

# ACID®

news

ANTI COPYING IN DESIGN

Issue 38  
2010

**BRANDS WITH ATTITUDE**



**Fiesta Collectables**

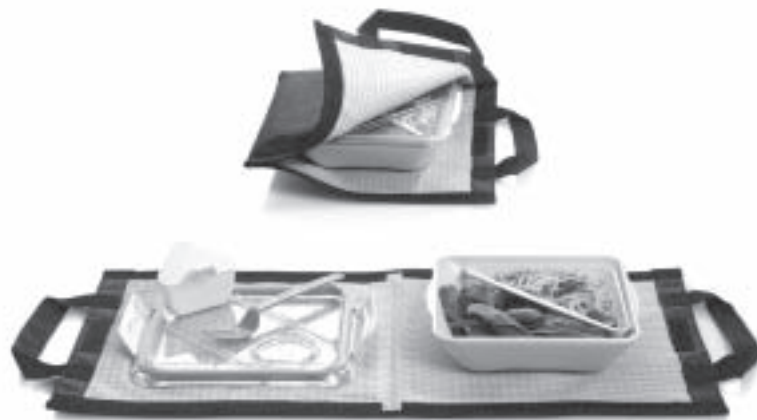


**Villeroy & Bosch**



**LSA**

**Black & Blum**



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# ACID MEETS FOR TALKS WITH THE INCOMING CEO OF THE UK INTELLECTUAL PROPERTY OFFICE

**A**t a positive meeting held with the new Chief Executive of the UK Intellectual Property Office, John Alty, and Andrew Layton, Director of Trade Marks and Designs, Dids Macdonald outlined ACID's ongoing lobbying priorities for improvements to the intellectual property framework for designers within the Creative Industries. Commenting on the talks, Dids said, "In line with our current Number 10 lobbying campaigns to improve the damages system and create criminal sanctions for design infringement, it was timely to reinforce ACID's key messages." Accompanied by ACID LOBBY's Chief legal counsel, Nick Kounoupas of ACID Accredited law firm DMH Stallard, Nick said of the talks,

Left to right - Andrew Layton, Trade Marks & Designs Director UKIPO, Dids Macdonald CEO ACID, John Alty Chief Executive UKIPO

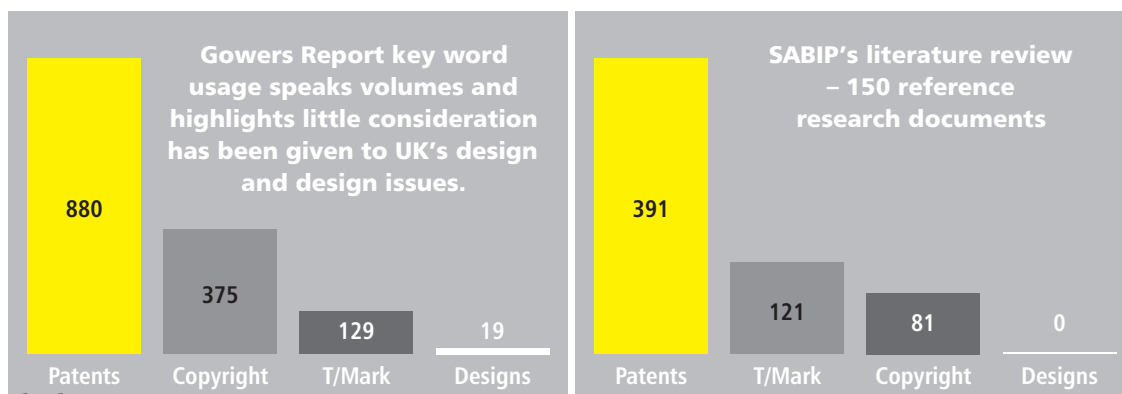


*“Designs have been the poorer relation in the family of intellectual property rights for some time. Whereas copyright issues are always on the agenda of the IPO, design right concerns are usually relegated to the status “any other business”, yet the continuing damage to UK SMEs and individual designers from the theft of their creations is colossal*

ACID LOBBY was created in 2004 to lobby at grass roots and aimed at Government to make the voice of design heard loudly and clearly, to influence policy making decisions and to acknowledge design's role as a key contributor to the UK's GDP. Design right is a comparatively new intellectual property right, and the least well-known and acknowledged, which seems out of kilter with the fact that every successful product has been designed. IP in design, therefore, has great value for the UK economy, provided it is properly protected. The UK is increasingly earning more from designing successful products than from manufacturing them and ACID's membership, comprising micro enterprises, SME's and some major brands, are key contributors.

Macdonald said, "Unless there is a stronger role for enforcement in UK IP policy and help for UK's micro enterprises and SME's to address IP infringement, they will continue to rely on perpetual innovation to beat copyists, which is self defeating. The balance would appear to be skewed as IP creation is not a short term activity. As 1 in 3 businesses believe the recession will

lead to more infringements, there is a very real need for stronger enforcement. To date the common feature of every recession has been the creation of a fast track to market through IP infringement and ACID has witnessed a massive rise in interest in online infringements. However, currently there is little focus on design infringement. Although the UK is ranked 1st for its IP framework, this does not reflect the true problem facing the Creative Industries, 70% of whom employ less than 4 people. SME's need a robust means of protecting, fully exploiting and enforcing their IP rights. At the moment this simply does not happen because the majority of SME's cannot afford to take legal action. Since first mooted in 2003, there are still no accurate figures on the scale of copying within the creative industries in 2010. The criteria and methodology of identifying this scale is questionable, if relying on court cases, because most of the evidence is applied in the media sector and based on criminal court cases and seizure. Dids was keen to ensure that the incoming Chief Executive and his team would address the lack of acknowledgement by policy makers of design and its role in IP creation in the consultative process.



## ACID LOBBY OBJECTIVES remain consistent

- **Addressing the disparity between copyright and design right**
  - Criminal Sanctions for Design Right infringement
  - Moral Rights for designers who rely on design right
  - Period of protection to be reviewed (currently unregistered design 15 years, EU unregistered design 3years yet copyright can last 70 years plus the life of the originator)
  - Cost of registered protection £60 in UK, €360 in EU, only approximately 4000 registrations in UK. ACID holds over 350,000 designs for 1000 members and receives at least 50,000 per year
  - There is a disproportionate strength of the copyright lobby which extends on behalf of the entire record, film, computer, software, book publishers sectors etc - and there is nothing equivalent for design right. It is also true to say that whereas the copyright lobby benefits non-UK companies, most UK SME's are not represented on design right issues.
- **Exemplary, restitutionary and aggravated damages to be improved**
- **If SABIP is to continue then design issues need to be reflected in research documents**
- **Kick start mediation as a real alternative to litigation**
- **Support and acknowledgement of ACID's latest ongoing campaign launched on World Intellectual Property Day 2010 to enlist and encourage major UK PLCs to have a communicated section within corporate social responsibility (CSR) on respect for intellectual property**
- **Cabinet position for IP Minister - or at least not a shared portfolio**

**IPO are keen to work collaboratively with ACID and other organisations interested in designs with the aim of ensuring that more UK companies know about the vale of design registration.** John Alty

# The BIG ReThink

## - The Redesigning Business Summit

Key influencers, movers and shakers from across the business community from the CBI to the Microsoft, Tom Tom to Penguin, listened, interacted and learnt from an array of inspirational speakers who embraced contradictions but shared one theme in common - the redesigning and defining of new thinking through design, whilst complimenting traditional business methods. The glue that bound them together was a thought provoking event co-organised by the Design Council and the Economist, skilfully steering participants through the complexities of a diverse sea of opinion by Economist correspondent Vijay Vaitheeswaran.

