

MEJO 531 Midterm

Anna Church

Lightning Czabovsky

Case Study: Danielle Bernstein's Clothing Brand, WeWoreWhat, Controversies

Part 1: Synopsis

Danielle Bernstein is a famous fashion blogger with 3.2 million followers on Instagram and started a blog in 2010 called WeWoreWhat. She did collaborations with many clothing companies before starting her own brand in 2020. Now it has become a very popular clothing company, gaining headlines for good and bad reasons.

Bernstein's brand has been accused of copying designs from small businesses. Back in May of 2018, she was accused of copying several jewelry lines after she released a collaboration with Lulu DK. As per a People Magazine article, Bernstein mentioned her own "fine jewelry" as the source of inspiration for the Lulu DK x WeWoreWhat collection. However, Diet Prada, an Instagram account known for critiquing fashion influencers and industry figures, accused Bernstein of selectively adopting design from other brands. There were series of side-by-side photo comparisons between Bernstein's line and items from Foundrae, Retrouvaí, Bondeye Jewelry, and Tiffany & Co. that supported this accusation. The founder of Foundrae, Beth Bugdaycay, responded with an Instagram post expressing her upset feeling about the situation.

In response to Bernstein's backlash, she posted an emotional video on her Instagram story explaining that her collection was inspired by her late grandfather, not the other brands. She then removed several pieces from the collection. Additionally, Nordstrom released a statement emphasizing that WeWoreWhat and Lulu DK would not continue to sell those accused pieces.

Unfortunately, accusations against Bernstein would not end there. In March 2020, she launched a collection with Macy's. The next day, Diet Prada, once again, accused Bernstein of copying more than just inspiration from Danish designer, Cecilie Bahnsen. The main clothing article in question was the puff sleeved tiered babydoll dress. Bernstein never addressed the claims this time but she was proven to have known this designer because in 2019 she was seen wearing the designer's products multiple times and even tagged them. Bahnsen never called her out for it but did say she has had to deal with fast fashion brands copying designs. She went on to say in an interview with Harper's Bazaar, "you have to take it as a compliment and also a challenge to keep moving on and to be innovative." Bahnsen also made a point when she said "it's a shame when the high street copies a young brand because you don't even get to start before a bigger company takes what you do."

Bernstein's next accusation was just a few months later in July of 2020. She allegedly copied a face mask design from a small Latina-owned business called Second Wind. According to Diet Prada, Bernstein reached out to the founder, Karen Perez, on Instagram and asked for samples. One special feature that separated Second Wind from competitors was their masks that had detachable and fashionable chains. Not even a week after that, Bernstein made an announcement saying that she was releasing masks with detachable chains. People quickly pointed out the similarities between the products, once again adding to Bernstein's controversy. Following the poor response, she shared an Instagram message saying that the accusations were not true. She went on to state that she would donate her masks and 5,000 surgical masks to healthcare workers. Bernstein also deleted photos of the chained face masks from her Instagram, making herself look even guiltier.

Just another few months later in October of 2020, Bernstein got accused of copying again, but she took a bigger action. The Great Eros lingerie brand accused her of copying the design of their signature packaging. So in response, Bernstein sued. To appeal to the public, she wrote on her Instagram story, "I want to clarify that I am absolutely not seeking financial gain,

what we are doing is simply asking the courts to confirm that we did not infringe on an alleged copyright.”

Several other copyright allegations have been made against Bernstein, with the most recent being March 2021. It is one thing to be accused of copying designs from other brands, but even worse to be stealing them from small businesses.

Bernstein's journey from a prominent fashion blogger to a clothing brand owner has been marked by controversies and accusations of design copying, particularly from small businesses. While her responses to these allegations have been mixed, ranging from emotional videos and product removal to lawsuits and donation promises, they have often left questions about her sincerity and accountability. The persistent pattern of accusations underscores the need for transparency and ethical practices in the fashion industry, particularly when interacting with smaller, independent designers and businesses. These instances serve as a reminder of the crucial public relations principles that can make or break a company when dealing with a crisis.

Part 2: Analysis

1. The bigger the situation, the higher the speaker.

When a company/brand's problem is severe and getting a lot of attention, it requires a spokesperson with a higher status to address it publicly. It is a principle in public relations that acknowledges the significance of having an authoritative spokesperson address severe issues affecting an organization.

