**, once the largest chain of its kind, said it was filing for Chapter 11 bankruptcy protection. It will close 140 stores—about one-third of its total store numbers. The company said it had about \$1 billion in liabilities and between \$500 million and \$1 billion in assets. ●



# Capsule Launching LA Show in October at the CMC

The **Capsule** trade show will host a Los Angeles edition of its women's show Oct. 17–18 in the penthouse of the **California Market Center** during **Los Angeles Fashion Market**.

The LA show expects to launch with 100 brands from around the world showing both established and emerging progressive contemporary labels in apparel, activewear, swimwear, accessories and lifestyle products.

"Capsule is heading to Los Angeles in response to a growing demand in our community, particularly East Coast brands, who wish to show at LA Market due to the high caliber of retailers who attend," said Dierdre Maloney, cofounder of Capsule. "Demand for our niche of progressive and advanced contemporary labels is growing right now, especially on the West Coast, and we're launching there in order to meet that demand. Downtown LA is a great, revitalized destination for shopping and culture right now; we're excited to be adding presence there to our calendar in addition to our shows in New York, Paris and Las Vegas."

Capsule Los Angeles will be held in the CMC Penthouse, where upscale accessories and lifestyle show **Coeur** recently relocated. The Penthouse also hosts two shows organized by the CMC, **ALT** and **Transit**.

"The CMC is very excited to be the new LA home for Capsule—which joins Coeur, LA Men's Market, **Select**, **ALT**, and **Transit**—reinforcing the CMC's prestige as

downtown LA's hub for trade events," said Joanne Lee, senior vice president of trade shows and marketing at the CMC. "Additionally, Capsule fills a gap for an elevated showcase of advanced contemporary brands, solidifying the CMC as a key destination representing every market segment, as well as housing the largest selection of quality lines in the Fashion District."

Founded in 1997 by New York consul-



Capsule will bring its mix of advanced contemporary brands to Los Angeles (pictured, the Capsule show in New York).

tancy **BPMW**, Capsule has grown to include men's and women's trade shows in New York, Las Vegas and Paris. In 2013, the show was acquired by **Reed Exhibitions**, which hosts more than 500 events in 42 countries. Among its other apparel trade show holdings is streetwear show **Agenda** and women's show **Axis**, which is also bringing its show to Los Angeles in October for the first time.

For more information about the Capsule Los Angeles show, visit [www.capsuleshow.com](http://www.capsuleshow.com).—Alison A. Nieder

## Loyola *Continued from page 1*

affect the fashion industry were discussed at two panel discussions at Loyola Law School in Los Angeles on April 15.

The panel discussion on technology was moderated by Staci Riordan, partner at **Nixon Peabody** and executive director of the **Fashion Law Project** at Loyola Law School. "The outcry when 3-D printers came out sounded very similar to when VCRs came out," Riordan said, referring to concerns about copyright infringement. "I do think technology makes copyright infringement easier," admitted Oliver Bajracharya, a panelist and partner at **Lewis Roca Rothgerber Christie LLP**, but he said industries adapt to new technology. According to Bajracharya, the movie industry ultimately benefited from the public having VCRs even though studio executives had originally been concerned with people selling copies of copyrighted material created at home.

Rather than focus on the possibility of someone at home creating her own copyright-infringing handbag with a 3-D printer, the panel suggested businesses use the technology to create their own innovations. The challenge is similar to the entertainment industry, which learned to accept the general public having the ability to record movies and TV shows at home, which eventually evolved into content-streaming businesses such as **Netflix**, **Hulu** and **YouTube**. For example, manufacturing companies might save time by using 3-D printers instead of a mold. Because the technology is still so new, the panel pointed out it's not clear exactly how it will evolve.

According to panelist Justin Wolske, an entrepreneur, media producer and cofounder of **Grid 110**, when more people have 3-D printers at home, an enterprising company could enlist printer owners to create products for the company for free. If this sounds farfetched, Wolske pointed out that "the greatest trick Facebook ever pulled" was getting people around the world to "work" for the company for free (by providing personal data).