77% of the 200 or so companies present thought their companies would be in better shape after the recession, reinforcing the belief that crisis can bring opportunity i.e. "the eye of the storm is the time to fish". There are now new value drivers through a surge in declared corporate responsibility via ethical issues. This must make the real heroes - the pioneers and champions for change and reform - sleep better at night. Taking climate change, Steve Evans of Cranfield University said, "Before, labour was scarce and nature abundant, now there is an abundance in labour and a scarcity of nature." literally forcing us into finding new ways to find solutions."

Those that invested in "intangibles" from 1970-2004 saw an increase from 6 - 14% in turnover, so investment in intangibles is holding up. Executive Vice Chair of the Work Foundation, Will Hutton, sees design as the bridge between technological advances and the consumer, ensuring they get a better deal. If only parliamentarians and policy makers could get it too!

- Intellectual property was an important theme running through the event and Virgin's Design Director Joe Ferry confirmed that their IP policy was robust, to protect and commercialise what they created because of the immense cost in R & D to make changes through design.

- A different approach to IP was through the open innovation policy using a licence model of River Simple's revolutionary new way of thinking about transport - not a car but a mobility service. "We can't afford to sue if someone rips off our ideas so let others take the responsibility." said River Simple's Hugo Spowers.

- Given the recent seismic changes affecting business as we have known it, The Big Rethink was a timely moment to reflect on a company's ability to reinvent and find different solutions to respond to challenging market forces. Jonathon Ives of iPod fame, for example, is not a computer geek but a designer. Radical and visionary thinking allowed Apple, through Ives, to challenge the rules of competition by innovating what things mean. Thus the sleek, incredibly sexy and simple "must have" iPod was born.

- Designing a way out of problems was PACT's simple approach, through social and environmental criteria, creating packaging which becomes a usable fabric bag thereby designing a way out of waste. Everyone wants part of the party because it's basically good and we feel better! Being part of an ethical story such as with Innocent's Smoothies makes us feel good about our purchasing decisions, knowing that 10% of profit goes to a good cause. IDEO CEO Paul Bennett espoused the moral crisis - 'walk the talk' design products and services which have meaning, transparency through corporate responsibility and trust, through passion and obsession.

- Innovation is the process of turning new ideas into money to benefit society. Take a recent project championed by the Design Council, looking at the world's largest employer, the UK National Health Service. The problems were complex and they were up against conflict, risk averseness and a lack of inertia to change. Through simplicity, engagement, momentum, experimental and collaboration they facilitated some positive solutions which were visual, user-led and optimistic, such as Pearson Lloyds Reclining Day Chair, Bay Screen & Poncho and the Inclusive gown and ICU cover designed by Royal College of Art Helen Hamlyn Design Centre.

- Why - to use design to change or meet the challenge of C Difficile. Underpinning the whole redesigning process was Discovering Defining what was needed, Developing a product which would meet those need and delivering a solution. Design for Patient Dignity is a classic example of how redesign can shape future policies and is a lesson which should be learnt and picked up on through the whole procurement process. Using various themes, such as creating a different bank or transport system, provided a melting pot of ideas

- Using cognitive media, the event used "Scribing" a real-time capture "artist", processing and reiterating information in a visual form. This is represented in words, cartoons, pictures, diagrams, flows and hierarchies. A fascinating visual snapshot of some critical thinking, encouraging everyone to observe patterns and absorb information differently. The aim is to enhance understanding looking from a different angle.

## ACID AND BIID FORM NEW INSTITUTE PARTNERSHIP

TRADE ASSOCIATION PARTNER



An Institute Partnership has been launched between ACID (Anti Copying in Design) and the British Institute of Interior Design (BIID). With its recently recognised status as the UK's foremost professional body for interior designers, the British Institute of Interior Design sets out a new chapter in its history as the only professional organisation for interior designers granted Institute status by the Secretary of State, as being pre-eminent in the field.

Intellectual Property is high on the BIID's priority list, underpinning their goal to encourage competency in the field of interior design through education, practical professional support, development opportunities and facilitating best practice.

Jenny Gibbs, BIID's President said, "Our commitment to members is

paramount and I recognise that intellectual property plays a key role in our Continued Professional Development programme. By becoming Institute Partners with ACID, BIID members will be able to benefit from ACID's extensive experience, helping not only micro enterprises and SMEs but some of the best known brands within the Creative Industries."

BIID members will benefit from IP workshops, practical, sector IP related articles and a 20% discount on ACID membership. Creating a design audit trail is an essential part of an IP strategy and ACID members benefit from a free design data bank which allows them to send copies of their new designs, plans, drawings and design pitches to ACID. This provides independent, third party dated evidence of when they are received by ACID. ACID members also benefit from free help lines which provide access to intellectual property specialists for initial free advice on a whole raft of IP related issues.

**Dids Macdonald**, ACID's Chief Executive said, "I am delighted about the new partnership and we will work positively with BIID to raise awareness about IP knowledge to help BIID members fully protect, exploit and commercialise the intellectual property they create. Having a sound intellectual property strategy is a key component of any successful enterprise within the creative industries."