An example of this principle being applied would be the Lululemon case that caused controversy amongst their audience. Many customers complained about Lululemon's see-through yoga pants. In response, the founder, Chip Wilson, stated “quite frankly, some women's bodies just actually don't work” for pants. “It's really about the rubbing through the thighs, how much pressure is there.” Understandably, this offended many and caused a serious controversy for Lululemon. To try to make this situation better, Lululemon had that same high-up speaker come out and post an apology video on YouTube that was just under a minute long. They chose the founder not only because he made the harmful statements but also because it builds trust between the brand and consumer. Unfortunately, he did not seem remorseful, nor did he ever actually apologize. As a result, Wilson was forced to step down as chairman. Lululemon chose to demote him for the sake of their image. They know that the founder damaged the reputation and the best way to fix that would be to make an even bigger act and remove him from his position.

For WeWoreWhat's case, this principle is even more crucial because the CEO is a public figure and the face of her brand. Therefore, most of her consumers who are ordering her clothes and accessories, are aware of who they are ordering from. In very minor cases, she could simply post something on the WeWoreWhat Instagram story apologizing, but in a case this severe, it needs to come from her personal account. Her statement coming from her personal account is also more significant because it has 3.2 million followers versus WeWoreWhat's account that has 264 thousand followers.

Although Bernstein did the right thing by speaking out publicly on her Instagram about the controversies, a factor to consider nowadays is the difference between an Instagram story and post. A story disappears after 24 hours but a post would be on her feed forever or until she deleted it. Many public figures have received hate for only posting their apology videos to their

story and not their feed because it shows that they are not taking their situation with enough significance.

The principle of having a high-status spokesperson address severe issues is a vital component of effective crisis management in public relations. The Lululemon case serves as a stark reminder of the consequences when such a spokesperson fails to convey remorse and responsibility, leading to a forced change in leadership. In WeWoreWhat's case, where the CEO herself is the face of the brand, the use of her personal account to address significant crises becomes even more critical. The choice between an Instagram story and a permanent post underscores the importance of the medium in conveying the gravity of the situation. Today, more than ever, the method of communication plays a central role in shaping public perception and can significantly impact the ultimate outcome of a company's response to adversity.

2. Prioritize your publics.

One of the most crucial tasks for a company in a crisis is identifying which publics to prioritize. Such decisions entail determining the most valued audience in these challenging situations. As a general guideline, organizations should focus on the public most profoundly impacted by the issue, aiming to mitigate substantial collateral damage.

The Cleveland Clinic case study is a great example of prioritizing your publics. They completed the first near-whole face transplant on Connie Culp in 2008. The clinic's public relations team understood this principle and handled the announcement successfully. They waited eight days after the surgery to announce the operation and kept the patient, Culp, anonymous for 58 days. They chose to do this because they understood that Culp was the most important public in this case and they needed to ensure her confidentiality. The next public the clinic needed to prioritize was their staff. They were aware it would put Culp's identity at risk if they told the whole clinic about the operation, they knew they could tell a small team. This was the best decision because keeping the amount of employees that knew at a small number would ensure trust. Although, it could upset the other employees that did not know. Those oblivious employees would feel jaded. So, after a few days, the whole clinic was notified of the operation because they knew that their employees should know before the public. Lastly, the media advisory went out to local reporters because they had no direct correlation with the operation or patient. This is the perfect example of prioritizing the public and addressing the needs of those affected in order. By doing so, the patient was able to be protected and the employees were able to be respected.

In comparison, Bernstein also prioritized her publics in all 6 of her controversies. First and foremost, when controversy would arise and people would point out the oddly similar designs, her company was notified. Bernstein knew that the first public to be prioritized was her company to ensure that they were all informed and on board, but also to build a trustworthy environment. Where Bernstein went wrong most of the time was addressing the second most important public. It should be the company affected by her alleged copying. Instead, she would address her followers on social media. This shows that she cares more about her self image than who is actually hurting. What is worse is that in some cases, the company that she stole designs from would not be contacted by Bernstein at all. This is the second most important public and the fact that she would not even address them exemplifies a very poor public relations team and a poor character on her end.

As a result, all of the companies involved in the cases turned their fan bases against her and one ended in a lawsuit. This simply goes to show how crucial it is to know how to prioritize your publics and honor that.

3. Importance of speed.

The importance of speed is a crucial principle to follow in the industry of public relations. It is critical in order to manage and mitigate the impact of crises, to maintain reputation, and to demonstrate an organization's commitment to transparency and accountability in a fast-paced, information-driven world.