Turning back to copyright infringement, Wolske said when he was in film school in the days before YouTube, he was taught all about the need to get approval to use any kind of copyrighted material. Now, he said, go to YouTube and "You'll see terabytes of intellectual property" that isn't approved to be posted. But even if there's a copyright issue with something on YouTube, you might find links to buy related products. "You'll have to give a part of it away and find a way to monetize it," Wolske said.

Still, the panel noted, intellectual-property protection still exists—even if the sheer volume of copyrighted material available on sites such as YouTube has led to a great deal of confusion by the general public. Some clothing designers, Riordan said, don't realize they are not legally allowed to take images they find on the Internet and put them on a T-shirt without permission. That could be a costly mistake.

But there are less obvious examples of when a company might need to be careful when using a photograph for business purposes. Individuals have the "right of publicity" to control the use of their image or likeness when used for commercial purposes, and some litigators have a liberal interpretation of that right.

Christina Chang, counsel, business and legal affairs, for **CMG Worldwide**, said she had a case that was settled involving paparazzi photographs of a certain celebrity wearing a product that the celebrity had received for free. The company that sells that product posted one of the paparazzi photos on social media and the celebrity sued. The issue was not the traditional argument against the photos being taken in the first place. The celebrity's argument was that the company didn't have the celebrity's permission to use her image to promote the product even though she had received the product for free and chose to use it. "It doesn't make any sense," Chang said.

This right of publicity is not limited to ce-

lebrities, Chang said, and the laws vary from state to state, so businesses must be very careful and receive permission to use a person's image for commercial purposes. This is especially true for companies experimenting with the new technology of using hologram-type images of people to sell products. Not just the name, image and likeness but even the use of the person's voice requires approval.

In the panel on promotions and advertising, the panelists discussed how the evolution of social media has led to the rules becoming trickier. Panelist Caroline Dillingham, founder of **Power On Digital**, pointed out that in the past a typical advertisement would be something such as a **Coca-Cola** billboard. But nowadays, a message on Facebook that reads "How was your day?" could be a targeted ad. Similarly, a request to post photos on social media of you wearing a certain product could come directly from the brand owner. Because the technology is so new, rules are still being ironed out.

"In my mind, it's still the Wild West," she said.

But the panel also explained that new technology can lead to more regulation. Panelist Alan Friel, partner at **BakerHostetler LLP**, said that from the point of view of regulators such as the Federal Trade Commission, if the person posting the promotional photos receives something in return—even free movie tickets—then more rules apply. "Once you give them something of value, you're going to be responsible for what they say," he said.

Several years ago **Cole Haan** ran a "Wandering Sole" contest on **Pinterest** in which people were asked to post photos of their Cole Haan shoes in unique locations. The FTC ended up investigating the matter. The FTC argued that even though the people posting the images of the shoes were incentivized by the chance to win a shopping spree, anyone looking at the photos would not necessarily know this and might view the photos as independent endorsements of the shoes. The FTC said even having participants list the **#WanderingSole** hashtag under their photos was not sufficient because that did not adequately disclose the nature of the relationship between Cole Haan and the people posting the photos.

Now if a company asks people to post photos of their products on social media and there's any type of sweepstakes-type incentive for them to participate, the company must require participants to include a **#sweepstakes** hashtag. "Even **#sweep** would be a problem," Friel said.

The issue of transparency when it comes to disclosing that the person received something of value in exchange for the promotion is also relevant to celebrities and bloggers. If a blogger is invited to a fashion event, receives some kind of gift from the company and posts photos from the event, could this be interpreted as an endorsement of the company? Fashion blogger Alkistis Tsitouri, who also sat on the panel, pointed out that brands will invite many bloggers. While the host may consider some bloggers more "valuable" than the others in terms of publicity, she said, all the bloggers "receive the same gift" for attending the event. Friel suggested a blogger in such a situation should post something to the effect of "This brand invited me to their event. Here's a picture of me there."

