

MAGANINE



YOUR VOICE AGAINST DESIGN THEFT



The power of CO-llaberation:

ACID and Holly&Co partnership unveiled

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Promoting our Partnership:

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Hello ACID Community!

We're so often only thinking about intellectual property (IP) as a form of defence; a reactive tactic when something happens.

Yet it's something that should be embraced as a positive that works hard for you in the background whilst you get on with running your business. ACID members often sadly cancel ACID membership saying they don't have any copying issues so don't need it. But, as a long-standing ACID member recently said "nothing's happening because I'm a member of ACID". That really resonated with me. We should be looking at IP not so much as insurance but assurance. ACID membership is a huge part of this.

So, in this issue of the ACID Magazine, I want to focus on how IP can make your business prosper and especially where budgets feel at best tight, at worst non-existent. I want you all to feel empowered that you can implement a creative approach to IP that doesn't cost the earth. That's one of the reasons I'm thrilled to introduce

We should be looking at IP not so much as insurance but assurance. **ACID** membership is a huge part of this.

Zoe Sharland (p20-21), founder of Attain Zero. Not only is Zoe a fantastic engineer with oodles of manufacturing experience but she is also now a small business founder herself, promoting the importance of sustainability, net zero goals and how, through twinning Corporate Social Responsibility and IP, you can come up with a unique approach to brand protection.

As we know, IP is also a key factor in growth. In this issue, two of our brilliant legal affiliates – Gavin Llewellyn

and Robert Lands - discuss real life examples of licensing (p10-11) and brand collaborations (p14-15) as examples of how businesses can prosper with IP. A fantastic organisation

Laura and Beatrice Bass from

together (p8-9). Speaking of partnerships, I had the opportunity to speak at the British **Promotional Merchandise Association** (BPMA) conference at the beginning of June and meet their wonderful team who are staunch partners and supporters of ACID and its commitment to IP throughout

committed to a positive collaboration

for promoting IP is Holly&Co, founded

Tucker MBE. Holly and her team are

beyond passionate about creating

an online trading environment that

stands for; compliance, ethics and

respect for each other's IP. We're

forward to achieving great things

absolutely thrilled to be embarking

on a partnership with them and look

embraces everything ACID's IP Charter

by the powerhouse that is Holly

goals. Read all about the BPMA's the promotional industry sector on (p12-13). Each year, ACID also actively supports the Young Professional Industry Experience Programme (YPIE) at the Furniture Makers'





British IP Day 2025

Aside from our fantastic partnerships, ACID is of course shaped by the diverse and eclectic range of members we have and your ingenuity and creativity never ceases to amaze us. One of our long-standing, dedicated members, Peter Dunne, is no exception. Not only is Peter a loyal and outspoken champion of IP and ACID but he also has a fantastic creative mind and we're thrilled he is this month's Member Focus (p16-17).

Another creative mind we're excited to have on board is Brynn O'Connell, founder of DAUNTLESS, ACID Council's newest member and this issue's Guest Editor (p6-7). Brynn has a varied and intriguing background in both science and design and her experience, knowledge and dedication to IP will be an invaluable contribution to ACID.

Al of course remains a huge part of ACID's work, with Dids' relentless campaigning, keeping creatives' rights firmly on everyone's agenda, and it

was certainly the hot topic at this year's British IP Day held at Westminster on 2nd July. At Clerkenwell Design Week in May, I chaired a thoughtprovoking and insightful discussion on Al. ACID Ambassadors Rob Law MBE and Sebastian Conran joined Dids and our legal affiliates, Gavin Llewellyn and Adam Turley, to share experiences and thoughts, as well as words

of both encouragement and caution! Earlier in May, ACID legal affiliate Beatrice Bass from DMH Stallard (DMHS) and I journeyed to Farnham Maltings for a brilliantly interactive session on IP with the vibrant creative community there who had many varied and interesting questions.

Aside from our public-facing work, our work behind the scenes also continues. Most notably, our positive dialogue

protection partner, SnapDragon Monitoring, share top tips on utilising IP on this online marketplace giant

Laura speaking at the BPMA Conference

I really hope you find inspiration in this issue. Please do keep coming along

It is a refreshing and welcome rarity to have this direct line of communication with an online marketplace giant ...

with TEMU has continued and we are encouraged by their interest in the strength of our IP Databank and openness to engage proactively with us on improvements to their approaches to both onboarding and enforcement. It is a refreshing and welcome rarity to have this direct line of communication with an online marketplace giant, and we're galvanised to continue these important conversations.

On the subject of online marketplaces, if you're an Amazon seller, or thinking of taking the plunge, our brand



to our free webinars as we have a fantastic series coming up in the second half

of the year, which you can register for by scanning the QR codes on the back page. As ever, if you have any questions or simply would like a chat, please don't hesitate to contact info@acid.uk.com.



Laura Newbold Breen. **ACID CEO**

CAMPAIGNING

DESIGNING A GREENER FUTURE:

WHERE GREEN SKILLS, IP AND ETHICAL AI POWER SUSTAINABLE INNOVATION

What do green skills and intellectual property (IP) have in common to upskill tomorrow's designers for today's planetary challenges? The ability to become IP and AI savvy to use ethical means to maximise innovation adding to green skills to achieve sustainable development goals, in particular design, in the context of protecting our precious planet.

Harnessing IP for Sustainability

In the race to combat climate change, design is at the forefront of breakthrough solutions. However, for sustainable design to thrive, creators must be assured that their ideas, products and innovations are protected. Without robust IP frameworks, groundbreaking sustainable solutions risk being copied, undermining investment in research and development. IP protection incentivises designers to push the boundaries of eco-conscious innovation.



Dids Macdonald OBE Chair and Co-Founder of ACID Director of Public Affairs/IP Policy & Campaigning

Bold Ideas, Breakthrough Innovations

- Circular Economy Innovations
 Protecting and promoting designs that prioritise recyclability, minimal waste, and longevity.
- Eco-Driven Product Development
 Encouraging the creation of sustainable materials and regenerative design solutions through IP safeguards.
- Green Manufacturing Technologies
 Preventing exploitation and ensuring investment in energy-efficient and
- Upskilling future innovators with today's IP advantages

carbon-neutral processes.

