SUMMARY

The luxury industry is a key sector and is regularly subject to litigations in various matters. Beyond this legal aspect, luxury, and more specifically luxury fashion, constitutes a well-established and influential market on a global scale. It is indeed present in most countries around the world and is constantly expanding. Consequently, given its economic power and the potential legal disputes it can generate in many jurisdictions, studying luxury from a legal perspective appears particularly appealing.

First of all, the stability and success of luxury businesses primarily depend on their legal form. However, France, the United-Kingdom and the United-States offer a wide range of business entity types, sometimes ill-suited to the luxury sector. As a result, Haute Couture houses must carefully adapt and ensure to be well informed about the legal characteristics of their structure. Moreover, the emergence of modern corporate forms in these three jurisdictions, particularly in the United-States, might disrupt existing legal framework. Jurisdictions may thereby have to reform their company law in order to maintain their control over the area.

Moving on, the luxury industry is a very competitive sector in which Haute couture houses may have to use legal tools to remain attractive and exclusive. Consequently, these companies generally form or join luxury groups, structures that are usually underregulated. This lack of regulation tends to benefit luxury companies, allowing them to take advantage of it in many areas such as taxation. This holds true for France, the United-Kingdom and the United-States.

Finally, this constant need to expand and remain attractive often constrains companies to pursue mergers and acquisitions. While these strategies are commonly used in the luxury industry, companies regularly face legal obstacles when launching them. Thus, France, the United-Kingdom and the United-States have implemented measures to regulate and even limit them. Furthermore, mergers and acquisitions sometimes appear to be hostile, harming small but successful luxury companies that may struggle to defend themselves, even with the use of legal resources.