"There's a way to organically give a disclosure," he said.

But it could be more complicated. What if the blogger posts, "This brand gave me this shirt, and I love it—and I got paid to be there?"

"That's an area that hasn't been fleshed out," Friel said. Still, he said, he advises clients to take the safe route and give disclosure when any type of compensation or incentive is given to someone else to promote the company's products—even if the company's marketing department would prefer not to be so overt. Otherwise, the company might run the risk of being the "low-hanging fruit" that

➔ **Loyola** page 6

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## Customs Officials Step Up Apprehension of Counterfeit Items at the Border

Customs officials said they saw a 25 percent increase in the number of counterfeit goods they confiscated last year at the nation's ports and at the border.

Clothing and accessories easily topped the list of counterfeit items, followed by consumer electronics and parts. By value, watches and jewelry were at the top of the chart.

China and Hong Kong were the top two sources for counterfeit items sent to the United States during fiscal 2015, said U.S. Customs and Border Protection officials. Together they accounted for 87 percent of the value of the seizures. That was down from the 88 percent the two together represented in fiscal 2014.

China and Hong Kong also accounted for 83 percent of the total number of seizures made in fiscal 2015, which

was up from 82 percent from the previous year. Singapore was No. 3 as a source of fake goods, followed by Romania and Turkey.

In fiscal 2015, counterfeit seizures jumped nearly 25 percent to 28,665 items, and the value of the goods confiscated rose 10 percent to \$1.35 billion following a 30 percent drop in fiscal 2014 to \$1.22 billion.

Customs officials also apprehended 550 shipments of labels and tags bearing counterfeit trademarks intended to be put on goods or clothing after they were brought into the country.

More than one-third of the items, or \$496 million, was sent as cargo while another third, or \$437 million, was sent through express consignment facilities.

—Deborah Belgun

Top Categories Seized in 2016

Product	Value of seizures	Percent change	Number of seizures	Percent change
Watches and jewelry	\$580.8 million	+54.7	2,754	+107.1
Handbags and wallets	\$208.4 million	-39.1	2,149	+70.6
Wearing apparel and accessories	\$157.2 million	+38.3	6,232	+4.8
Consumer electronics and parts	\$132.5 million	-18.3	5,326	-2.0
Pharmaceuticals and personal care items	\$75.1 million	+2.9	2,301	+25.0
Footwear	\$65.0 million	+31.2	2,818	+120.8
Computers and accessories	\$36.4 million	+44.1	846	+26.1
Optical media	\$32.5 million	+73.1	1,442	+9.1
Labels and tags	\$33.3 million	+88.6	550	+22.0
Toys	\$9.8 million	+19.3	391	+70

Source: U.S. Customs and Border Protection

## Loyola *Continued from page 4*

is chased by regulators and class-action litigators, Friel said.

Many people new to the business will have to go through the school of hard knocks to learn about regulations and class-action litigation, said the panel's moderator, Deborah Greaves, partner, **Brutzkus Gubner Rozansky Seror Weber LLP**, and adjunct professor at Loyola Law School. Some small businesses aren't able to recover from legal costs resulting from such mistakes. "It's a disadvantage for the less-educated," she said.

For smaller companies that can't afford high-priced legal counsel, Friel recommended looking to industry associations for their guidelines. "They were probably developed by an expensive outside lawyer and translated by a great copywriter," he said.

Friel also gave the example of when he represented *Frank* magazine in its collaboration with **Donna Karan**. The magazine had a

completely separate section for Donna Karan's content, which was made to be clearly independent of the magazine's layout featuring Andy Warhol photographs of celebrities. "Not a single claim," Friel said, explaining that this method allowed *Frank* to avoid being sued by any of the celebrities featured in the Warhol photographs who might have claimed that the magazine was falsely implying the celebrities were endorsing Donna Karan.