Actionable Solutions for a Sustainable Future

By creating actionable frameworks for IP protection in sustainable design and aligning policy with environmental imperatives, we can safeguard bold ideas and empower innovators to tackle climate challenges effectively. IP and ethical AI are inextricably linked to ensure that IP is recognised as a cornerstone of a sustainable design future, making innovation not just possible, but impactful and adding to essential skills.

An opportunity arises at the Design Council's World Design Congress in September with its ambitions to equip an impressive one million future designers with "newer" skills needed for a sustainable future. This would be raising awareness that a 'must-have' in any green skills package is knowledge and understanding of IP and ethical use of AI to prepare and upskill designers to meet urgent planetary needs.

Case Study: At the New Designers exhibition

recently, one student that resonated had created an alternative to plastic and was extremely keen to share the ingredients and process. This may have had ground breaking impact on reducing pollution, lowering carbon emissions, decreasing fossil fuel dependence, improved soil and marine health and supported the circular economy. Not only was she giving away her trade secrets, but a potentially patentable product was now on show for all to see meaning any chance of a patent had been lost. ACID advice: "You may not be able to patent your invention if it becomes public knowledge. If you discuss your invention with anyone apart from a patent attorney, you may need a non-disclosure agreement.

A strong IP framework encourages responsible production. When designers feel secure in their rights, they can confidently invest in ethical sourcing and long-term sustainability goals without fear of exploitation. ACID's policy is to promote ethical business practices and discourage the mass production of unsustainable knockoffs that flood the market with inferior, environmentally harmful alternatives.

Sustainability thrives on innovation, whether in materials, processes, or circular design solutions. By embedding IP education and anticopying strategies into the upskilling framework, we empower designers to safeguard their work, ensuring fair commercial success and ongoing investment in sustainable solutions.

Why should society protect Intellectual Property?

an author.

The recent public debates in Parliament and the media have not only raised questions about the scope of intellectual property (IP) protection but have even prompted some to ask whether IP protection should be granted in the first place in certain situations. So it is an apposite time to review why IP protection is granted in the first place.

There are in my view six reasons;

- 1. Unjust enrichment
- 2. Natural Rights
- 3. The personality theory
- 4. Human Rights
- 5. Economic theories
- 6. The Social Contract

Unjust Enrichment

The source for this is hidden within the Bible - in Galatians Chapter 6, Verse 7 appear the words "Do not be deceived: God is not mocked, for whatever one sows, that will he also reap."

So no arguing with God or this common-sense justification for being able to protect what you have created.

In 1690 John Locke postulated his

Natural Rights

that individuals have a

famous theory of property

natural right to property derived from their labour. Applying this theory to



intangible property, (and all designs are expressly considered to be property rights), property rights in intangible creations operate as a reward for the intellectual creation of

The Personality Theory

An idea belongs to its creator because it is a manifestation of that individual's personality or self. The same cannot be said of works created by Al. Nowhere is this expression more obvious than in the work of designers, who imbue their design with their own identity.

Human Rights

IP is expressly recognised as a human right in international and UK law. This is enshrined within the UK Human Rights Act and also the European Convention of Human Rights. Indeed in France "copyright" is "droit d'auteur" emphasising the link between human rights and IP.

Economic Justification

IP needs to be privately owned to provide an incentive for the production of IP creations for which there is a market.

The Social Contract

This is really an extension of Jeremy Bentham's utilitarian theory, namely that in return for producing something that benefits society as a whole, society will reward the creator / inventor by entering into a social contract, which grants a limited monopoly to commercialise that IP. This is how patents work.

Indeed this social contract is enshrined within the Article 1, Section 8, Clause of the US Constitution, which gives Congress power "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

If the merits of IP protection are good enough for God, the drafters of the US Constitution, the drafters of the international human rights laws, the great philosophers Jeremy Bentham, and John Locke and renowned economists then surely it should be sufficient to demolish any arguments that IP rights are not worth protecting in the Al age.



Nick Kounoupias, ACID Chief Counsel and IP

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ACID Council member

One morning in May 2024, I was working as a stylist and I was preparing to meet one of my clients. That morning it was raining, so I went to grab a new pair of tights. However, before the tights were halfway up my legs they had a run. I had torn these brand new tights before I had even put them on - let alone left my closet!

That was the moment I started seriously thinking about intellectual property (IP).

A couple of days later I was spiraling about stockings. I had worked out a hypothesis: that tights were terrible because they relied on height and weight to determine fit. This was a problem in design and one I could solve with my eclectic background.

When it came to starting DAUNTLESS, *I felt more confident pursuing more IP protections* because I had access to brilliant resources through IP lawyers and ACID.

I grew up in Alaska - the daughter of engineers. So oddly enough, patents and IP were discussed at home when I was a child. By the time I was eight years old, I knew my godfather's name was on four patents. However, I was set on growing up to be anything besides an engineer, so for 14 years I didn't think about IP much at all.

In my early teen years, I stumbled into opportunities to work as a model. I was absolutely fixated on fashion: textiles, sewing techniques, draping, and the machines required to make these beautiful things (though I never would have acknowledged that latter mechanical fascination). I was intrigued by fit - understanding silhouettes and garment construction.

It wasn't long before I dabbled in styling in my late teens. Back then I mostly worked with women around the ages of 40 to 60, and I relied on my height to hide my youth. I did bits of styling work throughout University, when I furthered my rebellion against engineering by reading War Studies at King's and then a more mainstream MSc at the London School of Economics (LSE).

After LSE, I set fashion aside and I followed my very niche interest in anti-money laundering compliance. I became a co-founder of a blockchain analytics company where I developed data driven compliance products. A few years later I exited, leading my return to styling and that morning in May 2024.

I've had an unusual path to engaging with IP, and now I don't go a day without thinking about it in some

way and feeling gratitude for people like Dids, Laura, Nick and everyone else involved in ACID.

Naturally, questions of IP arose with my first company. I had less knowledge of what tools were available so when asked what IP I relied on I would say "Trade Secrets" as a catch-all. When it came to starting DAUNTLESS, I felt more confident pursuing more IP protections because I had access to brilliant resources through IP lawyers and ACID.

Over the last year, IP and IP protections have become central to my day to day. Hosiery brands existed before mine. What makes my offer different is entirely attributable to IP. I reverse engineered the design process through data science; I started with understanding my future advocate for us in spaces that are customers' (the population's) body shapes to then create my patentpending product. This methodology then informed the body neutral and gender-neutral messaging, colour scheme, logo and brand name, Dauntless (which, of course, I've trade marked).