## ●●● IP doctor



*In the latest IP Doctor article, IP lawyer Andrew Lee of McDaniel & Co answers your questions on Patents.*

**I paint pictures of famous people such as Audrey Hepburn, Marilyn Monroe etc. using photographs that I have obtained. Am I infringing copyright of the photographs?**

*Assuming the photograph is still in copyright, you could be infringing copyright. This is because photographs are specifically protected as artistic works pursuant to the Copyright Designs and Patents Act 1988 and an infringement will occur if the whole or a substantial part of the photograph is reproduced, in any material form, without the copyright owner's permission.*

*However, take the situation where you reproduce the photograph but in doing so you reproduce it using a degree of skill, such as the use of a mosaic technique, then you may yourself have a copyright in your finished work. In other words you might infringe copyright in the original photograph but yourself have acquired a copyright because of the skill and thought used to make the reproduction. There may then be issues as to whether your copyright is enforceable or whether you need to make terms with the photograph owner to exploit your work.*

**I create boxes to hold stationery – which are covered in, say, a Laura Ashley fabric – do I have any rights in the final product and will I get into trouble for selling my product?**

*It is possible that the fabric purchased from Laura Ashley may have some form of copyright protection such as a print or pattern. However, provided the material you buy is genuine, and not counterfeit, you will not infringe copyright by that use as you are not making a copy of the fabric nor are you then selling it to the public for the first time. These acts were done by Laura Ashley, or through another party with Laura Ashley's consent and therefore their rights are what are known as "exhausted" to prevent further circulation of that particular piece of fabric.*

*In terms of your rights in the finished product, you will not own the copyright in the pattern or print of the fabric because that is likely to be owned by Laura Ashley. You may have rights in the other pieces of your product such as the shape of the box, provided you designed the shape. You may also sell the product under a particular brand or name which you may have unregistered rights in and which you could convert to a registered trade mark.*

*Whether you have any rights in the combination of your box with the fabric is debatable. It could be that the combination itself is new and of individual character and thus may be protected by European Community Design right. However, as the fabric design would have been available before you made your product it is arguable that the product is not new or not different enough from the prior art to be considered new. It may also be possible that the owner of the copyright could object to that use, however this area of community design law is presently uncertain as the right is relatively new (2002) and there has been little case law.*

*You will however be in a much stronger position to claim rights in the finished product and prevent others copying if you have designed all of the relevant parts yourself.*

**A rival company has used one of our products as part of a photograph to publicise their own goods. Can they do this?**

*It will depend on the circumstances. It could be that your product has unregistered rights in it such as copyright on the packaging and it is arguable that the photograph reproduces, without your permission, the packaging which is protected by copyright. It is likely the company has deliberately incorporated your product into the advert for the purpose it can be seen so that use cannot be said to be incidental.*

*Furthermore, if your product is successful, or sold under a particular brand or name for which you have developed a reputation, it could be possible to mount a passing off action on the basis that people reading the advert may be confused into thinking you have endorsed the other companies goods. Each situation is a matter of fact which you should seek advice upon.*

**Surely it is OK to re-use/download a picture or video shown on a website – after all it is in the public domain?**

*There is an argument that people who upload*

*material on the internet are impliedly consenting to the subsequent use of that material by others. However, the default position is that if you download a picture or a video from a website, you then make a "copy" of that work on your own computer because making a copy of a work includes storing it in an electronic form. By making that copy, on the basis that the original work is protected by copyright, then you will prima facie be infringing that copyright.*

*This is then subject to whether the rights holder has consented to that download for example in their terms and conditions of use on the website, or a statement saying the content can be used provided an acknowledgment is given. In addition the purpose for which you have used that work may come within some of the special defences to copyright infringement.*

*However, in summary, it would be dangerous to assume you are allowed to download such material simply because it is on the internet.*

**I have copied someone's work but I did not know that this was not allowed or that the person concerned was the owner of copyright. Surely that is a defence?**

*Unfortunately not. The primary acts of copyright infringement, such as copying a work, are acts of strict liability subject to any statutory defences. This means the 'doing of the act' itself is sufficient for an infringement, irrespective of your state of knowledge. Innocence is no defence.*

*There is a limited defence which provides that if you did not know, and had no reason to believe, that copyright subsisted in the work to which the action relates, the other person is not entitled to damages against you, but without prejudice to any other remedy (this means that person can still get an injunction or an account of any profits you have made from using the work). However this defence is narrow and will be of limited application, likely only in circumstances where the term of protection of the copyright has run out or where the type of work copied is of such a character that it ought not to be protected by copyright.*

*The basic point is that if you have any doubts about what you can and cannot do, speak to a lawyer before you do them!*

 **McDaniel & Co.**  
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# SPRING FAIR SPRUNG A FEW SURPRISES!



As ever, Spring Fair proved a fantastic launch pad for an impressive number of micro enterprises, as well as household names, all seizing the opportunity to market new designs and products. But it was a mixed Fair for ACID member Jan Constantine. On one hand her order book was full and overflowing but the excitement was tinged with frustration at having discovered not one, but three, alleged copies of one of her design collections. Most exhibitions are natural showcases for new products but some exhibitors can also be vulnerable to those who seek the fast track to market through copying and Jan was no exception this year.

Fortunately, ACID was able to help and, using the Exhibition Protocol for complaint handling, informed the people concerned and put them on notice regarding the complaints. Prior to that one of ACID's IP lawyers had confirmed Jan's IP ownership and that there were sufficient similarities in the alleged copies to inform the stand owners in question. None of the companies concerned cooperated with ACID's requests to remove the products and matters are now being dealt with by ACID Accredited law firm McDaniel & Co.

The clear message to anyone thinking about marketing any new product is that they are unauthorised to do so unless they have created their own intellectual property rights or have a license to market those products.

Following the alleged copying discoveries Jan Constantine commented, "All intellectual property rights in our designs are the property of Jan Constantine Ltd



and any infringements will always be taken seriously. It took a significant amount of investment and time to create our product range and it's something I feel very proud about. If people are proved to be copying, then the Spring Fair organisers should not allow them to rebook in the future."

Jan Constantine's background in fashion, interiors and styling proved a real driving force behind her ambition to fulfill a lifetime's ambition and produce her own Collection and all the designs are created by her with help from her team to implement them. Copies of all designs are sent to the

ACID Design Data Bank and this provides valuable evidence of the date they are received which provides compelling evidence in pursuing any IP infringement.

Said Jan about ACID, "We joined Anti Copying in Design (ACID) to help protect our designs and the intellectual capital which underpins our brand. One of the main advantages is the visually powerful ACID logo which, when used at Fairs and Exhibitions, helps to deter others from copying. The ACID logo is prominently displayed on the homepage of our website and also inside the front cover of our new brochure."

As a member of the newly created ACID Spring & Autumn Fair IP Steering Committee, Jan endorses ACID's objectives to work closely with ACID Accredited Show Organisers Emap to build on the positive IP work already achieved. Not only in their support of respect for intellectual property, but also to ensure that the voices of those who represent ACID members and others exhibiting at the show are heard loudly and clearly so that improvements can be considered for the future. Jan hopes that the new ACID IP Steering Committee will be a first for many exhibitions in the UK. "After all", added Jan, "We invest heavily each year in exhibiting at several exhibitions in the UK. We are there to market and sell our products, not to have to spend time going after copyists. We look to the UK exhibition organisers to take a leaf out of European organisers' books who take a much firmer attitude to infringement of original designs".

So, whether you are an established company within the giftware sector, or a start-up hoping to make it in today's competitive market, there is no time like the start of a new decade to take a fresh look at what is one of your most important assets – your intellectual property. Daunting though it may sometimes appear, there are some simple steps all businesses should take to ensure that this precious commodity, the lifeblood of business in the 21<sup>st</sup> century, is protected. After all, we are no longer a nation of shopkeepers, ours is a knowledge economy and full exploitation of your intellectual property will be key in today's competitive marketplace. One person's innovative ideas - if carelessly discussed without confidentiality - can be another's instant passport to success.

