
THE PRADA-KOLHAPURI CONTROVERSY: ASSESSING THE ADEQUACY OF INTELLECTUAL PROPERTY PROTECTION FOR TRADITIONAL CULTURAL EXPRESSIONS

Author- Shriya More

ABSTRACT

The controversy surrounding the Prada-Kolhapuri Chappal has reignited discussions on the level of protection afforded to traditional cultural expressions and geographical indications (GIs) in India under intellectual property law. In this research, the controversy is analyzed in light of the Geographical Indications of Goods (Registration and Protection) Act, 1999, with a focus on whether or not the Kolhapuri Chappal's features are protected under GI law. The study begins with an investigation into the public interest litigation filed before the Bombay High Court, which was dismissed as well as the issue of enforcement of GI laws. Moreover, it deals with the legal scenario of GIs in India, explaining the protection and remedies available for registered products. In addition, it raises the question of whether imitation of a product's features, that is, its look, is tantamount to the illegal use of the GI, in case the geographical name of the registered product is not mentioned. The study points towards deficiencies in India's GI system, showing how it is difficult to enforce GIs in overseas countries. Thus, although the controversy highlights the growing interest in Indian art of craftsmanship, it also shows how deficient the protection is both at domestic and international levels.

Key Words: - Prada, Kolhapuri Chappal, controversy. GI Tag, Traditional Expressions, Infringement.

INTRODUCTION

In a recent Milan Paris Fashion Week show, the Italian luxury brand Prada showcased its Spring/Summer collection. After a post made on their social media handles, people were quick to notice that the footwear collection resembled the Indian Kolhapuri Chappals¹ which is a registered Geographical Indication (“GI”) in India under Class 25 owned by Sant Roahidas Leather Industries & Charmakar Development Corporation Limited (LIDCOM) and Dr.Babu Jagjivan Ram Leather Industries Development Corporation Limited (LIDKAR).²

This act alone led to widespread backlash and social media outrage in India. Many people flooded Prada’s comment section claiming this amounts to cultural misappropriation. Artisans of Maharashtra and Karnataka were deeply distressed by this. *“While Indian artisans and small-scale producers excel in craftsmanship, they rarely have access to capital or business acumen to position their products globally as luxury goods”* Dhanendra Kumar, an ex-World Bank executive said in India’s Economic Times. *“By not calling their new line of sandals ‘Kolhapuris’, Prada is guilty of monetizing cultural appropriation,”* Kumar said.³

Due to all this commotion, Maharashtra Chamber of Commerce, Industry and Agriculture (MACCIA) president Lalit Gandhi wrote to Prada and in response their group head of corporate social responsibility, Lorenzo Bertelli said, *“We acknowledge that the sandals featured in the recent Prada Men’s 2026 Fashion Show are inspired by traditional Indian handcrafted footwear, with a centuries-old heritage. We deeply recognize the cultural significance of such Indian craftsmanship.”*⁴

As the Kolhapuri Chappal is a registered Geographical Indication (“GI”) a question arises as to whether the copy of a design, which is culturally significant, causes an infringement of the Geographical Indication (“GI”) tag? What really happens when a GI tag is infringed? To understand and answer all these questions, we have to see things from a legal perspective and

¹ Penelope MacRae, "Prada Accused of Cashing in on Indian Culture with Kolhapuri Inspired Sandals", *The Guardian*, New Delhi, June 30, 2025.

² Geographical Indications Registry, Intellectual Property India, *Certificate of Registration: Kolhapuri Chappal*, GI Application No. 169, Certificate No. 329, December 11, 2018, available at: <https://search.ipindia.gov.in/GIRPublicSearch/Application/Details/169> (visited on June 8, 2026).

³ Supra 1

⁴ PTI, "We Deeply Recognize...': Kolhapuri Chappals 'Inspiration' for Footwear in Fashion Show, Says Prada after Controversy", *The Indian Express*, New Delhi, June 28, 2025.

dive deep into the world of Intellectual Property Rights (IPR) more specifically read the Geographical Indications of Goods (Registration and Protection) Act, 1999.

1. PIL filed against Prada

A Public Interest Litigation ("PIL") means litigation filed in a court of law, for the protection of "Public Interests".⁵ In the light of this controversy, an intellectual property rights expert, Adv. Ganesh Hingmire along with six advocates decided to seek relief for the Indian Kolhapuri Chappal. They filed a Public Interest Litigation ("PIL") in the Bombay High Court.

After the case was heard in the Bombay High Court, it was dismissed by the judges stating that only the registered owners of the geographical indications ("GI") i.e, Leather Industries Development Corporation of Maharashtra (LIDCOM) and Leather Industries Development Corporation of Karnataka (LIDKAR) can file the case and ask for compensation for the loss occurred to their artisans.⁶ The person who filed the PIL i.e Adv. Ganesh Hingmire was not a part of their associations hence the case could not be maintained.

2. Protection under GI tag

The Indian Kolhapuri Chappals are an age-old tradition which dates back to 12th or 13th centuries from the princely state of Kolhapur in Maharashtra.⁷ When a product which has been traditionally significant for a long time and associated with culture, it should be filed under geographical indication. According to the World Intellectual Property Organization ("WIPO"), "*a geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place.*"⁸ such as Darjeeling Tea⁹, Banarasi Sarees¹⁰ and many more. Under the Geographical Indications of Goods (Registration and

⁵ *Janata Dal v. H.S. Chowdhary*, AIR 1993 SC 892.