If my experience engaging with IP can be distilled into one thought, I offer this: as people living in an industrial and creative world, we engage with IP daily and we can be creators of IP at any point in our lives.

People want to protect their ideas but they often feel there are too many



barriers. They may not know what tools exist or they may think it's too expensive to pursue protections. Removing these barriers is one of the challenges that ACID tackles so well. For this reason, it is essential that organisations like ACID exist to support creators, designers and inventors to protect our ideas and less accessible.

Visit: www.go-dauntless.com for more information



GUEST EDITOR Brynn O'Connell **CEO Dauntless ACID** Council member www.go-dauntless.com



Standing Together

ACID and Holly & Co unite to protect and support small business creativity online

By Holly Tucker MBE, founder of Holly & Co and Notonthehighstreet



For over 20 years, I've championed the UK's creative small businesses. From helping founders uncover their 'diamond' (that special spark that makes them unique) to guiding thousands through turbulent times like the pandemic, I've seen just how brave, bold and brilliant this community is.

Having built not one but two marketplaces, Notonthehighstreet and now **Holly & Co**, I've spent my career amplifying the voices of creative founders.

You see, Holly & Co is more than a marketplace; it champions small businesses to help them thrive. Whether it's our free business advice, my Conversations of Inspiration podcast, or campaigns like Colour Friday (our joyful rebellion against Black Friday), everything we do is about lifting up independents who are too often overlooked. You can follow everything we do over on Instagram (@HollyTucker and @Holly.Co).

Why we're partnering with ACID

Time and time again, I've seen small businesses wake up to discover that a supermarket, high street chain or faceless online seller has taken their idea (sometimes their exact design!) and passed it off as their own. It's not just unfair. It's devastating. And sadly, every week my inbox includes messages from founders who feel violated, invisible and powerless.

Holly & Co is proudly a curated marketplace which means we know every business we work with. That care, that quality, that connection is one of the reasons we can better protect our founders.

ACID has an incredible range of membership benefits designed to support everyone from solo creatives and microbusinesses to SMEs and even corporates. Whether you're a student just starting out or a founder finding your feet, there's something in there to help get your ideas and business off the ground. Not only that but ACID are there for the hard times with advice, support and guidance when you need it most.

and reassurance to every small business that's ever been copied, ignored or underestimated. Together, ACID and Holly & Co will show that you can sell safely, confidently and respectfully online through mutual support and IP guidance. Your work matters. Your ideas are valuable.

Holly & Co look forward to our partnership with ACID to further enable our amazing businesses and creatives to grow and flourish in confidence.

With love and belief in every one of you, **Holly x**

What we're doing and why it matters

ACID and Holly & Co are delighted to announce a partnership to ensure our platform is a safer space for makers, where originality is celebrated and creativity is protected. Holly & Co is also the first marketplace in the

world to sign the ACID Charter to demonstrate our commitment to upholding strong protections against copying!

This partnership is a statement of support



Links:

Holly & Co / Business Advice /
Conversations of Inspiration podcast /
Colour Friday / Holly's Instagram /
Holly & Co's Instagram

Holly Tucker MBE,

www.holly.co

LEGAL AFFILIATE UPDATE

Licence to Bill:

UNILATERAL TERMINATION RIGHTS WITHIN A TRADE MARK LICENCE FORCES ARCHITECTS TO PAY ROYALTY FEES INDEFINITELY.



Case: Zaha Hadid Ltd v Zaha Hadid Foundation [2024] EWHC 3325 (Ch)

The High Court has ruled that a trade mark licence which provided only the licensor with a right to terminate it could not be interpreted as giving the licensee a right to terminate it on reasonable notice. Consequently, the licensee was bound by the terms of the licence (including the obligation to pay royalty fees) in perpetuity or until the licensor said otherwise. Neither did the licence amount to a restraint of trade.

What this case demonstrates is that not only is it vital for parties to an agreement to record the terms of their agreement clearly, but also for them to make sure that the terms meet their respective expectations, bearing in mind that their circumstances might change over time. Termination provisions in particular frequently give rise to problems for one party when relationships break down.

Background:

The renowned architect, Dame Zaha Hadid, had entered into a licence agreement (the "Licence") with Zaha Hadid Ltd (the "Company"), the architectural practice through which she carried on business, enabling the Company to use the Zaha Hadid name and associated trade marks in return for royalty payments and obligations to promote and develop the business

throughout the world. The royalty amounted to 6% of the Company's world-wide taxed income earned either by the Company or any entity associated or affiliated with it, whether it was earned using the licensed trade marks or otherwise.

Following Dame Zaha Hadid's death, the benefit of the Licence passed to The Zaha Hadid Foundation (the "Foundation"), a charity established during her lifetime whose objects include the preservation of her work and legacy. The Foundation therefore became the licensor and the Company carried on business using the trade marks

The claims:

The Company, believing the obligations in the Licence to be oppressive and to have a sterilising effect on the Company's commercial activities, wished to terminate the Licence and gave notice that it would treat the Licence as terminated within 12 months. The Foundation denied that the Company had any right to terminate the Licence. The Company therefore sought a declaration from the Court that it was entitled to terminate the Licence on the basis of two points of law: firstly, that the Licence should be interpreted as giving both parties termination rights on reasonable notice or, alternatively, that the Licence amounted to a restraint of trade in the absence of a

right for the Company to terminate it because it was tied into the continuing effect of the provisions of the Licence indefinitely, whilst only having a non-exclusive right to use the trade marks and knowing that the Licence Agreement might be terminated at any time on three months' notice.

The outcome:

The Court's approach was to consider all the provisions of the Licence together to understand the overall meaning and effect of the contract. It was relevant to consider the parties' intentions in entering into the Licence. The marks were valuable assets of Dame Zaha and the terms were consistent with the intention that the Licence should provide Dame Zaha with a means of exercising close control over the Company's use of her valuable trade marks and that she should continue to have the right to use those marks herself.

One means of exercising control was reflected in the unilateral right for Dama Zaha to terminate the Company's entitlement to use the trade marks. It was common ground between the parties that Dame Zaha had intended that certain senior staff members be given equity in the business, so the desire to maintain control over the use of the trade marks was particularly relevant in circumstances where there was likely to be a relinquishing of control of

the Company over time. The Court therefore agreed with the Foundation that only it had the right to terminate the Licence.

