

In Style

The onset of smart clothing and the rise of privacy concerns.

BY PEGGY KEENE

Last summer, the Tommy Hilfiger brand announced it intends to release a new fashion line that will have smart chip technology embedded into the clothing. The technology is intended to allow consumers to accrue loyalty points and rewards. These loyalty points will allow consumers to purchase more merchandise at discounted or special promotion rates and can also be exchanged for concert tickets through Hilfiger’s partnership with Live Nation.

This latest foray by Hilfiger is in partnership with Awear Solutions Bluetooth technology and will allow the clothing technology chips to track

when and how often consumers wear the branded clothing when connected to Tommy Hilfiger’s Tommy Jeans Xplore mobile application. Hilfiger has said that the idea behind the new high-tech clothing line is to create a new line of highly visible “brand ambassadors.”

Smart Jackets by Levi’s Add Functionality to Jackets and Phones

Hilfiger is not the only fashion label to venture into embedding technology into garments. Levi’s has partnered with Google to create a line of smart jackets (code name “Project Jacquard”), which will allow consumers to use high-tech jackets to make new uses of their smartphones and subsequently provide new functionality to both jackets and phones.

Clothing Technology Raises Consumer Privacy Concerns

While the innovation of these companies is to be lauded, such strides in

technology raise more issues about consumer privacy and data security. Depending on the provider, Bluetooth technology may not always be entirely secure. In the past, Bluetooth technology has proven to be hackable, and experts in the field are concerned about introducing new avenues for hackers to infiltrate consumers’ daily lives.

Moreover, regardless of whether the actual clothing technology chips themselves are hackable, the inclusion of data chips in clothing raises more questions about consumer privacy and what kind of personal information the clothing companies may be tracking, selling, sharing, and storing about consumers.

Regulations Are Lacking in the Smart Clothing Technology Area

While the European Union has already passed staunch regulations regarding consumer privacy, the United States still has yet to require similar transparency and disclosures from technology companies. As such, it is unclear whether the simple purchase of the clothing signals consent or if manufacturers will tether terms and conditions of data collection to the accompanying applications. Either way, the applications are likely to track personal information that may vary from geolocation to customer emails—all information that can provide hackers with sensitive data.

As such, it is important for intellectual property counsel and brand owners alike to stay abreast of such developments in the clothing technology field. These recent innovations will require the guidance of data privacy lawyers to help provide legal protection to both companies and consumers. **TBJ**

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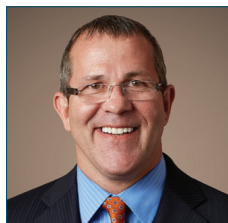
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