## LINDY LOU ENSURES IP UMBRELLA FOR RAINY DAY!

ACID member Lindy Lou Ltd, designers and suppliers of see-through umbrellas, have shown how a proactive approach to Intellectual Property rights can reap dividends. This resulted in a formal undertaking from fellow Spring Fair exhibitor Sunrise Bags not to sell or import the look alike products in the future. Sunrise Bags also gave a commitment to deliver up remaining samples in their possession and reimbursed Lindy Lou's legal costs.

Regular Spring Fair exhibitors Lindy Lou were exhibiting at the Fair, one of the main international giftware events held at Birmingham NEC, in February this year when they discovered a fellow exhibitor, Sunrise Bags, displaying copies of two of Lindy Lou's umbrellas, which were protected by European Community Unregistered design right.

Lindy Lou immediately telephoned the ACID mobile IP helpline to get specialist advice. Spring Fair has been an ACID Accredited Fair for many years and, as such, supports ACID's presence to help in alleged copying issues. ACID is assisted by specialist IP lawyers from ACID Accredited law firms. By using the ACID Exhibition Protocol, Lindy Lou, with help from Andrew Lee of ACID Accredited law firm McDaniel & Co, was able to communicate their complaint to Sunrise and an on the spot mediation took place. Sunrise agreed to remove the complained of products for the duration of the show. Lindy Lou, however, instructed McDaniel & Co to follow up the complaint with a formal letter of action, which was hand-delivered at the show, in order to obtain formal undertakings and delivery up of any copies.

Andrew Lee of ACID accredited law firm McDaniel & Co said, "This case is a great example of two things. Firstly, how useful the Unregistered European Community design right is particularly for products that have novel features resulting from the material the product is made from or its colours and pattern. Secondly, Lindy Lou took a very proactive approach once they were aware of an infringement. Within a few hours, Sunrise had been served with a letter before action."

Carolyne Davis of Lindy Lou commented, "We found ACID and their accredited lawyers very easy and clear to get along with. They explained the law and our rights in a way that we could understand and in a way that gave us the confidence not to let anyone copy our exclusive designs now or in the future."

**ACID Comment** "Often exhibitors do not follow up copying complaints formally after the show leaving them wide open to further potential problems. Formal undertakings play a key role on which to rely should any further look alikes enter the market place. Publishing successful settlements also sends out a clear message about Lindy Lou's strict IP policy within this sector."



# IP — BRANDS WITH ATTITUDE!



An ACID Spring & Autumn Fair Intellectual Property (IP) Steering Group has been formed to consult with EMAP via ACID on current and emerging IP issues, to build on existing progress and cooperation with the organisers and to develop new initiatives to address exhibitor concerns on the increase of copying within this sector. Dids Macdonald, CEO of ACID talked to the members of this new panel and discussed some of the IP issues which concern them. Talks with the Spring Fair organisers are planned for the end of May.

Clare Farthing, Marketing Manager of Creative Tops and ACID IP Steering Group member said, **"I believe that every participant at a trade show event should sign a legal agreement upholding professional standards regarding copyright design."** she continued, **"In this way this awareness will be raised about the importance of intellectual property for each and every exhibitor and also give the show organisers an opportunity to act if exhibitors are persistent copyists."**

Creative Tops use the following statement to reinforce their IP policy to all visitors to their website,

*"All copyright, design rights and intellectual property rights existing in our designs and products and in the images, text and design of our website / marketing material are and will remain the property of Creative Tops Limited. We will treat any infringement of these rights seriously."*

Established in 1996, Creative Tops started life making just one product, glass work top savers with surface

design. Then in 1998 they began to manufacture lap trays and in no time at all the range grew to encompass a whole collection of co-ordinated products including; tablemats, coasters, trays, mugs, dinner sets, gift sets, textiles, kitchen accessories and much more. Their business has grown to encompass a large portfolio of products designed by a ne xperienced team of designers who, between them, have many years experience in analysing market trends and delivering strong commercial surface patterns, within strict time frames. Having been copied several times, Creative Tops put intellectual property as one of their brand's key strengths. Launched at this year's Spring Fair was a range of white ware under a new branding 'Justin Capp' who is a chef, demonstrating not only the endorsement of Justin but the positive benefit of using a licensed trade mark.

Dan Black of Black & Blum, also a member of the ACID IP Steering Group said, **"Being involved with an ACID Accredited Exhibition like Spring Fair gives us confidence and I know that any alleged copying issues will be dealt with on site at the exhibition. It is daunting to go to an international fair with new designs because with new technology , new products are so easy to copy . It is in the exhibition organiser's interest to protect the IP of design led exhibitors to keep them designing and creating, because it brings the buyers in. After all, buyers are attracted by new products."**

Black & Blum's latest new product "the Box Appetit" is a revolutionary new lunch box, more like a ceramic bowl than your standard food container and with better functionality . This is also protected by a registered Community design which gives a

monopoly right, lasts for 25 years and is protected in 27 EU member states.

Patrick Heeley of Villeroy & Boch is no stranger to dealing with copying issues and is quite clear about his objectives when exhibiting, **"A n important factor for us attending Spring Fair is that ACID will be present with their on the spot mediation service. I would also like to see a heightened acknowledgement by the organisers on their zero tolerance policy to copying. Brand protection and a strong IP policy are at the heart of this household name."**

**"Every strength in one brand."** This is the strategy with which Villeroy & Boch are addressing the challenges of the market and the competitive situation in the new millennium centres on the strength of their brand. Credibility , quality, image, competence, elegance, harmony , design and lifestyle are the defining characteristics. Products from all divisions of the company have received prestigious design awards such as the "red dot award: product design" from the Design Zentrum Nordrhein-Westfalen, the "good design" award from "The Chicago Athenaeum Museum of Architecture and Design" or the "IF product design award" from International Forum Design.