As to the Company's restraint of trade claim, the Court had to consider:

- (i) whether the alleged restraint (the royalty and promotion obligations in particular) amounted to a practical restraint of trade;
- (ii) if it did, whether there was any basis for subjecting it to a public policy test of reasonableness; and
- (iii) whether, applying such a test, the royalty obligation would be reasonable by reference to a balancing of the private interests of the parties and the public interest.

The Court took a very different view to that of the Company, noting that for so long as the Licence endured, the Company received something of significant value, namely access to the name "Zaha Hadid". There was no doubt that the prestige associated with the name had contributed to the Company's success. The parties were not of unequal bargaining power and had entered into the contract at arm's length. The Company's complaint essentially amounted to a complaint about the nature of the bargain which it had made, which was not a ground

www.stoneking.co.uk

for invoking the law on restraint of trade. If anything, the Company's obligations were an encouragement to trade rather than a fetter on its commercial activities. It had the opportunity to take legal advice before signing the contract, but it chose not to.

Key take-aways:

- → Trade mark licences are often onesided in nature. In any agreement, the Licensor has developed its trade marks and generated the goodwill which attaches to those marks. The licensor then enables a licensee to use the marks to develop the licensee's business or other undertaking for a fee. There will naturally be expectations surrounding the licensee's use of the marks to protect the interests of the licensor and adverse consequences applied if those expectations are not met.
- → Initial intentions do matter.
 When asked to interpret a contract or consider claims of restraint of trade as in this case, the Court will almost always look to the wider context

surrounding the agreement and what it can make out to be the parties' intentions at the outset. Although it is not a deciding factor, it is best practice to set out the parties' positions and intentions in the drafting of agreements to try to avoid lengthy disputes.

→ Future-proofing is important. If an agreement is completely devoid of any termination provisions (unlike this case, which granted rights only to one party) it is likely that the Courts will imply a term that enables either party to terminate the agreement on reasonable notice. That was not appropriate in this case, where the licensor clearly intended to maintain control over the use of the marks and to try to preserve her legacy and where there was a clear commercial benefit to the licensee in having access to the licensor's valuable trade marks.



Rene Antonio,
Solictor
Stone King LLP



Gavin Llewellyn,Partner
Stone King LLP



Putting the (I)P in Promotion:

We proudly represent a diverse

manufacturers and suppliers to

distributors and service providers,

all committed to delivering high-

quality branded merchandise. As

a trusted trade association, we

tools, education and advocacy.

This year marks the BPMA's 60th

anniversary, which we have chosen

to commemorate with an exciting

partnership with Comic Relief. Our

members have spent the first half

of 2025 fundraising and currently

have the opportunity to take part

in a competition to design the next

piece of Comic Relief merchandise!

As we embark on our 60th year,

range of businesses, from

Meet ACID Partner The BPMA

Established in 1965, the British Promotional Merchandise Association (BPMA) is the trade body representing the promotional products industry in the UK. We are guided by our mission: **Inspire**, **Innovate, Impact** - to uphold excellence, ethical standards, and progress in promotional merchandise. Our key aim is for BPMA membership to be the mark of professionalism, integrity and quality, and that our industry is presented as progressive and responsible.

> we do so with a brand new look. Visit: that the trade body remains www.bpma.co.uk for more information such as sustainability.

Combining bold colours with a clear, vibrant and engaging design, the new BPMA brand will ensure relevant for the years to come as it continues to drive the progression of the promotional merchandise sector and tackle topical issues,

Why we wanted to partner with ACID

As representatives of a creative industry continually suffering from intellectual property (IP) infringement, it was a no brainer for us to join forces with ACID in 2024. We were eager to further help BPMA members protect their businesses by making them aware of the incredible IP education, support and advice that ACID can provide. We believe through this partnership and with ACID's support, IP knowledge and protection is now more accessible than ever to businesses in our industry.



Laura talks all things Design Rights at the BPMA Conference



Why IP is so important in our industry

Knowledge and understanding of IP is imperative in the promotional merchandise sector, as an industry that involves design, customisation and branding – whilst ensuring we protect our own original designs, we are also responsible for accurately and responsibly representing the brand image and copyrighted materials of our clients. Our members must be able to confidently collaborate with and guide their clients in protecting their original designs and ensuring legal use of any licensed work.

BPMA Annual Conference & ACID session highlights

The BPMA Annual Conference brought together members from across the industry for a full day of learning, networking, and inspiration. With a new dynamic agenda covering everything from sustainability and compliance to marketing trends and business growth, the event aimed to equip attendees with practical insights to navigate a rapidly evolving business

A key highlight of the day was our opening session with ACID. ACID's CEO Laura Newbold Breen hosted an engaging session exploring the importance of IP within our sector and why understanding it is vital for every business

involved in design, branding and customisation. Laura provided realworld examples, practical guidance on design rights and trade marks, and valuable tools to help members protect their creative work with IP confidence.

We were proud to see strong member participation throughout the day, with engaging Q&As, ideasharing and a real enthusiasm for continuing professional development across the board.

Looking to work with a trusted promotional merchandise supplier? Explore the BPMA Member Directory: bpma.co.uk/distributordirectory. All listed distributors are BPMA members, committed to the highest standards of professionalism, ethics and service.



Jenny Dawes Sustainability & Compliance Manager



Kia Mooney Marketing Executive

Knowledge and understanding of IP is imperative in the promotional merchandise sector, as an industry that involves design, customisation and branding ??



LEGAL AFFILIATE UPDATE LEGAL AFFILIATE UPDATE

BRANDS x IP: Collaborate in Confidence

These days you might find a Pokemon in your Crocs. Or Polly Pocket in your Airbnb. Big name brand collaborations are very much in vogue.

Successful collaborations can be hugely beneficial to both brands. When it goes well, the positive attributes of each brand crosspollenate. Collaborations can be a powerful tool to enhance brand awareness, expand reach, and engage new customer segments.

But intellectual property (IP) issues arise, particularly around ownership and use of the parties' existing brands and any new IP created in the collaboration.

The key is to ensure that guardrails are set up from the beginning, to try to head off any problems that might arise. At the heart of it, a

brand collaboration is a trade mark licence. Usually a mutual trade mark licence- I will let you use my trade mark if you let me use yours. But the agreement must work harder than that. It must detail exactly how the respective trade marks are to be used and for how long. The parties will also need to consider how things will work in practice. For example: What's the approval process for the product and its marketing? Who owns the design of the products? How will revenue and costs be shared? What happens to unsold stock? Who is responsible if there is a product safety claim? Who is responsible for pursuing infringers?