In addition to the issue of transparency with endorsements, as social media evolves, the FTC is taking a harder line on regulating deceptive advertising, Friel said.

"It's being extended as advertising looks less and less like advertising," he said. "It's not just explicit deception. It could be implicit deception."



The panel discussion on "Technology: The Disruption of Fashion or The Next Big Thing?" featured (left to right) moderator Staci Riordan, partner, Nixon Peabody, and executive director, The Fashion Law Project, Loyola Law School; Justin Wolske, cofounder, Grid 110; Christina Chang, counsel, business and legal affairs, CMG Worldwide; and Oliver Bajracharya, partner, Lewis Roca Rothgerber Christie LLP.

Still, Friel said that the advertising industry has its own self-regulators, such as the **Advertising Review Council of the Better Business Bureau**, which "have a pretty good track record of being able to informally resolve matters." Plus, he said, it's in the advertising industry's best interest to self-regulate because the alternative is more-restrictive laws.

And from a nonlegal perspective, Dillingham said it wouldn't make good business sense for a company to try to be deceptive on social media. "I would feel less inclined to buy from them," she said.

These panel discussions were part of a daylong "Fashion Law Symposium" titled "Green Is the New Black: Sustainability in Fashion," presented by Loyola Law School's Fashion Law Project. Other topics included "Good Things Come in Green Packages: Sustainability in the Supply Chain" and "Tough Love: Sustaining a Fashion Brand From Startup to Staple" as well as a "Fire-side Chat" with Chelsea Grayson, general counsel, **American Apparel**. ●

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# FTC

Continued from page 1

and 35.

However, the bloggers did not disclose they were paid to post images of themselves wearing the dress from the collection and that they got the dress for free.

Lord & Taylor also was accused of paying the online magazine *Nylon* to publish a Lord & Taylor–edited article about the Design Lab dress without mentioning that the article was really an advertorial and not independently written editorial content. These kinds of paid articles are also known as native ads.

The FTC calculated that the bloggers and fashion influencers' posts reached 11.4 million individual Instagram users in a little more than two days, resulting in the paisley dress selling out quickly.

"We don't have any statistical data on how prevalent this practice is," said Mary Engle, the FTC's associate director of advertising practices. "But generally speaking, it seems to be a very popular practice to use influencers across the board."

In settling the charges, Lord & Taylor is prohibited from misrepresenting that paid ads are from independent bloggers and must clearly disclose that they are paying for the social-media mentions.

Lord & Taylor was the first clothing company the FTC took action against for failing to disclose its influencers were paid, said FTC spokesman Mitchell Katz.

The FTC would not say how Lord & Taylor's practices came to light, although fashion site **Refinery29** ran a story about the Design Lab campaign with a slideshow of images of 18 bloggers featuring the dress. Social shopping site **Poshmark** also featured the dress, referring to it as a "blogger favorite."

Katz said the FTC—whose mission is to

protect and educate consumers—launches investigations based on consumer complaints, competitor complaints, letters from congressional members and the FTC's own experience in these subject matters.

Although the FTC hasn't been aggressive about charging clothing companies, it has issued warnings.

Last year, the FTC cautioned **Cole Haan** that a promotional contest on **Pinterest** was not transparent enough. Cole Haan's "Wandering Sole" promotion instructed participants to create boards called "Wandering Sole" on Pinterest. People were required to post five images of Cole Haan shoes to their boards along with five images of the participants' favorite places to wander and tag each pin with **#WanderingSole**. The participant with the most creative entry was eligible to win a \$1,000 shopping spree.

The FTC said the contest violated its endorsement guidelines because the contest rules did not require participants to properly disclose their participation in the contest. The FTC did not take any direct action against Cole Haan, but Cole Haan was told to discontinue the contest.