Another ACID IP Steering Group member and MD of Lubkowski Saunders Associates, Penny Laughton said, **"I would like to see an Emap board director fully engaged with ACID and the issue of IP . Every year LSA sends a copy of their new brochure and designs to ACID to be held on the free ACID Design Data Bank including the recycled glass Mia collection launched in January 2010."**

IP is very much at the heart of the Caroline Gardner Publishing brand and every time a new

product range is



# Exhibit with confidence

**“Being involved with an ACID Accredited Exhibition like Spring Fair gives us confidence.....”**



closed down by Ebay. It's a sure fire way of getting instant action. Ebay's policy is to close down the trading status of companies who sell knock off or copied goods." Angela Hewitt of Angela Hewitt Designs an exhibitor at many UK fairs and exhibitions said,



designed a copy is sent immediately to the ACID Design Data Bank. Winner of many prestigious awards, Caroline's quirky yet sophisticated designs are brought to life by employing little used traditional printing techniques, such as letter press and die stamping, but interpreted in a very modern way. The cards have an extremely loyal following and are both instantly recognisable and highly sought after by a diverse group of consumers. Angus Gardner, also a member of the ACID Spring Fair IP Steering group said, **"I am pleased to be part of this steering group and look forward to positive dialogue with the organisers of Spring Fair to ensure that IP protection is at the heart of the Spring Fair brand."**

**"As an artist, all my artwork is original and painted by me. It is protected by copyright."** At the last Spring Fair Angela was extremely disappointed to see, only one aisle away, a new artist/exhibitor displaying what looked like remarkably similar artwork. She will be keeping a close and watchful eye at any future exhibitions. Copyright lasts for the life of the creator plus 70 years following their death. However, if an artistic work is commercially exploited, this period is usually reduced to 25 years protection from the end of the first year of commercial exploitation. Copyright will be infringed if the design is copied and the copy features important parts taken from the design or artwork.

Andy Kingston, Managing Director of Fiesta Collectables who is fully supportive of the ACID IP Steering Group said, **"As well as owning the intellectual property rights in all our product ranges we have an added armoury in that the majority of our sculptors put a secret mark on their work. It means that any copyists who get ridd of the name stamped on the product are in for a surprise because we can tell immediately if they are designed by one of our sculptors. For example, on Ebay last week when we discovered a product being sold we sent an immediate email asserting our rights and informing them that they could run the risk of being**

The IP Steering Group comprises ACID members: Dan Black of Black & Blum, Patrick Heeley – Villeroy and Boch, Claire Farthing – Creative Tops, Penny Laughton of LSA, Angus Gardner – Caroline Gardner Publishing, Andy Kingston – Fiesta Collectables, Angela Hewitt – Angela Hewitt Designs and Jan Constantine of Jan Constantine Ltd. During the first consultation, the ACID IP Steering Group have raised the following issues and suggested various action points and outcomes:



### IP Steering Group recommendations

- Making it completely clear at every opportunity (entrance, catalogue, website, as part of registration process, web links, etc.) photography is not allowed unless with the express permission of the stand in question.
- Heightened security briefing and action to stop unauthorised photography
- Endorsing ACID's objectives and ACID Accredited status as per the agreed criteria of the ACID Exhibition Organisers Accreditation Manual.
- To have a board director fully engaged with the issue of IP
- To have every participant at a trade show event sign a legal agreement upholding professional standards regarding intellectual property and confirm that they own the rights or have a license to market the products on their stands (ACID has a template agreement)
- A communication sent to the organisers of the visiting exhibitors in the Chinese Hall in Mandarin to explain about EMAP policy on intellectual property protection and to ensure that this is communicated and understood by all exhibitors. Many look alike are manufactured in China and other BRIC countries and this is viewed as a positive initiative to engage in constructive dialogue.

# Protect your business by blocking scraping



Data scraping is a technique in which a computer program extracts data from another program. The most common commercial exploitation of the technique is of

data held on competitor company websites. Data that is most commonly scraped is product and price information.

Scraping in its various forms (screen, web, data) will increase over the next few years as the on-line market continues to grow and traditional content distribution dies. Add to this the increased pressure of switching from subscription to advertising-based or "freemium" models will see a larger amount of potentially unprotected content online for scrapers to exploit.

Website owners and content providers should remain vigilant and ensure they consider anti-scraping measures as part of their online strategy. For example, they should adopt a number of technical and legal measures such as:

- **manually block the scraper's IP address(es)**
- **introduce tools to slow down the scraping such as password access or Captcha**
- **install anti-scraping software**
- **trace the scraper online, contact their ISP to get them blocked and - where they are reposting your content online - get the website taken down**
- **trace the scraper in the real world, threaten then take court action to seize their assets**

Content owners can beat scrapers. Ryanair recently won its legal battle to prevent Vtours from scraping data and reselling Ryanair's flights.

Frank Jennings, Commercial Partner at DMH Stallard has conducted in-depth research into the problem of Data Scraping. If you would like commercial advice to help combat a scraper or to know what scraping you can do then please contact Frank at [frank.jennings@dmhstallard.com](mailto:frank.jennings@dmhstallard.com) or call Frank 01293 605018.

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## A©ID® Press Release

# BESP-OAK CONFIRMS THEIR INTELLECTUAL PROPERTY POLICY TO THE INDUSTRY!

When they discovered that one of their competitors, Four Seasons, appeared to be trading off the goodwill in their hugely successful Vancouver Premium collection, Mosley Trading Company Limited, instructed ACID Accredited lawyer Niall Head-Rapson of McDaniel & Co to write a letter before claim. This has resulted in an undertaking from Four Seasons that they will no longer use the name 'Vancouver' without permission and they have paid a contribution towards Mosley's legal costs. Mosley Trading Company Limited, which trades as Besp-Oak Furniture, has secured trade mark registrations for the use of 'Vancouver' and 'Vancouver Premium' as brand names for this key collection.

Besp-Oak MD, Steve Mosley said, "We invest heavily in designing and developing our furniture ranges and are determined to send a clear message to all our competitors. We have a sound intellectual property strategy and we will assert this at every opportunity. We are market leaders of oak furniture in the UK wholesale market and for many years we have had to endure people imitating our stock and trading off the back of our goodwill. This has



to stop. The Vancouver range of furniture has proved extremely popular with sales over the past four years in excess of a value of £20m. Any actions by third parties which erode this market share will be taken seriously."

**A©ID Comment** "As a result of intellectual property reviews for our corporate members, we have been able to advise many companies in this sector of the necessity to be proactive in the protection of their intellectual property, including trade mark registrations. In the 21<sup>st</sup> century, any company hoping to survive the downturn needs to keep a keen eye on the bottom line – the safeguarding of their intellectual property, their know-how."

The furniture industry is one of the most copied sectors within the creative industries. One of the most effective ways that design-led companies can protect their new designs is to register any new designs with OHIM (Office for Harmonization in the Internal Market). European design registration ensures monopoly in a new design for 25 years in 27 member states. Being in possession of a registered design makes it much easier and more cost effective to take action against alleged infringers because there is a numbered certificate which confirms "ownership" of the design. The basic criteria to register a new design are that no identical design has been made available to the public and that it has individual character. This

means that the appearance, or overall impression, is different from the appearance of other already known designs. Clearly it cannot be a copy of someone else's design. Trade mark registration is very important too, after all, if you build up a significant reputation under the name by which you trade or you have brought out a successful product range associated with a name, it doesn't make sense not to protect it against those who may trade on your goodwill.

