

Hermès Wins Dismissal of U.S. Antitrust Lawsuit Over Exclusive Birkin Bag Sales

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French luxury fashion house **Hermès** has once again emerged victorious in a closely watched legal battle over its **iconic Birkin handbag**. On Wednesday, U.S. District Judge **James Donato** in San Francisco dismissed—this time with prejudice—a proposed class-action lawsuit that alleged Hermès was violating antitrust laws by forcing customers to buy thousands of dollars worth of products before qualifying to purchase a coveted Birkin.

The plaintiffs, three California-based shoppers, argued that Hermès' sales strategy effectively amounted to a **“hidden lottery system”**, requiring customers to build up a sales history by buying ancillary products before even being considered for a Birkin purchase.

Judge Donato, however, was unconvinced. In his ruling, he noted, *“It may be, as plaintiffs suggest, that Hermès reserves the Birkin bag for its highest-paying customers, but that in itself is not an antitrust violation.”*

With the dismissal “with prejudice,” the case cannot be refiled—a decisive win for Hermès, whose lawyers maintained that **Birkin bags are sold in a competitive luxury market** and that exclusivity is part of the brand's heritage and positioning.

The lawsuit, originally filed in 2023, had already been dismissed once before, with Judge Donato expressing skepticism that Hermès' selective approach to selling Birkin bags could amount to unlawful competition suppression. He reiterated during hearings that, as a private company, **Hermès is free to determine how many Birkins it makes and at what price**.

The ruling marks a significant moment in the debate around **luxury exclusivity** and consumer access. While critics argue the practice highlights the elitism of luxury fashion, others see it as part of what keeps the **Birkin bag one of the world's most aspirational fashion icons**.

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