In 2010, the FTC investigated a social-media campaign launched by **Ann Taylor LOFT**.

The specialty-store chain initiated a preview of its summer collection and announced the event to fashion bloggers. The bloggers were told that if they attended the event, they would receive a special gift and that those who posted the coverage from the event would be entered in a mystery gift-card drawing to win up to \$500 to spend at Ann Taylor LOFT. The bloggers attending the event had to send a link to their posts back to Ann Taylor LOFT's publicist within 24 hours.

After an investigation, the FTC decided not to take action because this was the first and

only event of this kind held by Ann Taylor LOFT. Also, only a few bloggers posted content about the preview, and several disclosed that Ann Taylor LOFT had given them gifts at the preview.

Later, the specialty-store chain adopted a written policy explaining that bloggers had to disclose any gifts they received.

In light of the FTC's investigations and inquiries, more and more companies are setting up guidelines about fashion bloggers revealing they are being paid for a post.

Attorney Sarah Bruno with **Arent Fox** in San Francisco said she has been preparing more endorsement guidelines lately for companies and advertising agencies because of the recent FTC complaint against Lord & Taylor. "A lot of agencies are savvy about this stuff, but we put this in writing," Bruno said.

Bruno said she gets all sorts of questions such as, "What if I give a donation on the blogger's behalf to write a glowing review?"

The attorney advises to err on the side of disclosing the donation so consumers are perfectly clear about the review's origins.

"A lot of clients we work with have policies in place that require disclosure. And when they see a failure [to disclose] they notify the blogger and say, 'Hey, we noticed you are talking about this dress we gave you for free, but you didn't mention we gave it to you for free,'" Bruno said.

Many fashion influencers have a page on their blog outlining their endorsement guidelines.

Kelsi Smith—whose Los Angeles–based

**Stylesmith Blogger Network** of fashion influencers covers 3,000 websites in the United States, Canada and Britain—said transparency is very important to her. "I had a staff member who couldn't understand why that was important," Kelsi said. "I said, 'Imagine your best friend told you about this amazing mascara and you bought it. And then imagine you found out your friend was paid to tell you that.' There is really a big difference between the two."



Refinery29 ran a slideshow of the bloggers (pictured above) who featured Lord & Taylor's paisley dress (pictured right).

Smith works with companies such as Japanese retailer **Uniqlo** to be connected with the appropriate fashion bloggers, who can be paid as much as \$17,000 to write about a product. Each contract, she said, has a disclosure clause saying bloggers in some way or another must mention they are getting paid to write about a certain item.

"The onus is on the brand to enforce it," Smith said. "As long as they have documentation that shows they made the right move and tried to enforce it, then they are in the clear." ●

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## DENIM

# Denim With Less Water Demonstrated, Discussed at Calik Event at ECO PRK

By Alison A. Nieder *Executive Editor*

To get the perfect washed jean, denim makers put pants through multiple wash cycles.

“We know the only way to make beautiful jeans is with water and chemicals and stones. But that is changing,” said Kevin Youn, owner of **ECO PRK**, a small wash house in Paramount, Calif.

Youn describes his facility as “maybe the smallest laundry in LA” but adds that for the last three years he has been washing jeans without using water or chemicals. The water he does use is recycled, which means he uses 95 percent less than other laundries.

“We don’t use chemicals, but we do use enzymes. They always want the soft hand,” Youn said. “We use water for the de-colorization process, and we are de-colorizing with ozone. We’re processing using less than a cup of water.”

Youn is also the owner of **Tortoise** denim, which features treatments Youn described as “a very aggressive wash.”

“It’s another way to prove that with one cup of water you can achieve a lot of things,” he said.

Youn spoke at a March 23 event that was hosted at his laundry by **Calik Denim**. During the event, the Turkish denim mill demonstrated its Oxygene and Elastech products.