Most collaborations will simply feature the parties individual trade marks separately on the product. Often joined with the ubiquitous "x". In those cases, it's obvious who owns each trade mark. But what if the intention is to combine each

party's trade mark to create something new? Loewe x On did this for a sportswear capsule collection, adorning the range with a logo that merged their trade marks into a new monogram. Not

only does this fly in the face of conventional wisdom around brand recognition, it also raises IP issues. The new logo should be registered as a trade mark, but who will own it? What happens to it at the end of the collaboration?

Brands often fear dilution, which is where the inappropriate use



of a trade mark diminishes the reputation of a famous brand. In IP law, this can happen when an infringer uses a famous trade mark without permission, but marketing professionals know that the same effect can also occur when

relaunched Fendi's iconic handbag in Tiffany & Co's signature duck-egg

However, a luxury brand might want to cooperate with a brand that's not so rarified. For instance, in 2024

> If undertaken strategically, and supported by well thought through agreements, brand collaboration are a powerful tool that can lead to innovative products and benefits to both parties. Surely, it can't be long before others also get in on the act. ACID x Prada perhaps?

collaborations between brands who are known for essentially the same type of product. A notable example of this is Omega x Swatch collaboration, as both brands are

famous for watches. In fact, the collaboration deliberately draws on the product heritage of both watch brands. It centres on reproductions

Professional watch (worn on NASA's Apollo missions to the moon) fitted with quartz Swatch movements. Omega x Swatch is, on the face of it, a double gamble, since both brands

Would the collaboration cannibalise the market for one or both brands?

Would it dilute the Omega brand by producing a non-mechanical

facsimile? Apparently not. Since

the collaboration started in 2022,

different "MoonSwatch" watches.

and worn by celebrities such as

Daniel Craig and Ed Sheeran.

Omega x Swatch have produced 29

They are highly prized by collectors

are owned by the same stable.

of Omega's Speedmaster

33 At the heart of it, a brand collaboration is a trade mark licence. Usually a mutual trade mark licence - I will let you use my trade mark if you let me use yours. 99

a company uses its own brand inconsistently or inappropriately. Collaborations present such a risk. It's a particular risk for luxury brands, whose prestige could be tarnished by association with a more downmarket brand. This is why some of the most successful collaborations are between luxury brands- ideally brands that share the same consumer demographic, but offer different types of products, such as the limited edition Fendi x Tiffany & Co Baguette bag, which



Louis Vuitton x Timberland boots appeared in a workwear capsule collection designed by Pharrell Williams. Louis Vuitton evidently felt that this was an opportunity to introduce its luxury craftsmanship to an expanded customer base.

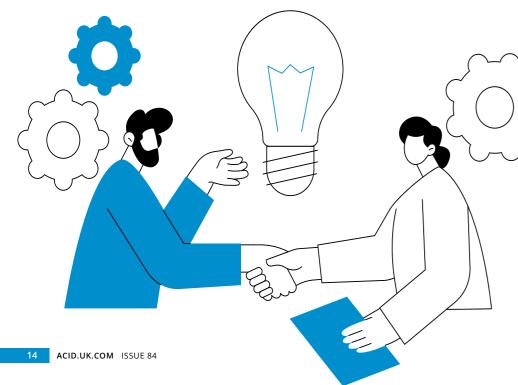
Collaborations between two brands who are known for the same type of product are quite unusual. More often than not, it's two companies who are well-known for vastly different products or services, such as the collaborations between Lush x Minecraft, or Nails Inc. x McDonalds. Trade mark lawyers love this, because registered trade marks must specify the goods and services they protect. If your brand is active for a range of goods and services through a collaboration, you can legitimately protect and preserve the trade mark for that expanded range.

It is less common to see



Robert Lands, Partner, Head of IP & Commercial Howard Kennedy LLP

www.howardkennedy.com



HOWARD



Member Focus Rosslynstone

Faith Capstick, ACID's Social Media & Communications **Executive interviews** Peter Dunne

Meet Peter Dunne, one of ACID's original members - Member 24, no less – whose career has spanned retail management, innovative product design, business leadership, and now the stewardship of a truly iconic brand.

As the original founder of CellarDine who, after 27 years, sold his business to another ACID member, Peter has recently taken on a new chapter, taking over his uncle's company, Rosslynstone — the remarkable company involved in crafting awards and gifts from marble, including the bases for the iconic BAFTA award. With a rich heritage of craftsmanship spanning over four decades, Peter, brings his deep-rooted passion for design and protection of original work into this exciting new venture. We caught up with him to talk about his journey, the importance of IP, and why ACID remains a vital part of his business story.

You were one of ACID's earliest members - Member 24! Can you tell us what first inspired you to join, and what IP challenges you were facing at the time with CellarDine? I've always felt very passionate about creating something a little different and unique but, in order to do this, there is also a time and financial pressure to ensure that the end product captures the imagination and enthusiasm from both the trade and the public. When I first started developing innovative products, I was fully aware of the implications if we did not secure some form of protection, whether this be patents, design registrations or trade marks. ACID's superb advice and guidance in earlier years and joining as a member provided some comfort and security which was crucial to protecting our original investments and to make sure our

You've had quite a journey – from founding CellarDine, to selling your business, and now taking the reins at Rosslynstone. What drew you to your uncle's business, and how does it feel stepping into such a unique creative legacy?

Rosslynstone has been around for decades and my uncle has 50 plus years of experience in designing, sourcing and working with a huge variety of materials to produce awards. For me, the appeal

customers were rewarded in receiving something unique.

Rosslynstone has been crafting parts and at times producing all of the iconic BAFTA awards for decades. What kind of IP protection is important for a business with such a distinctive and prestigious product?

was to be able to use my design,

sourcing and manufacturing experience

to help take the business forward. Being

done such an amazing job is never easy;

however we've already started to evolve

and exciting customers UK and globally.

These are just the first steps - it is truly

an exciting time for the business!

the business with its first ever website

and we are now reaching out to new

involved with a family business and

taking over from somebody who has

Faith Capstick,

Obviously, given the nature of working with Bafta, there's a lot I will need to keep confidential; however and certainly for the past 30 plus years we have been producing the marble bases which have a distinct design and quality material used. IP is critical not just for a prestigious client like Bafta but for

any client we work with; everybody likes something a little different and a bit unique and it's our job to produce an award that demonstrates our own passion and more importantly gives justice to the story behind the award.

