

## **Dids Macdonald OBE on ACID's 25<sup>th</sup> Anniversary.**

“Standing here tonight, takes me back three decades ago as a designer-maker with a small, niche, yet thriving business.

One incident stands out vividly, marking a significant shift in my life from designer to design warrior.

Designing and manufacturing a product is no small feat. From design concept to prototyping, manufacturing, marketing, and sales. It's a labour of love, coupled with relentless determination and sweat equity before you earn a single penny.

But after this design journey, looms the constant threat of intellectual property theft.

I refuse to sugarcoat it; what some term "infringement" I call it deliberate theft. When a well-established American company, boasting a £452 million turnover, shamelessly copied our hand-painted designs, I got angry. Their intention? To flood 11,000 retail outlets with knockoffs of our designs. Confronted with their deep legal pockets, I could not pursue traditional legal recourse.

Fast forward today and IP creators face even more insidious challenges from AI behemoths who scoop up and use creators' IP with impunity.

My anger fuelled a creative response. I took a bold step, purchasing a single share in their company.

In a pointed conversation with a director, while I lacked the resources for prolonged legal battles, I said I wouldn't stand idly by as they trampled on my livelihood.

With a touch of theatricality, I threatened public exposure, staging a one-woman protest outside the Savoy Hotel where their AGM was being held, armed with a billboard highlighting their infringement.

The result? I stopped the knockoffs being sold in 11000 stores and received £5000. A symbolic victory in the face of corporate theft.

But the battle was far from over. Another major UK retailer shamelessly replicated our latest designs, prompting my introduction to IP lawyer Simon Clark, my co-founder of ACID (Anti Copying in Design). Simon, are you here, **Thank you**. With Simon's support, I secured a settlement and damages from the retailer. However, the cost, time and stress for a small business is unimaginable

Motivated by these experiences, a group of like-minded designers, including glass designer (and now ACID council member) Adam Aaronson, joined forces. Fuelled by a passion for fair

play (and copious amounts of chilled white wine to keep us cool), we convened in Adam's sweltering glass studio every week after work, imagining an organisation that would empower David designers against Goliaths. Thus, ACID was born, its name a testament to our caustic determination to challenge infringement.

But sadly today's issues increase for the David IP creators. What hope do they have of policing the existential threat from AI giants. Whilst welcoming the significant economic and societal advantages that AI will bring to the UK, Government has a duty to provide, easy to access grass roots solutions for the use of IP without permission. Nimble thinking is required.

Over the 25 years, ACID has championed the rights of designers, advocating for legislative reforms, and providing crucial support to its members. Our efforts culminated in the IP Act, a significant milestone in safeguarding intellectual property. However, our work is far from done. With Nick Kounoupas' indomitable expertise, we continue to push for reforms that extend protection to unregistered designs, levelling the playing field for all designers with deterrence that has teeth.

The lament of an award-winning designer who had to pit her wits and money for two long years against a behemoth retailer still haunts me, *"I am so depressed about this, Dids, I'm just at rock bottom, it makes me want to stop designing."* Aldi had used her trade mark and registered design but denied copying. They all do. This is just one example of the many cases we hear about daily.

Design protection should not be about deep legal pockets. IP ethics, respect and compliance must be a given to make corporate social responsibility credible.

In June I will step down as CEO, but remain as Chair, I am filled with optimism for ACID's future under the leadership of Laura Newbold Breen. Laura, with your expert guidance, I have every confidence that with you as CEO, ACID will embark on our next chapter with vigour, resilience, and momentum.

As Mark Getty said, *"Intellectual Property is the oil of the 21<sup>st</sup> century"*. Together, let's ensure that respect for intellectual property becomes not just a legal obligation but a moral imperative".

**Ends**