Calik’s Oxygene fabric can be processed more quickly than typical denim, using less water, energy and fewer chemicals. The 100 percent cotton fabric is treated with a technology that allows for fast processing of a variety of finishing, including laser, ozone, sanding and enzyme. Elastech is designed for high-elastic stretch fabrics, reducing shrinkage and growth, eliminating puckering and stabilizing shrinkage results for different wash processes.

Last year, Calik saw a 400 percent increase in its U.S. business with Los Angeles brands, said Hakan Anuk, Calik’s U.S. representative, who is based in Los Angeles.

Calik views sustainability as an investment, according to Ebru Ozaydin, the company’s head of sales and marketing, adding that Calik wants to provide “think tank” forums for the industry.

“How can we make this experience easy and quick to provide core knowledge and information that you can digest quickly and easily and practically?” she said.

Ozaydin and Youn were part of a roundtable discussion about sustainability in the denim industry that was moderated by Amy Leverton, denim consultant and author of “Denim Dudes.” Other panelists included Miles Johnson, creative director of **Patagonia**; George Wilson, owner of **Rivi Goods**; and Heather Morton, founder of **Blue Salt Product Development Co.**

The panel discussion ranged from sustainability and sourcing to transparency and con-

sumer engagement. During the discussion, ECO PRK technicians ozone-treated jeans made from Calik’s Oxygene for 1 minute, 10 minutes and 30 minutes to demonstrate how quickly the Oxygene fabrics can be processed.

“This Oxygene fabric that Calik has developed makes my life very easy,” Youn said, adding that it allows him to create “vintage washes in 30 minutes rather than 5 hours.”

Patagonia recently introduced a campaign for its sustainable denim. Titled “Denim Is a Filthy Business,” the campaign highlights how Patagonia jeans are made from 100 percent organic cotton, which is dyed using a process that allows the company to cut down on water, energy and chemicals while producing less carbon dioxide than conventional synthetic indigo denim dyeing.

The dye process enables the dye to bond more readily to the fabric, reducing production lines, which reduces the amount of water and energy used. The jeans are not stonewashed,



**THE PANEL:** Moderator Amy Leverton, Rivi Goods’ George Wilson, ECO PRK’s Kevin Youn, Calik’s Ebru Ozaydin, Patagonia’s Miles Johnson and Blue Salt Development’s Heather Morton



**SHOWING OFF:** Hakan Anuk, Calik’s LA-based representative, right, with a pair of jeans made with half Calik’s Oxygene denim and half untreated denim

bleached or sand-washed, further reducing the environmental impact. And the jeans are made in Fair Trade Certified facilities.

“Patagonia has always been a very environmentally motivated company,” Johnson said. “When we found out that waste was happening in our industry we decided to find out what can be done without water. [Patagonia Denim] uses 84 percent less water than a regular pair of jeans.”

Jeans aren’t a large part of the outdoor and active apparel company’s mix, which allowed Patagonia to focus on the production method rather than trying to follow premium-denim trends.

“We wanted to concentrate on something strong and durable that would be around for a long time,” Johnson said.

Wilson has been on the production side of denim with his **Double Down Denim** factory. But for his own label, Rivi Goods, Wilson said he prefers to use raw denim.

#### Denim City

Los Angeles is drawing attention from international denim makers. In addition to the opening of Italian mill **Candiani**’s **LA Design Center** and the denim workshop event held at **ECO PRK** and hosted by Turkish mill **Calik**, **Bossa** hosted an event in Los Angeles earlier this year. The Turkish denim mill celebrated the opening of its West Coast showroom in downtown LA in January with a party and denim trend presentation.



## Calik *Continued from previous page*

"I was doing a lot of vintage washes for people," he said. "An 'authentic' jean—it takes a lot of time. I was spending a full day at the laundry. Those kinds of washes go in four times."

But it's not just the water usage, Wilson said. It's also the waste in the water after the dye and finishing processes.