Having been an ACID member under two ownership businesses, what have you found most valuable about ACID's support and services throughout your career?

When we used to undertake trade shows, having expert legal support behind the scenes was a real benefit. It served as a deterrent to third party suppliers and retailers who were looking to potentially copy products. It's the old saying; "prevention is better than cure". We fully maximised the ACID logo on all of our company literature, website, business cards, exhibition stands and point of sale material. We also benefited from the ACID IP Databank which allowed us to secure ideas, concepts and initial prototypes at an early stage. Having worked with ACID for 25 plus years, I am a big fan and got to know some of the team members quite well. This was very useful and the whole ACID team are a delight to work with.

Why was it important to you to bring Rosslynstone into ACID membership now that you're leading the business?

I genuinely feel that it offers our business a sense of security and comfort given that we are protecting not just our own investment and IP but that of our customers. Investing in innovation can be very significant and having somebody completely copy your idea or product without any hesitation or respect for what I call the "hard yards and sacrifice" to create that next innovative product is quite devastating. Any sector that creates product innovation which is crucial for growth and development in my opinion should be protected at all costs. Rosslynstone is no different and, if I am able to take the business to another level, being part of ACID will provide some comfort and allow us to continue to invest and grow.

Many people might not realise the craftsmanship and originality that goes into awards like the BAFTAs. How do you protect your designs from being copied or imitated?

I'm not in a position to talk too much about Bafta but what I can say from a product development point of view and minimising the potential for our

products to be copied, we do have nondisclosure agreements with our suppliers. We are also very careful regarding the type of materials to be used. In addition, I have a dedicated team in Italy who manage our consistent quality that we produce. If somebody is going to blatantly copy your product, they will find a way of getting round a patent; however, it's next to impossible to compete with something that's an original. A copy will always be a copy; the original I believe has much more value.

Do you think attitudes toward design protection and IP awareness have changed since you first joined ACID — and what role has ACID played in that shift?

I personally feel very passionate about product development and IP protection. The sacrifice that goes into developing something original is a long process and it's not just financial. I think ACID has played a pivotal role since its incorporation and certainly over the past 10 years; it's not just the profile of ACID but the necessity to protect originality in the media that seems to be getting more attention which is positive. We need to tell more stories of what it takes to create something new, innovative and unique; I would certainly love to produce awards for those very people that have taken the time & run the "hard yards" in creating the next best product or service, our country needs innovation, so let's support it!

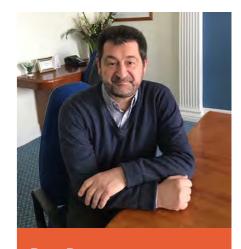
What advice would you give to designers or creative businesses just starting out, when it comes to safeguarding their IP from day one?

Joining ACID would be a good start; however it is crucial to keep any concept drawings or ideas to yourself if you're considering a patent otherwise as soon as it comes into the public domain they can no longer be protected. Investing in patents is expensive, so I would thoroughly recommend exploring the revenue opportunities for your new product or service and compare this to the cost involved (a simple cash in and out flow forecast) as it's unlikely you'll make huge profits in the first couple of years. Take time to understand your supplier partner, ensure you have solid NDA's in place and set aside a sensible budget for prototypes and testing, as these also need to be managed very carefully and undertake certificates with the correct testing houses such as SGS, Bureau Veritas or Intertek.

ACID values the support of its members to enable it to campaign for design law reform. Do you have any messages for Government/ Policy Makers on IP issues? Do you think that copying of designs is deliberate and blatant?

Frankly speaking I think governments over the past two decades have been incredibly slow in protecting individuals or SMEs when it comes to IP issues. I think the deterrents are not severe enough and it allows large companies to take advantage. On the one hand we are crying out for innovation to be invested in this country yet at the same time we are allowing large companies to simply copy originality without any serious repercussions. At some point the desire to invest in innovation will deteriorate to such a level that we will be stuck in a cycle of seeing the same product, the same design, at the same price point; it's not good for business or for the consumer and not for our country's ambitions domestically or globally.

As far as deliberately copying somebody's product and being so blatant, sadly this is very much the case. Copy companies simply want to avoid making the investment because they want the revenue and profits far quicker. If the repercussions of getting caught copying somebody's product are fairly limited then what's the incentive to stop doing it in the first place? Set up a system where "copy companies" can be named and highlight the investment made by the original inventor to demonstrate lost earnings; make it very transparent.



Peter Dunne, Rosslynstone

www.rosslynstone.co.uk

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ONLINE BRAND PROTECTION

SNAPDRAGON EXPLAINS:

HOW DESIGNERS CAN PROTECT THEIR WORK ON AMAZON

With its huge reach and instant sales, Amazon can be a powerful channel for designers. However, it also puts your work squarely in the sights of copycats and counterfeiters.

Spotting a fake version of your design online is gut-wrenching and, when you're running a business, chasing infringers can feel like a losing battle.

But here's the good news: you don't have to be reactive. With the right strategy and the right tools, you can take proactive steps to safeguard your intellectual property (IP) and fight back effectively.



Andrew O'Riordan, Head of Brand Protection SnapDragon

www.snapdragon-ip.com

Bio: Andrew O'Riordan is the Head of Brand Protection at SnapDragon. Protecting global brands from counterfeiting and intellectual propert abuse. Overseeing the monitoring and enforcement of online threat across platforms like Amazon. He manages the client portfolio, leads the international team of specialists and drives innovation of SnapDragon's Al tech. With seven years at SnapDragon Andrew's proactive approach and expertise make him a trusted partner in safeguarding brands.

Step 1. Understand how IP protects your designs

To take a strategic approach, start by knowing which IP rights protect which aspects of your work:

- → **Trade mark:** Protects your brand name and logo. This is just as important when you're building a brand on Amazon as it is when you're selling under your own steam.
- → Copyright: Automatically protects original creative works, such as product photography, illustrations and graphics, or packaging artwork.
- → **Registered designs:** Formally protects the visual appearance of your product: such as its shape, surface decoration, colour and texture.

