

It's about time to
become IP "savvy!"
Intellectual Property
protection in the
jewellery sector (well,
a starting point!)

Dids Macdonald, OBE., CEO of Anti
Copying in Design (ACID) & The
Design Lawyer, Gavin Llewellyn of
Stone King



Hannah Louise Lamb ©

What is Intellectual Property (IP)?

Why is it important?

How can I protect my designs?


What are the basics of a proactive intellectual property strategy

Online theft, what can I do?

What are the myths surrounding IP

Questions!





What is Intellectual Property (IP)?





**This is more than true
for jewellery
designer makers,
silversmiths and**

What is Intellectual Property (IP)?

Intellectual property is a **property** right - lease, sale, sub-letting, rent, share you don't want...**squatting?**

IP about **ownership** and **permission** to use it.



What is Intellectual Property (IP)?

Trade Marks – unitary right - life

Design rights – Registered 25 years,
Unregistered 3-15.

Copyright (life plus 70) automatic

Patents – inventions - 20 years

Trade Secrets (know how) forever!





Why is IP
important?





Case Study – Deakin & Francis

Copyright - designs (artistic craftsmanship), website, software, images, copy, technical details, terms and conditions of business, marketing material

Trade Marks - 2 registered trade marks **488205**
And **269013**

Design Rights - rely on unregistered design rights

Patents - none (to the best of our knowledge)

Trade Secrets, know how - invaluable! Established in **1876** so the intellectual capital behind this successful company is of great value - brand protection matters





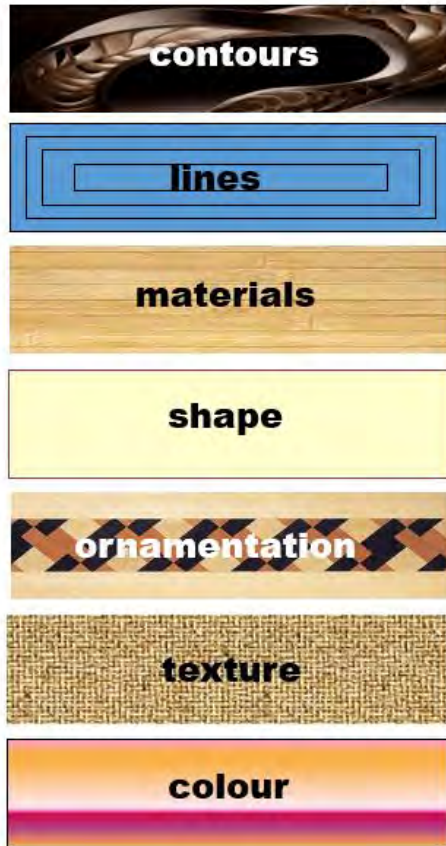
**IP VALUE = skills, know-how
and trade secrets – all sit
under the Deakin & Francis
brand**

“Our master craftsmen and designers work diligently in our historic workshops to ensure our products, which are sent across the globe, represent the very best in bespoke accessories”.



What is protected by design right?

Case study - Hannah Louise Lamb



How can I
protect my
designs?



How can I protect my designs?

Evidence - Signed and dated records - idea to market place - photographs, signed drawings at key stages - keep evidence of the design's evolution

ACID IP Databank

Register your designs

When showing to 3rd parties - confidentiality agreements

Guard know-how!



What are the basics of a proactive intellectual property strategy



What are the basics of a proactive intellectual property strategy

1. Create One

2. Become IP savvy!

3. Know your IP rights

4. Territories – where do you trade?


5 .Trade secrets – know how

6. Lock up your IP

7. Manage risks

8. Proof of IP ownership

**“If you don’t want to be
copied say so!”**



Online copying - what can I do?



Case Study - Etsy



ACID Case Study – Etsy Em Royston – Chasing threads

- Infringing items removed overnight
- Report through online IP report
- Evidence of long-standing listing
- Also listed designs were held on ACID IP Databank
- Unique number
- Certificate
- Independent evidence when sent to ACID



Case Study

Tatty Devine & Claire's Accessories

Discovered copying

Started a social media campaign

Massive press coverage

Damage to Claire's Accessories brand

Result: Claire's Accessories stopped producing lookalikes

Big lesson learnt

Brands can be destroyed in "minutes" - corporate shame

CAN YOU SPOT THE DIFFERENCE?

22.02.12



Case Study – watch points

Tatty Devine & Claire's Accessories

Beware of groundless threats

Be careful about libellous statements

Ask for opinions never accuse


Always ask a more general question – original or copy?

Seek advice

CAN YOU SPOT THE DIFFERENCE?

22.02.12





What are the myths surrounding IP



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A few wrong
assumptions
about
intellectual
property....



A few wrong assumptions about intellectual property....

How do I register my copyright?



A few wrong assumptions about intellectual property....

I have protected the name of my business because I have registered the name at Company's House



Blossom Eden Mature Wrapped Leaf Cuff by
ACID member Kit Heath

A few wrong assumptions about intellectual property....

If I do not include the ©2020 (name) notice on my work I will not benefit from copyright protection



A few wrong assumptions about intellectual property....

If I make 7 changes or a % to my design, it becomes a new design



Blossom Eden Mature Wrapped Leaf Cuff by
ACID member Kit Heath



Questions please!
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