[www.besp-oakfurniture.co.uk](http://www.besp-oakfurniture.co.uk)



By Maxine J Horn, CEO,  
British Design Innovation

## Is a knowledge economy really achievable when knowledge theft is so easy?

British Design Innovation (BDI) represents many of the leading industrial designers, service designers and innovation professionals in the UK. Among other initiatives, BDI developed the Open Innovation Challenge™ (OIC), an innovation process model utilised to support knowledge-based propositions originating in the commercial design sector which contain inherent value in both hard and soft IP. OIC not only supports designers' trading activities with corporate brand owners seeking external innovation, but also reinforces the status and differentiation of their propositions from crowd-sourced ideas.

It was back in 2004 that BDI introduced the concept of Knowledge Transfer to its members and those seeking to engage with them, highlighting the crucial role it plays in professional practice and commercial transactions. The knowledge transfer principle now regularly crops up in creative industry initiatives and communications, and paid-to-think design firms are grasping the value of knowledge as a trading commodity. However, brand owners seeking to bring external innovation into their businesses are still struggling with the concept of paying for it, or separating knowledge- and solution-based propositions from those that are simply ideas unsupported by in-depth knowledge or know-how.

Unfortunately, in order to communicate the value of a proposition based on customer- and sector-led knowledge and know-how, it is often necessary to demonstrate or pass on a good deal of the knowledge supporting it. Even under stringent conditions of commercial confidentiality there exist otherwise intelligent individuals who believe it is fair to claim someone else's knowledge and rationale as their own, and utilise it to produce very similar – and sometimes identical – propositions under their own label.

If the text were a story and the product a book, such activities would be denounced as plagiarism in the publishing world, and source credits would be a minimum requirement in the digital and visual industries if copyright infringement claims were to be avoided. However, innovations translated into new market applications for products and services are invariably knowledge- and research-based. Such pre-patent concepts (including unprotected designs, 3D applications, service design, business models and processes) are consistently purloined by others on the basis that ideas cannot be protected. But these are not merely unsubstantiated ideas – they are tradable knowledge-based solutions developed by professionals with know-how. Under these circumstances, utilising and commercialising someone else's work is surely knowledge theft?

It is accepted that knowledge transfer has a

tradable value. Universities consistently trade and transfer knowledge commercially with industry (an activity encouraged, promoted and funded by the government). Knowledge-based professional Originators are no different to universities apart for the fact that they have the know-how to take knowledge a step further and translate it into market applications in the form of user-led products, services and propositions.

Good business ethics, a strong personal morality and best professional practices alone cannot protect professional Originators (who include scientists and industrial designers) from those with few qualms about replicating others' work, for recent history has shown that such attributes do not always reside in rogue individuals employed by commercial businesses. And plagiaristic activity – intentional or otherwise – is rife within a public sector that appears to predominantly employ individuals of high intelligence but little or no commercial experience. Many naively believe that the words 'public domain' mean 'free to all'. They don't.

In a global market where the internet and 'crowd power' now hold sway, the existing copyright system is a long way away from providing the protection required to stimulate an open innovation society. Current IPR protection is incapable of drawing a distinction between undefined early-stage ideas on the one hand, and fully-rationalised knowledge- and solution-based propositions on the other. We need a new IPR category in order to protect the latter.

### **In innovation, all skills have a value. Don't they...?.**

If our society were solely populated by creative Originators with equal skill sets and the money to bring new innovations, services, products or propositions to market, nobody would need partners and everybody could more easily protect their ideas, knowledge, know-how and commercial positions. In the real world, of course, skilled Originators are a minority who need route-to-market partners to assist in the commercialisation of their work. (We at BDI call this a 'division of labour' model, based on the precept that no product, service, process or proposition ever comes to market without the shared expertise of several key parties.)

So why do some with route-to-market skills find it acceptable to exploit the Originator before the idea, and expend so much time and money doing so at the risk of their reputations? Such futile behaviour blocks true innovation because professional 'ideapreneurs' – the innovators, originators and creative businesses – are at the mercy of those who are not themselves innovative.

I mentioned knowledge theft earlier. This is a difficult subject to conjure with. The majority approach has arguably been to give knowledge away for free in order to demonstrate expertise, in exchange for professional status, commercial engagement or public relations coverage. However, it becomes an issue when knowledge is used to support the rationale, narrative and validation of an innovative concept (be it a product, service or business proposition), and that knowledge is then 'lifted' and applied to the commercial benefit of another individual or organisation – who rarely attribute source credits and all too often repackage it as their organisations' internal creation.

The arguments for such knowledge theft invariably include the line: "Well, ideas can't be protected, so if they're presented in the course of seeking commercial engagement they're fair game!" But continuing along such a dismal path can only result in the existing barriers to innovation between Originators, route-to-market partners and industry becoming even more difficult to break down.

In order to dismantle these barriers, knowledge and know-how value needs to be addressed in the paid-to-think marketplace – in other words, by those who have proved their value and earn their living as professional Originators. But it also needs to be supported by a new trading model (and IPR system) that enables the appropriate trading of fully-rationalised knowledge- and solution-based propositions between Originators and route-to-market exploiters, to their mutual benefit. Which ultimately benefits the customer and consumer, of course.

Knowledge alone has little value unless it can be translated into innovative products, services and propositions by those with the know-how and skills to do so. When they do, professional Originators should not be continually exploited and undermined – and yes, cheated – out of commercial benefit. Such behaviour can only stifle innovation and crush the spirit of the very people the government professes to support in an attempt to turn the UK economy around.

If the powers that be, from the government and the Intellectual Property Office on down, really want to build a strong knowledge economy, they need to take these issues on board and find the ways and means of resolving them.

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Maxine Horn is CEO of British Design Innovation and lead author of *Delivering the Innovation Dream: The BDI Report*, delivered to HM Department for Innovation, Universities and Skills on 18 March 2009.

**ACID's response to the BDI → Page 12**

## ●●● acid members

**ACID Member Robert Welch Designs is pleased to announce that one of the latest additions to its exclusive range of cutlery – Bud - has won a red dot design award for 2010.**

The new Bud cutlery by Robert Welch Designs has succeeded in one of the most renowned and hardest international design competitions worldwide. In the red dot award: product design competition Bud cutlery was awarded the "red dot" quality seal for high design quality. The jury consisting of 30 internationally renowned design experts examined and tested the products and assessed them according



to criteria such as degree of innovation, functionality, ergonomics, longevity, ecological compatibility and clarity of function. This award is only conferred to particularly creative, innovative, and high-quality products. In total 1,636 products from 57 countries faced the jury this year. The award-winning products are exhibited to an international public in the red dot design museum in Essen, Germany. Bud cutlery was designed in-house by Kit deBretton Gordon.

Rupert Welch, Managing Director, said "Each new Robert Welch product results from rigorous questioning about its function, manufacture, durability and ease of use. We wanted to introduce a "straight" handled cutlery pattern to our collection but straight was too obvious and uninspiring for our design team. We feel that Bud greatly exceeds the expectations of the original design brief and are very pleased that this has been recognised by the red dot international design jury."