An example of a crisis that acknowledged the importance of speed would be Domino's Pizza. In 2009, a video was released of two Domino's employees contaminating pizzas going to customers. It got over a million views in just a couple days and in response Domino's immediately fired the two employees and reported them to the police. Domino's knew the importance of speed in this situation is crucial and the first immediate step to make is firing and reporting the two. Domino's created a twitter account to respond to all of the messages they were getting and the President, Patrick Doyle, released a video personally addressing the situation and his frustration. This all happened just within two-three days of each other. That is how quickly a horrible situation can become viral and Domino's is a good example of addressing the situation with speed and eagerness.

In observing Bernstein's case, it is apparent she does not respond with speed. In some cases, she never even addresses her controversies. But in particular, when she copied Second Wind's face mask design and immediately got torn down for it, she waited a week to respond. A week is far too long to address a matter so serious. By not acknowledging the importance of speed in public relations, it shows the public that she does not care. It also severely damages the reputation of her company, therefore damaging the reputation of her employees. When matters are handled without the usage of basic public relations principles, it has a horrible consequence to everyone in association.

In today's world with social media, information spreads fast which makes this principle even more crucial. If a response is not addressed quickly, then the company's reputation is put at justice. Understanding this impact is key to handling a crisis.

4. Show remorse or do actions show that you're following through.

Showing remorse and taking meaningful actions to address a crisis in public relations are essential for rebuilding trust, maintaining a positive reputation, and demonstrating accountability and transparency. These steps are critical to not only resolving the immediate crisis but also preventing long-term damage to the organization's image and relationships with stakeholders.

An example showcasing the importance of showing remorse is the Marburg Virus case. International health authorities rapidly buried the dead without taking into account the local customs or the history of the nation when they arrived in Angola to assist in controlling the virus's spread. Because of the country's three decades-long war for independence from European colonists, the indigenous community found this attitude to be distrusting. At first, the health experts did not recognize how the historical background affected the current circumstances. But in the end, they came to understand the importance of this past and the necessity of change. They

included two medical anthropologists into social mobilization teams and formed a communications team in order to foster positive relationships and trust. Furthermore, the workers started going to homes in their regular clothes before putting on safety gear—a clear indication of their willingness to adjust and build trust going forward.

In Bernstein's case, she faced multiple accusations of copying designs, but her responses to these allegations varied in terms of showing remorse and taking action. While she addressed some claims with emotional videos, removed certain pieces, or promised donations, her reactions were inconsistent. In her other cases, she remained silent or chose to sue instead of acknowledging wrongdoing, resulting in a lack of transparency and accountability. These mixed responses contributed to ongoing controversy and public skepticism, emphasizing the importance of consistent and genuine efforts to address such issues in public relations.

The significance of showing remorse and taking concrete actions during public relations crises cannot be overstated. These steps play a pivotal role in rebuilding trust, safeguarding an organization's reputation, and demonstrating accountability and transparency to stakeholders. The Marburg Virus case exemplifies the positive outcomes that can result from acknowledging past mistakes and actively working to build trust. On the other hand, the varied responses in Danielle Bernstein's case underscore the importance of consistency and transparency in addressing accusations to maintain public trust and integrity in the world of public relations.

Bibliography

- O'Connor, Florence. "Tiktok Joins Together in Roasting Controversial Influencer." *The Cut*, 5 Mar. 2021, www.thecut.com/2021/03/weworewhat-gets-roasted-by-tiktok.html.
- Pearl, Diana. "How Danielle Bernstein's WeWoreWhat Broke the Influencer Brand Curse." *The Business of Fashion*, The Business of Fashion, 13 Oct. 2023, www.businessoffashion.com/articles/marketing-pr/how-danielle-bernsteins-weworewhat-broke-the-influencer-brand-curse/.
- Premack, Rachel. "Some Fashion-Industry Insiders Allege a Mega-Influencer's Retail Empire Is Bolstered by Stolen Designs." *Business Insider*, Business Insider, 27 Jan. 2021, www.businessinsider.com/weworewhat-danielle-bernstein-stolen-designs-sources-say-2021-1.
- Weiss, Geoff. "Major Fashion Influencer and WeWoreWhat Founder Danielle Bernstein Vehemently Denies Claims She Copied yet Another Brand for Her New Jewelry Line." *Insider*, Insider, 16 May 2023, www.insider.com/danielle-bernstein-weworewhat-denies-copying-claims-again-jewelry-launch-2023-5#:~:text=Danielle%20Bernstein%20is%20denying%20claims,by%20an%20estate%20sale%20purchase.