"If you've ever been in a laundry when they clear out the catches, it's the most rank, foul thing. I've been a surfer since the '60s. The water is disgusting. Most people in LA use drains as trash cans."

Most laundries are small businesses, Morton said. Laundries have many of the same challenges of other small businesses—plus some additional challenges specific to the wash house business.

"Most laundries, when the water comes in, it is not good enough quality to process jeans," Morton said. "So they have to clean up the water to process the jeans and then they have to process the water [before disposing of it]."

Morton said she had the chance to work with Oxygene fabrics and found a significant reduction in the chemicals needed for finishing.

"Most chemicals were cut in half," she said. "The same with the bleach. We would [still] get the highs and lows but with half the water and half the labor. With ozone [finishing] it brought it down even more. The indigo shades were super rich and dark. And you don't need to use resin to get the yarn character to pop."

Ozaydin said Calik looked for ways to eliminate waste from the denim process.

"Wet treatment, pre-treatment of fibers, finishing and dyeing—that is where most of the pollution has been coming from," she said. "We combine dyeing and finishing to help guys like Kevin so they can save water, energy and time."

Youn acknowledged that these cleaner finishing processes are costly.

"We are an expensive laundry, to tell the truth," he said. "Because we are the only one. Eventually, the cost will go down because the energy [usage] will go down."

### Engaging the consumer

Wilson said there is interest in saving water and energy and reducing waste, but it requires a group effort.

"Everyone knows the state of the world," he said. "It has to change, but everybody has to be on board. That's the hard part. The consumer needs to change. There are seeds being planted."

Johnson said what's happening in the apparel industry mirrors the organic and local food movement.

"Twenty years ago you didn't ask or think where your food came from," he said. "Jeans are such a basic garment. People have been wearing jeans for most of their lives and never asked where they came from. The apparel industry is now starting to raise alarm bells."

But because the consumer is so price



**FINE ART:** During the Calik event, ECO PRK denim technicians demonstrated hand-sanding on jeans made from Calik's Oxygene fabric.

driven, Johnson said it's up to the brands to make sure the end garment is as sustainable as possible.

"I don't think people know that if they have a bit of fade on a jean someone was slaving over it with sandpaper for half an hour," he said. "They think it magically happens."

But that could be changing. Levertson said she has been seeing more companies

highlighting the fabric brands they use to make their jeans. Ozaydin agreed, saying she thinks of Calik as "an ingredient brand of a jeans brand."

But it's a challenge to be transparent, she said, from the entire supply chain from cotton farmer to the end consumer."

And as more awareness about the "ingredient" fabric spreads, companies may change the way they source fabric.

"It wasn't that long ago that we didn't really think about what fabric will do," Johnson said. "We put it under a lot of pressure to look like seven different washes. At Levi's, we had one 501 fabric and wanted it to look like 13 different washes."

Today, brands are working with the mills to select denim fabrications that are best for the final product. For example, if the end product will have a light wash instead of starting with dark denim, start with a lighter one that won't require as much finishing to achieve the desired result. ●

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Experience in Garment Dye For Both Woven & Knits. Must Understand Ability To Apply Shrinkage To Patterns. Experience in Grading And Patterns. Must have exp. with Lectra. Full Time Or Part Time. Located in Burbank area.  
Email: [patternmakerh21@gmail.com](mailto:patternmakerh21@gmail.com)

### ••SALES ASSISTANT

Trim Mfg. seeking candidate for F/T position with 1 year exp. related to sales, computer skills, detail oriented, good people skills, to follow up with customers in Apparel Industry.  
Email resume: [ariela@labeltexusa.com](mailto:ariela@labeltexusa.com)

### APPAREL PRODUCTION MANAGER

To oversee all aspects of production: Cut & Sew, Yield, costing, domestic & import. Knowledge of "AIMS" & Excel a must. Assistant Prod Mgr. welcome to apply. Full Time.  
Email resume to: [jobs@expertbrand.com](mailto:jobs@expertbrand.com) or fax to (323- 526-7057)