⁶ Rosy Dequeria, "PIL against 'Kolhapuri-like' Prada Sandals Dismissed by Bombay High Court", *The Times of India*, Mumbai, July 16, 2025.

⁷ *Supra* 2

⁸ World Intellectual Property Organization (WIPO), "Geographical Indications: What is a Geographical Indication?", available at: <https://www.wipo.int/en/web/geographical-indications/> (visited on June 8, 2026).

⁹ Geographical Indications Registry, Intellectual Property India, *Registration Details of Geographical Indications*, May 2025, p. 1 (Application Nos. 1 & 2 – "Darjeeling Tea" (Word & Logo)), available at: https://www.ipindia.gov.in/frontend/pdf/gi/registered/Total_Registered_GI_details_of_GI_Application_in_India.pdf (visited on June 8, 2026).

¹⁰ Geographical Indications Registry, Intellectual Property India, *Registration Details of Geographical Indications*, May 2025, available at: https://www.ipindia.gov.in/frontend/pdf/gi/registered/Total_Registered_GI_details_of_GI_Application_in_India.pdf (visited on June 8, 2026).

Protection) Act, 1999, protection is provided to “*names conveying or suggesting the geographical origin of goods to which it applies.*”¹¹

Additionally, the GI Act provides for protection for unauthorized use or infringement of Gi such as:

1. Deceptive Labelling: Indicating a product originates from the protected geographical area when it does not.¹²
2. Unfair Competition: Causing confusion with a competitor's goods or making false claims to discredit them.¹³
3. Misleading Associations: Using another region's name to falsely imply it has the qualities of the registered GI.¹⁴
4. Using Imitation Language: Employing terms like "style," "kind," or "imitation" alongside the GI for goods not from that region.¹⁵

The instant dispute arose when people accused Prada of copying the design which constitutes the unauthorized use of the product. The people who were familiar with the chappal design were quick to spot that T-strap construction, the form and the overall aesthetic resembled the Kolhapuri chappal, while Prada was claiming them to be mere ‘leather sandals’. A primary question arises as to whether this leads to infringement of the GI product. A point that must be noted is that Prada never made use of the word ‘Kolhapuri’ while describing their footwear collection. As stated earlier they were just referred to as ‘sandals’. Thus, it can be said that the case of infringement will not sustain.

But it can be argued that as the footwear which was shown in the fashion week had a striking resemblance with the Indian chappals, the *design itself functions as an indication of origin.*¹⁶ This tells that Prada has suggested false geographical origin thereby misleading the consumers into making them believe that this is their own creation.

Now as all of this is proven one final question arises in mind as to what happens if an GI tag is infringed ? Will there be any compensation for the artisans because of Prada’s breach? What

¹¹ The Geographical Indications of Goods (Registration and Protection) Act, 1999.

¹² Ibid 11 Pg no.3

¹³ Ibid 11 Pg no.3

¹⁴ Ibid 11 Pg no. 3

¹⁵ Ibid 11 Pg no.3

¹⁶ Ibid 11 Pg no.3

legal remedies does the act provide? According to the Act, civil and criminal remedies are provided¹⁷, but the footwear collection which Prada showcased was manufactured in Italy, not in India. Which again leads to a question whether the GI tag will now be enforceable or not?

3. Territorial issue

Unfortunately, the protection which is granted to the Kolhapuri Chappals under the GI act is only restricted to and enforceable in India. The Act nowhere describes what happens when international brands like Prada infringe or misrepresent our designs. Prada is restricted from copying, marketing or selling anything resembling the ‘Kolhapuri chappal’ only in India. But outside India, no one can seek legal recourse for the same. The Indian law does not have any extraterritorial jurisdiction to stop these sales.

This limitation underscores the need for stronger international regulations and frameworks for the protection of GI tags. So that it is easier to navigate Intellectual Property Rights issues in India, That way even international luxury brands will stop cashing off on our traditions and designs.

CONCLUSION

Intellectual property law, cultural heritage, and fashion intersect in a complicated way through the Prada–Kolhapuri Chappal controversy. Even though Kolhapuri Chappals are a registered Geographical Indication under Indian law, this case shows that such protection isn't absolute. Because Prada did not market its footwear as “Kolhapuri,” considerations of infringing on the provisions of the Geographical Indications of Goods (Registration and Protection) Act, 1999 would not likely succeed due to the chances of success being legally slim. Yet, the similarity of the products raises concerns in terms of commercial exploitation of traditional cultural expressions without sufficient acknowledgment or share of the benefits by the artisan communities retaining them.

In addition, the rejection of the Public Interest Litigation shows that there are procedural limitations regarding GI protection, especially since the parties requesting to protect common cultural interests have limited standing. More importantly, this conflict reveals the territorial

¹⁷ Ibid 11 Pg no.3

character of the Indian GI system. Although it can be applied domestically to regulate unauthorized use of GI, it doesn't provide satisfactory remedies against foreign companies producing and selling similar products abroad. Jurisdictional gaps in this as well as the general use of indigenous crafts as an inspiration for luxury brands mean that the problem is going to grow further.

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