**Robert Welch Designs also announced that its Signature knife range and knife block has won an iF (International Forum Design) product design award 2010.**

The iF award was another success for the Signature range which, in less than a year, has won three other international awards - the GOOD DESIGN™ award (from the Chicago Athenaeum: Museum of Architecture and Design), a red dot design award and the Excellence in Housewares 'Cutting Edge' award.

### Rupert Welch, Managing Director, Robert Welch Designs:

*"At Robert Welch we always strive to ensure that our products function beyond expectation and we're delighted that yet again this has been recognised by an international jury of design professionals using very strict judging criteria."*

[www.welch.co.uk](http://www.welch.co.uk)

**ACID Member David Ajasa-Adekunle of Innovation Imperative** has submitted one of his product designs in a competition to find an innovative product which will eventually be sold by both Tate shops and designer website CultureLabel.com David's ergonomically designed mug is intended to be embraced with both hands and is also stackable. Innovation Imperative is an architectural practice nominated to exhibit selected projects as part of YOUNG ARCHITECT OF THE YEAR 2009 hosted by the Architecture Foundation.



**Tate and CultureLabel.com** are collaborating to launch the 2010 edition of RELEASE and, this year the winning entry from each category will receive a cash prize of £500 plus commission on sales. The winning product could:

- ❑ Capture the experience of Tate visitors, be they young or old, from the UK or from across the globe
- ❑ Capture the impact that Tate has had on the public's experience of galleries and its influence on the arts
- ❑ Be inspired by the architecture of the buildings, such as the iconic Tate Modern, which is 10 years old in 2010
- ❑ Be inspired by any of Tate galleries, which include Tate Modern, Tate Britain, Tate St Ives, Tate Liverpool and also Tate Online

Product designs must fall into two price brackets – up to £10 and up to £100 and the winning entry from each category will receive a cash prize of £500 plus commission on sales from 6 months in.

[www.innovation-imperative.com](http://www.innovation-imperative.com)

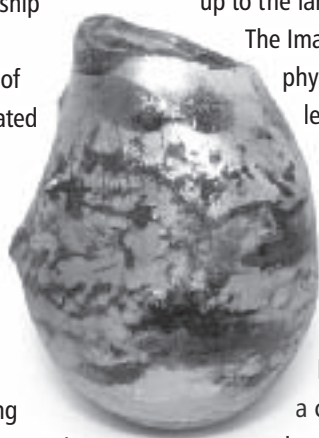


Company Name	Industry ID	Company Name	Industry ID
Helen Gordon	Childrenswear	Nautical Living	Interior Accessories
Beachhutbeads	Fabric & Textiles	Sarah Ramsay Interiors	Interior Accessories
Emily Burningham	Fabric & Textiles	Abinger Stained Glass	Interior Design
Eno Itauma	Fabric & Textiles	Crave	Interior Design
Gillian Kyle	Fabric & Textiles	Nathaniel Joseph Interiors	Interior Design
Heather Rhule	Fabric & Textiles	Sun Red	Interior Design
Szabo Ltd	Fabric & Textiles	Bow & Crossbones	Jewellery
Velvet Mutineer	Fabric & Textiles	Imogen Belfield	Jewellery
Wide Eye Design	Fabric & Textiles	JFY Collection	Jewellery
Appreciate the Material	Fashion	Julie Moss - Designer Jeweller	Jewellery
J Rotherham Ltd	Fires & Fireplaces	Silverlicious Ltd	Jewellery
Alstons Cabinets Ltd	Furniture	Primal - The Total Design Company	Kitchens & Bathrooms
Bower House Design Limited	Furniture	Dorota Grabkowska	Lighting
Containers Direct Limited	Furniture	Edward Hodgson Design	Lighting
"David Hartwell, Chartered Designer"	Furniture	Joanna Wallis Ltd	Lighting
Design by Davies	Furniture	Lightrix Lighting	
E M & C Limited	Furniture	MICI International	Lighting
Gavin Coyle Design	Furniture	Cards to Go	Other
Hanna Francis Design	Furniture	Enfant Terrible Design	Other
Ian Ware	Furniture	Fairfull Ltd	Other
Interwood Ltd	Furniture	Fraher Ltd	Other
ithink (UK) Ltd	Furniture	Glitter Body Art Ltd	Other
Jason Lansdale	Furniture	Rabbit & Rooster	Other
Jennons Ltd	Furniture	Sherlocks of Chichester Ltd	Other
Kay and Stemmer	Furniture	Showhow Other	
Mij Moj	Furniture	Amstore CD Production Ltd	Product Design
Pachadesign F	Furniture	Helena Karelson	Product Design
Relax Seating Solutions Ltd	Furniture	HLH Enterprises Ltd	Product Design
SFOR Ltd	Furniture	Onyx Concept	Product Design
Spirit F	Furniture	Oriental Screens Ltd	Product Design
Team a Go-Go	Furniture	Pole Passion Ltd	Product Design
YTM Group Ltd	Furniture	Rebecca Lundberg	Product Design
Julian Christian Limited	Garden Products	Robert King	Product Design
Amazing Gifts Limited	Giftware	RRuki Designs	Product Design
Fenton China Company	Giftware	Rupert's Pet Shop	Product Design
Northumbria Pewter	Giftware	Ubiquity Design	Product Design
Tablewise	Giftware	Killerstrawberry	The Arts
Tartan Willie	Giftware	Rod Vass	The Arts
Joanna Usherwood (Freelance Designer)	Graphics	Dr Chop Sockiez Laboratory	Toys
Laura Sherratt Designs	Greeting Cards	Iwishiwasa... T	Toys
Ad Vocem	Interior Accessories	Sibling Rivalry	Toys
Anonymous Associates	Interior Accessories		

### Zest Gallery announced in May the opening of 'The Imaginary Landscape', a major solo exhibition of new work by the prominent glass artist and Honorary ACID Member Adam Aaronson.

Each artwork considers the relationship between glass as organic force, in parallel with the artist as regulator of the molten medium. Adam has created objects that celebrate fluid glass forms and combines them with abstract painterly surfaces.

Adam's inspiration stems from his enthusiasm for the captured landscape, the quality of light on water, earth and skyline. The fleeting effects of sunset or twilight create a visual imprint or echo in the artist's work – an 'imaginary Landscape' made up of the seen, emotive and inspirational experience. Adam comments, "I like the ambiguity of colour and contrast, the way in which, for example, a swathe of bright red in a landscape or sunset can be read as fire or flower by different viewers. In fact, even though I give each



artwork a title that reflects my own perception and inspiration, observers may find themselves recalling moments in time within their own "imaginary landscapes."

Adam continues "It has taken some time to build up to the large scale blown glass featured in

The Imaginary Landscape. These vessels are physically challenging to make and required lengthy experimentation to achieve the right level of control over the colouring process... the 'late colouring' technique, has parallels in enamelling, ceramic glazing, printing and painting."