TIP: Keep dated records of your images/artwork to help prove ownership. The ACID IP Databank is an invaluable tool for this

Step 2. Spot fakes and copycats on Amazon

The earlier you find an infringement, the faster you can act. You can do this yourself with manual monitoring:

- Regularly search Amazon for your brand name, product names and key descriptors
- → Scan customer reviews (buyers sometimes call out fakes)
- → Reverse image search your product photos on Google

Manual checks take time, so another option is to use brand protection software like SnapDragon. Our smart tech scans listings for you, all the time and at scale. This helps you to uncover hidden threats faster, so you can take action before the damage spreads.

Step 3. Report infringements to Amazon

Amazon *does* take IP seriously but only if you submit a clear, well-supported complaint.

Here's how to do this yourself:

1) Identify the infringement type

Amazon classifies IP infringements in four ways:

- → Copyright infringement
- → Trade mark infringement
- → Design infringement
- → Patent infringement.

2) Gather what you'll need:

- → Registration numbers (for trade marks, designs, patents)
- → Links or evidence of your original work (for copyright)
- → **Brand name** as registered
- → Your details and your relationship to the IP (owner or authorised agent)
- → ASINs (Amazon's product ID) or URLs of the infringing products.

3) Submit via Amazon's Infringement Report Page:

- → Go to your region's Infringement Report page (e.g. amazon.co.uk/report/infringement)
- → Log in (you can use your existing Amazon account)
- → Fill in the "Report Infringement" form:
- → Add the ASINs/URLs of the infringing listings
- → Select the type of IP being infringed
- → Select the option that best describes the issue you are reporting
- → Specify your brand name
- → Provide your registration number (if applicable)
- → Include links to your original work (for copyright)
- → Clearly explain how the listing infringes your rights

4) Provide your contact details:

Amazon needs this to update you. There's also an option to add secondary contact details. These are shared with the infringer so use caution here and avoid personal data.

5) Monitor and follow up:

- → Amazon usually responds within 7 working days (sometimes faster).
- → Keep an eye on the listings: products may be removed before you hear back.
- → If needed, resubmit with stronger evidence or a clearer explanation.

NOTE: If your IP is registered in specific countries, reporting on one Amazon domain (e.g., UK) might only affect listings on others where your IP is registered. You'll need to specify in your complaint if you wish to report a product listing across regions and submit sufficient evidence.

Final word: Fight smarter, not

SnapDragon

Protecting your designs on Amazon is a fight. But it doesn't have to be chaotic.

harder

By understanding your IP rights, detecting threats early and using the right processes, you can take control – and stay one step ahead.

And if you need help, SnapDragon is your biggest defender.

Our brand protection software and expert team help designers proactively defend their IP on Amazon and beyond. As well as helping you find copycats, our team can also help negotiate with Amazon to get them taken down, so you can spend more time doing what you love, and less time on admin.

Your creativity deserves to be protected. Always.

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SUSTAINABILITY

Going Green with IP:

Using ESG and CSR to Your Brands' Advantage

Standing out in a crowd is all part of building your brand, products and designs, and IP is a crucial step in achieving this to ensure copycats can never truly emulate the real thing. But you don't have to stop there - why not also use your business' Environmental, Social, Governance (ESG) and Corporate Social Responsibility (CSR) credentials to make your business stand out from the crowd?

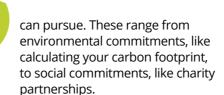
The principles of ESG and CSR are based around the 17 United Nations Sustainable Development Goals, which are a call to action by all countries to work together in partnership. Countries by themselves are not able to bring around the changes required alone, hence why large companies in the UK and Europe need to report on ESG and CSR factors, like their carbon emissions and profit donations. You can see what these companies are doing through their sustainability reports, often found on their websites.

ESG and CSR certainly don't need to be limited to large companies - companies of any size can make a commitment to becoming more sustainable. An initial first step to achieving this could be to look at your product, branding and packaging: is there a way to make you products more sustainable,



whether that is through changing to more sustainable packaging or reshoring your production to the UK? The benefit to making a change like this is to tap into new marketing avenues, which in many cases, the copycats cannot follow you into.

If you are interested in taking a step further, then there are a number of different avenues you



A carbon footprint is the total carbon emissions produced by a business, which is split into direct and indirect emissions. Direct emissions are broken into Scope 1: fuels burnt onsite and Scope 2: emissions from purchased electricity, heat and steam. Many businesses start by calculating their Scope 1 and 2 emissions, as these are easier to quantify and reduce. The indirect emissions of a business, referred to as Scope 3 emissions, cover the full value chain and include emissions linked to transportation and distribution, business travel and purchased goods and services, to name a few. Many sustainability initiatives introduced by a business

will likely reduce the carbon emissions, including the initial first steps suggested in this article. So, by calculating your businesses carbon footprint, you will be able to see the progress over time.

Alternatively, you may wish to pursue social commitments. Whether you commit to fundraisers, or explore profit donations, by partnering with a charity that is close to your heart, in line with your products or services, or the ethos behind your business, you are able to add a human connection to your brand, which is not easily copied.

If both social and environmental commitments interest you, then you may be interested in pursuing a certification like B Corp. The B Corp certification is awarded to businesses who are committed to making business a force for good and

is held by many consumer brands. As part of the certification process, you will need to answer questions on aspects covering all 17 Sustainable Development Goals, to ensure your business is a benefit to people, communities and the planet. This is certainly not a certification that can be copied, as the bar is very high to become a B Corp.

Every business is unique, so if you choose to pursue ESG or CSR credentials, then make sure they work for you. Not every initiative listed in this article will be suitable for all businesses, so please conduct your own market research to ensure your chosen path is best for you.



Zoe Sharland
Director, Attain Zero
www.attainzero.co.uk

Bio

Zoe Sharland is passionate about helping businesses attain their sustainability goals and, from this, she founded Attain Zero in 2024 to help businesses understand their carbon emissions, by providing services to calculate Scope 1, 2, and 3 emissions for businesses of all sizes. Once a business understands their emissions, Zoe then continues to work with them to reach their Net Zero goals, by helping to identify practical and measurable steps.

Visit:
attainzero.co.uk
for more
information

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Member SHOUT OUT

A warm welcome to some of our new members. We have been delighted to share their work through our social media channels. Keep up with our latest news on Facebook, X and Instagram.



Dales Handmade

What started as a mini loaf cake idea back in 2020 has grown into an irresistible range of bakes and treats – from decadent Belgian chocolate brownies (over 35 flavours!) to baking kits for humans and dogs.

