



THE BIG CHARADE

The country that aims to become the worldwide epicentre of designs is also, lamentably, a playground for shameless furniture knock-offs. Why is creativity underappreciated and so difficult to protect?

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Handbags, watches, designer clothing, perfumes: eight million counterfeit products have been seized by Emirati authorities this year. On a lesser scale, but a no lesser offence, is counterfeit design furniture. Although synonymous with luxury, Dubai seemingly entertains a big love affair with fakes.

At a store on Sheikh Zayed Road supporting neon branding, employees refer to the copied Philippe Starck Ghost chair by Kartell as a “plastic chair”. Only their lack of knowledge is genuine. Further down the road is an outfit whose mall location lends credit to its air of designer boutique. Here, a scented atmosphere provides the backdrop for replicas of well-known furniture pieces, displayed in recreated mood corners. When asked, the sales assistant admits to them being fakes. “Very good ones,” he adds.

Imports of unauthorised copies of iconic furniture account for one aspect of furniture counterfeiting in the UAE, and the most lucrative one. The other, more low-key but thriving, happens everyday in carpentry shops in Sharjah or Al Quoz. Here, clients eager to cut costs can order an entire office worth of design furniture with just a handful of photographs. One central question begs asking: why does this matter and does anybody really get hurt? The creative process is, after all, a complex one to define. If you’re an emerging furniture designer based in the UAE, your time is probably best spent

building your brand, secure in the knowledge that the law protects your creative assets. Rob Deans, partner at the law firm Clyde & Co, says: “The UAE Copyright Law provides protection for any creative work within the scope of arts and science whatever its mode of expression, value or purpose. Article 2 of the Copyright Law sets out a non-exhaustive list of works falling within the scope of the Copyright Law.” Industry professionals, however, express a more mitigated opinion. Abboud Malak, founder of Studio M and best known as the creator of The Pavilion argues that “in practice it is impossible (for a local design label) to protect oneself from copyright infringement. You find that large established companies struggle to keep up with the onslaught of fake products.” An opinion echoed by Khalid Shafar, a well-known Emirati product designer whose emergence pre-dates Dubai’s design enthusiasm: “I can’t patent my designs in every country where my furniture is exposed. Financially, I don’t have the resources.” And locally, the small size of both the market and the design community means he doubts anyone here would attempt to copy him. “But it would be great to imagine a regional patent to protect designers within a broader geographical region, or a special law to protect emerging designers for the first years of their practice”, he adds.

In Denmark, a furniture capital, items are protected by copyright for the lifetime of the designer and seventy years after that, by which time the patents can be re-registered by reputable entities. This is certainly food for thought.

Does this mean that big brands represented in the UAE have the necessary clout and do actually press charges when they stumble upon fake copies of their products? Mohsin Jawaheri, founder of Super Studio who represents 12 top-notch, mainly European, design labels says: “It happens. In general however, the UAE market is not big enough for them to be hit hard by loss of business to counterfeits, which stands around 20-30%”. And the time and resources required to lodge a case are simply not worth it, especially when you know that the process is likely to repeat itself again.”

The debate on more precise laws, stricter customs inspections, better enforcement and heftier fines is a concrete one and quite limited in the end. There is another, deeper-probing conversation in the debate on fakes, and that is a conversation about values, to create a culture that respects creativity. Says Jawaheri: “There’s a lack of educa-

HOW TO
[SPOT A FAKE]

1
LACK OF WARRANTY

Retailers selling licensed design furniture will always provide a warranty.

2
POOR FINISHING

Uneven stitching or an overall design that isn’t intuitive are all indicative of a fake product.

3
LACK OF NOBLE METALS AND MATERIALS

Stainless steel, solid wood and even leather have a weight to them. Chrome-plated steel, mdf and ‘pleather’ don’t.

4
PROVENANCE

Although some brands produce in India, China and Turkey, these locations usually don’t represent a reliable provenance when it comes to authentic design furniture.

5
SHORT-LIVED DURABILITY

If the “designer” chair is wobbling after a year or the wooden side table shows stains despite frequent care, chances are the item is a fake.



tion and awareness. A lot of people don’t even know they’re buying unlicensed copies.” For Malak, “developers should have pride in their work and ensure that only originals are ever used. Copies only devalue their efforts in the end.”

Education, awareness and pride. Viewed in this light, the question no longer seems to be who is hurt - designers and brand representatives seem to agree on that - but what. And that “what” is a civic culture of respect for the creative professions. For Malak, the focus is forward-leaning: “I prefer to put energy into educating the buyer in the satisfaction, value and importance of buying originals.” To state the obvious, culture does not develop in a vacuum; it is certainly aided by strict law and rigorous enforcement and all the “hard tools” - witness Denmark successfully preventing its citizens from shopping online for copies of iconic Danish furniture or the hefty fine France can impose on anyone walking through Charles de Gaulle airport with a fake Louis Vuitton. But the problem is thought by some to reflect more deeply rooted contradictions inherent in the present dynamics between artistry and global branding.

For Isaac Sullivan, a multidisciplinary American artist based in Abu Dhabi, the issue has far-reaching philosophical ramifications: “Designer furniture has its place in the world of luxury, and luxury branding is a symbolic action; it imbues an object with value by connecting the object with ideas and fantasies external to it. That way of adding value, however, conditions us to focus on the idea of a thing and less on its immediate physical attributes. When we are less present with an object is exactly

when a counterfeit item of inferior quality seems sufficient. Therefore, in addition to advocating enforcement of laws protecting intellectual property, we should also view the problem of counterfeiting as an opportunity to reflect on the cultural and economic conditions that give rise to this double bind.

Oposite: Masters chair, designed by Philippe Starck, Kartell