'The Imaginary Landscape' is curated by Jenny Starr and is accompanied by a catalogue with a foreword by glass artist and writer Peter Layton and an artist statement by Adam Aaronson.

[www.adamaaronson.com](http://www.adamaaronson.com)  
[www.zestgallery.com](http://www.zestgallery.com)

*Acknowledgment to Zest Gallery for the copy and information contained within this article.*



ACID has received huge support from editors and journalists, who place the subject of intellectual property awareness high on their agenda and continually feature success stories, initiatives, concerns and warnings against the potential devastation of intellectual property infringement. Many thanks to the above publications who are all ACID Media Supporters.

## ACID Member Angharad McLaren Textiles

Congratulations to ACID Member Angharad McLaren Textiles who has recently opened a new studio at the Briggait in Glasgow city centre. Angharad was commissioned to design and make blinds for the Shetland Museums' Hays Dock Café and these have now been installed with new decor to match. The modern space is a busy cafe bistro for Museum visitors during the day and provides fine dining in the evening with panoramic views of Lerwick Harbour. The blinds were designed to create a warm and vibrant ambience and provide insulation and acoustic absorption to make the cafe an even more pleasant environment for staff and customers.

Angharad comments, "The starting point for the designs was the range of scarves I designed for the Museum shop during my Shetland residency. I developed this into a much larger scale design to suit the 8 large windows, each one measuring 2.2m wide by around 4m high. The textile design is inspired by the colourful moors of the Isles, influenced by their rich textiles heritage and woven in 100% Shetland wool. The woven blinds embody the Museums' ethos of providing art and design that is inspired by, reflects and celebrates Shetland's culture and heritage and add to the rich variety of local artwork in the Museum which includes archive images of Hays Dock, custom-made peat ingrained tables with inlaid textile artworks and wire lampshades hand-knitted in traditional Shetland lace patterns."

[www.angharadmclaren.co.uk](http://www.angharadmclaren.co.uk)



ANTI COPYING IN DESIGN

●●● events and exhibitions

EVENTS

BIID Seminar

ACID Presentation

2.15 – 3.15pm 17 June 2010

TBC



UKIPO Seminar

ACID Presentation & Case Study

11.00 – 11.30 23 June 2010

TBC

For further information on the above events please call the membership office.

EXHIBITIONS

Home and Gift, Harrogate

18 – 21 July 2010

www.homeandgift.co.uk



Autumn Fair

NEC, Birmingham

5 – 8 September 2010

www.autumnfair.com



Top Drawer Autumn

Olympia, London

12 – 14 September 2010

www.topdrawer.co.uk



GLEE

NEC, Birmingham

20 – 22 September

www.gleebirmingham.com



100 Percent Design

Earls Court, London

23 – 26 September 2010

www.100percentdesign.co.uk



Decorex

Royal Hospital Chelsea, London

26 – 29 September 2010

www.decorex.com



# IDEAPRENEURS, ENTREPRENEURS AND CREATIVE ORIGINATORS

## – How can they protect themselves from theft?

By Dids Macdonald, CEO of ACID (Anti Copying in Design)

Policy makers have at last realised that we are no longer a nation of shopkeepers, we are a nation of entrepreneurial originators or "ideapreneurs" as BDI's Maxine Horn (link to MH article) so aptly describes those of us who earn our living by idea generation. The UK has now transformed into a credible knowledge economy with thousands of us using our brains, our minds and our intellectual capacity to a greater or lesser degree to translate ideas into tradable propositions. So much so that our Creative Industries contribute to the UK's GDP pot by some £120 billion pounds and rising. The term Creative Industry is an anomaly in itself because we have the intangible, "creative" (inventive, original, ingenious, inspired, and artistic) i.e. idea generation partnered with "industry" (manufacturing, business, commerce, trade, engineering, production). Both are interdependent on each other and form the intrinsic value, the intellectual capital that resides under successful brands (whether micro or mega) within this sector.

And so there seems to be a gigantic fault line or chasm in Government policy making which does not recognise or support the notion that ideas alone have a value, only their tangible form and therefore protectable under intellectual property law. We see this enshrined in current IP law where there is no abstract right to protect an idea and yet it can be protectable by the manifestation of that idea into a 2d or 3d format. But what happens in between the seed and market reality? In the journey or "route to market" of ten the knowledge provider or original thinker's know how is pinched and adopted by another for their own commercial gain. Thus far there has been a fierce reluctance to develop anti competitive laws. But why? Surely we should be guarding our competitive edge, generated through ideas now more than ever?

We don't think twice about paying for other professional advice from more traditional routes. If we go to one of the hallowed silver circle of IP lawyers, there will be little change out of several hundred pounds per hour and those who can afford to pay would not bat an eyelid. Somehow paying for advice means it must be worth it. In the same way as those who go to a professional

consultant in another sphere will go on the clear understanding that they will have to pay for another's knowledge. So why not Professional Originators? In the current culture of valuing creative thinkers (being only one above yodelling experts at the moment), passing off others ideas under one's own carefully re-created cloak is fair game. Responding to a pitch or tender, only to find a distilled version making someone-else's headlines is rife and creative input is often viewed as a "real opportunity" to share innovative ideas and network with those supposed key influencers whose fresh ideas are stale.

So what is the solution? Idea generators need to value their creativity more, those who collaborate to help germinate ideas into tangible tradable commodities should show more respect for IP originators and, in time, it is hoped that policy makers will make a paradigm shift in their thinking by regarding idea entrepreneurs as Professional Originators. If this is to succeed it will combine impetus and a joined up approach from The Treasury, BIS and the Ministry of Justice. The former's lack of IP generated tax incentives at best, disappointing and the latter's scant regard for exemplary damages for IP theft, remarkable.

Interestingly, for 2010 the (WIPO) World Intellectual Property Day theme this year (its 10<sup>th</sup> Anniversary) is Innovation – Linking the World! Unless there is an upgrading of the value of the ideas generating population, innovation stands to be compromised by the growing and seemingly accepted notion of ideas theft. Whilst current IP policy urges originators to register their intellectual property to protect the intellectual capital in their business, this does not go hand in hand with a cost and time effective enforcement policy. The stark reality is that most micro enterprises and SME's haven't a hope in hell of redressing their own intellectual property theft whether it is tangible or intangible – a current status quo which is woefully out of date with the pace at which ideas are fuelling progression in the 21c. Inevitably innovation will be one of the key drivers in local and global economic recovery, it's about time we recognised this and put a value on the ideas generated by the Professional Originators.



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Nothing in this newsletter is intended to be a complete statement of the current law and you should always take specialist advice in respect of your own particular circumstances. ©ACID 2009

## HOTLINES...

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### ACID recommends the following

#### ACID Accredited Law Firms:



DMH Stallard: www.dmhstallard.com

McDaniel & Co: www.mcdanielandco.co.uk

ACID Accredited Law Firms can be contacted by Acid members via the Acid Legal Hotline:

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