- www.daleshandmade.co.uk



Of Life and Lemons

Looking for the perfect gift with a cheeky twist? From personalised wall art to witty mugs and keepsakes that'll make anyone smile, Of Life & Lemons has gifting down to a fine (and funny) art.

Whether it's heartfelt or hilarious, every design is made to bring a grin – and we're thrilled to have them join the ACID community!

- @ oflifeandlemons
- www.oflifeandlemons.co.uk



Melizabeth

Founder Kerry launched the brand in 2019 with a vision: to create beautiful, dainty pieces that last.

Kerry brings personal meaning to every design, often inspired by vintage family jewellery reimagined in durable, waterproof metals.

- @ @melizabethjewellery
- www.melizabeth.co.uk



Tina Morgan Designs

Based on the North Wales coast, Tina creates unique jewellery and ceramics inspired by the natural and unexpected – think beach finds, stormy skies, and even washed-up plastics.

Her work combines porcelain, earthstone, and metal using handbuilding and casting techniques to craft textured, storytelling pieces full of character.

- @ @tina_mdesigns
- www.tinamorgandesigns.com



Verity Lamb Designs

One of our newest ACID members bringing joy, colour, and eccentric charm to homeware!

Born from a lifelong love of packaging, scale and quirky detail, Verity handmakes every piece from her Hampshire studio. Her designs start as illustrations and are transformed into bold, personality-packed homeware that turns interiors into talking points.

- www.etsy.com/shopVerity LambDesigns



Gail Myerscough Design

Gail is a surface pattern designer and illustrator based in Manchester, known for her bold, colourful prints and homewares. With a love of mid-century design, music and architecture, her work brings a nostalgic vibe with a modern twist.

She sells a range of vibrant art prints, homewares and stationery from her online shop, and her designs have been licensed and sold all over the world.

- @gailmyerscoughdesign
- www.gailmyerscough.co.uk



Jo Scott Artist

Illustrator, painter, and creative force behind the most joyful dog portraits you've ever seen!

Jo's work is all about connection, warmth, and character – whether she's creating original paintings, designing greeting cards, or illustrating for clients. Her beloved dog portraits have captured hearts everywhere, and her playful, heartfelt style shines through in every piece.

- @ @joscottartist
- www.joscottart.com



Tom Raffield

Masters of steam bending and champions of sustainable craft, Tom Raffield's team creates beautifully unique furniture and lighting that's inspired by nature and built to last. Each piece is a celebration of timeless design, innovation and conscious making.

- @ @tomraffield
- www.tomraffield.com



Custom Fronts

Founded in 2016 by Ian and Rachel, who bring expertise in bespoke joinery, goldsmithing, and art, Custom Fronts is dedicated to using the most sustainable, authentic and enduring materials. They lovingly hand-finish each piece with natural oils, limit production to maintain quality, power their workshop with green electricity and even donate wood waste to Northbrook College to support future creatives.

- @ @custom_fronts
- www.customfronts.co.uk



Imogens Imagination

From evening classes in Leeds to designs featured on TV to worn at Buckingham Palace (one even met the Queen!), Sophie's stunning handmade hats and fascinators are full of flair, passion and creativity.

- @ @imogensimagination
- www.imogensimagination.co.uk



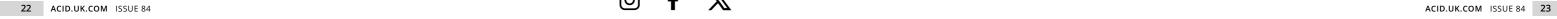
Victoria Charles Headpieces

Renowned for her elegant, handcrafted hats worn by celebs, clients & even Royalty (Zara Tindall!), Victoria's creations have graced Royal Ascot, Fashion Week & beyond.

- @victoriacharlesheadpieces
- www.victoriacharlesheadpieces.com







New Members

ACID welcomes the following new members to the ACID Community

Company	Industry
Lucy Miller	Design
Chris Dyer	Education
Becky Alexander	Fabrics & Textiles
Eddie & Joan	Fabrics & Textiles
Eleanor Monica Textiles	Fabrics & Textiles
Eloise Elizabeth Milton	Fabrics & Textiles
Isobel Olivia Textiles	Fabrics & Textiles
Karis Devon Textiles	Fabrics & Textiles
Peony and Sage	Fabrics & Textiles
Stoff Studios	Fabrics & Textiles
Tara Collette	Fabrics & Textiles
Sausage Dog Box	Fashion
Ninaé Design LTD	Furniture
Stratum Marquetry	Furniture
TALA FUSTOK LTD	Furniture
Verb Furniture	Furniture
All Frills	Giftware
Your Envoi	Giftware
Emma Irene Hall	Graphics
Design Smith Studio	Greetings Cards

Company	Industry
Farhan Rehman	Interior Design
The Wall Design	Interior Design
Bella Christie Jewellery	Jewellery
Caro B Fin Studio	Other
CommonRoom	Other
Jelka Group	Other
Missy Studio	Other
Naked Horse	Other
Wild Changer	Other
Emily Peasgood Studio Limited	Product Design
The Silver Crane Company LTD	Product Design
Flat Bistro	The Arts
Nick Dobson	Toys
Belly Button Bubble Ltd	
Conker Furniture Ltd	Furniture
Holly Parr - Beaded Blooms	
Rosslynstone	
SeaWaves Jewellery	
Stine Keinicke	

Anti Copying In Design Ltd

All Mail to:

Anti Copying In Design Ltd Fetcham Park, Lower Road, Fetcham, Leatherhead, KT22 9HD

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Online: www.acid.uk.com

Social Media:

@ACID_tweets

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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

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Events

4th September ACID Lunchtime

Learning

SnapDragon explains: How designers can protect their work on Amazon

→ Register

10th September **Autumn Fair**

→ Register

11th September ACID Lunchtime Learning

IP Basics with Taylors Solicitors

→ Register

16-18th September

Glee

→ Register

12-15th October **Decorex**

→ Register



ACID's Joining Criteria for New Members

In accordance with our policy that all new members are provisional members for the first 6 months of their subscription period, a list of all provisional members is available on request and will be published by industry sector in the next ACID magazine. In the event that there is any complaint against a new member, please write to the Chief Executive Officer together with any substantiated facts. Hearsay, rumour or unsubstantiated facts will not be considered under any circumstances. Any complaint that should arise will be put before a panel comprising ACID's legal advisor, Chief Executive Officer and two Corporate ACID Members from a different industry sector. If the panel decides that a complaint should be upheld their decision will be final and no correspondence will be entered into.









ANTI COPYING IN DESIGN

MEMBER OF