**THERE'S MORE**  
on [ApparelNews.net](http://ApparelNews.net)

## Jobs Available

### SANCTUARY CLOTHING - BURBANK SEEKING FOR PRODUCTION COORDINATOR

Compensation: Salary - Full Time  
Principle Accountabilities:  
• Issue & update Purchase Order/s on timely manner.  
• Follow up with vendors on all order details, trim, fabric, sample submission, approval on daily base  
• Organize & keep track of Fit sample, Pre-production & TOP samples submission & approval  
• Monitor T&A calendars and manage WIP reports and alert Production Manager of top priority items requiring immediate attention.  
• Check/measure all TOP sample & random check/measure upon receive bulk  
Knowledge, Exp. & Characteristics for Success:  
1. Min. of 3 yrs of garment production exp., excellent written & spoken in English, fluent in Chinese preferred.  
2. Strong organization skills to manage many details.  
3. Knowledge of Microsoft Office a must  
Qualified candidate pls. submit resume & salary history to: [recruitment@sanctuaryclothing.com](mailto:recruitment@sanctuaryclothing.com)

### PATTERNMAKER

We have an immediate opening for 1st through Production Patternmaker with 5 year min. exp. Strong in Junior bottoms but also very knowledgeable with dresses & tops. Construction of garments and grading in both woven and knits. Exp. with borders and print placements. Tukatech exp. required. Must be detail oriented and have good communications skills. We are located in Vernon, CA. Please send your resume to: [sec2genHR@gmail.com](mailto:sec2genHR@gmail.com)

### SEEKING BESPOKE MEN'S TAILOR

Western Costume Company is seeking a bespoke men's tailor. We are looking for someone with experience specifically making men's coats and suits. Applicant must have at least 5 years' experience. The position is full time and offers benefits. Please email resumes to: [Allison@Westerncostume.com](mailto:Allison@Westerncostume.com)

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## Jobs Available

### SENIOR PATTERNMAKER/WAL-MART BRAND

Major San Fernando Valley apparel manufacturer has an immediate need for a Senior Patternmaker / Wal-mart Brand.  
Job Responsibilities  
•Creating first through production patterns  
•Participating in fittings and making corrections  
•Measuring garments to specifications  
•Completing detailed pattern cards  
•Working directly with Designer  
•Communicating fit results  
•Maintaining a reference book  
•Making sure that patterns follow standard garment specs  
•Measuring and submitting all sew-by samples to factories  
•Entering information into Retail Link for WM styles  
Job Requirements  
•Min. 10 yrs. exp. with woven styles  
•Computer patternmaking experience  
•Ability to adjust patterns from fittings  
•Thorough knowledge of garment construction  
•Excellent communication skills  
•Computer skills including MS Office and Excel  
•Knowledge of Optitex a plus  
•Wal-mart experience  
•Retail link experience  
We offer competitive salary and benefits, opportunity to grow, and a friendly and creative professional environment.  
Send your res. to: [apparelfashions@gmail.com](mailto:apparelfashions@gmail.com)

### CUSTOMER SERVICE PERSON

CSR-customer service person needed for busy, downtown LA company. Duties include Data Entry, EDI, AIMS & Excel a plus for dept. & specialty stores. Fast paced, detail oriented, out of the box thinker, assertive team player. High volume order entry & emails.  
Email resume to: [hrexports123@gmail.com](mailto:hrexports123@gmail.com)

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Dr. Seuss

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Apparel Sourcing Show Guatemala 5/17-19  
Kimppins NY 5/11-12



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Technology  
New Resources

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One Step Retail Solutions conference 5/10  
Apparel Sourcing Show Guatemala 5/17-19



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Freight & Logistics  
Visual Display

**Trade Show Special Section+\***

**Bonus Distribution**

Apparel Sourcing Show Guatemala 5/17-19

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