

# ACID<sup>®</sup>

MAGAZINE

## YOUR VOICE AGAINST DESIGN THEFT



### ACID Celebrates

Chief Counsel  
Nick Kounoupas  
becomes the 2021  
joint British IP Day  
Champion

Nick Kounoupas  
Design - the poor IP relation in David  
& Goliath challenges.

Page 4

Will Butler-Adams, OBE., of  
Brompton Bikes on the scourge of  
copycat imitations.

Page 6

Four ACID member companies  
awarded prestigious 2021 Design  
Guild Mark

Page 20

# Dear ACID members

After more than 3 decades being immersed in the world of intellectual property and as the joint architect of two major breakthrough changes in IP law, it was a proud moment when Nick Kounoupas, ACID's Chief Counsel and IP Director was recognised by the Alliance for Intellectual Property as the Joint 2021 British IP Day Champion, along with Geoff Taylor, BPI CEO.



MEMBERS

The BPI (British Recorded Music Industry) Ltd is the British recorded music industry's trade association. It runs the BRIT Awards, The Classic BRIT Awards, National Album Day, is home to the Mercury Prize, and co-owns the Official Charts Company.

Nick's impressive life in the public affairs side of IP really started when, in the late nineties, there was no coordinated approach to intellectual property sector groups, so Nick, along with two others set up what was then the Alliance for Counterfeiting & Piracy. This involved key sectors within the Creative Industries uniting as one voice and so the [Alliance](#) was born (it latterly changed its name to the Alliance for Intellectual Property). In 2002 Nick helped draft the Copyright and Trade Mark (Offences and Enforcement) Act 2002 via a Private Members' Bill (which he drafted) which increased

the prison sentence from 2-10 years for copyright infringement.

Around 2004, the IPO wanted to create a UK IP Crime group and Nick was one of the driving forces to make this happen. [The UK IP Crime Group](#) is a membership of representatives from private sector, enforcement agencies and government departments who have a role in tackling IP crime and infringement in the UK. In 2014 Nick was a champion in the campaign which led to the intentional infringement of a registered design becoming a crime in the [2014 IP Act](#), thus strengthening design law.

Nothing could make me prouder that Nick's work has been rewarded in this way. He is a true IP Champion in every sense. ACID members and UK designers are very fortunate to have him battling on their sides for much needed design law reform.





Our guest editor this summer is Will Butler-Owens OBE, CEO of world-famous Brompton Bikes, who continues his lament that organisations that copy, infringe IP, are parasites, living off the toil of others and in many cases putting the customer at risk. Who could disagree? His plea is timely as Government announces its Enforcement Strategy as he urges them to understand that stronger IP protection will foster investment to nurture the next generation of innovative companies, but if there is not the protection to give those that take risks the opportunity to make a return, then innovation and all the benefits that come with it will stagnate.

*Will Butler-Adams OBE, CEO Brompton Bikes*

**“stronger IP protection will foster investment to nurture the next generation of innovative companies”**



I'm delighted to welcome Paul Akerman to the ACID team, Paul joins us from a marketing background of 15 years across various sectors and said on his appointment, *“Joining ACID is my biggest career highlight to date and I thoroughly enjoy being part of this fantastic organisation”*. Paul is joined by another new colleague, Faye Meakin, as ACID's new Financial Coordinator – we welcome them both warmly.

*Paul Akerman, Marketing & Communications Coordinator*

*Sipping cocktails at a farewell dinner held at the Feathers in Ledbury- L to R Ann Bond, ACID's Financial Director, Faye Meakin, Jane Banyai and Dids Macdonald OBE, CEO of ACID.*

After an amazing 17-year career with ACID, as our Operations Director, we are very sad that Jane Banyai is leaving her role to live permanently in Hungary with her husband Gyorgy. Over the years they have refurbished a home and plan to spend their retirement together there. Jane will be known to many of you and has played an integral role in ACID's development for which we are hugely indebted. However, the good news is that she will continue to act as a consultant to ACID so we will not lose the vast wealth of experience she has gained. I know that everyone will wish Jane and Gyorgy every success in their new home and I would like to personally thank her

as a treasured colleague and friend for all her dedication and loyal support. No-one could have a better wingman.

In a packed “exhibition season” ahead of us with an active presence at Autumn Fair, Glee at the NEC, and the National Bed Federation event in Telford, we look forward to the real luxury of face-to-face meetings with as many members as possible. It's starting to feel a little normal again and will be a luxury to depart from the world of Zoom for a while!

Keep well and safe, best wishes  
**Dids Macdonald**  
OBE CEO of ACID



# CAMPAIGN UPDATE

In the lead up to the Government's next Enforcement Strategy Nick Kounoupas, ACID's Chief Counsel and IP Director writes about the sorry state of designs in the UK IP regime...

## DAVID'S UPHILL BATTLE?



CAMPAIGNING

The UK is frequently touted as having one of the best IP regimes in the world. This might be the case if you are a songwriter, inventor or trade mark owner. It certainly isn't the case if you are a designer. In the field of designs law, where David is the designer, Goliath has the advantage every time.

We have consistently pointed out the weaknesses in design laws in the UK. Whereas for all the other IP rights the main campaigning issues concern enhancements to existing laws or trying cut back the scope of proposed defences, in the case of design laws, the argument is about preserving existing protection or seeking parity with other IP rights. Just within the last year because of Brexit we have seen the loss of protection for unregistered design protection within the 27 member states of the EU where a design has first been made available to the public in the UK.

And designers continue to be baffled by a law that makes it a criminal offence to copy a two-dimensional design drawing but when that drawing is converted into a 3D product there is no criminal offence involved should it be copied. This is both unfair and ridiculous.

To aggravate matters it still remains very difficult and expensive for a designer to enforce his / her rights in an English Court. Despite frequent reviews and reforms IP litigation remains an expensive exercise. Designs law is unnecessarily complex and just







getting legal advice is expensive for a sole, micro, or lone SME, which describes most designers. They will simply not be able to afford the typical legal costs of UK litigation. And because of the complexity of the laws, it is also hard to secure legal costs insurance or litigation funding as insurers and funders remain uncertain of the strength of any particular case.

A recent review of enforcement options in England and Wales has once again fallen short of giving designers the tools they need to

fight their battles on a level playing field. No consideration has been given to changes to design law. The only sop to designers is the well overdue suggestion that registered design litigation could be brought within the small claims track of IPEC. But in truth it was ridiculous that this possibility was overlooked in the first place.

The Davids of the design sector still have a long way to go to be able to challenge the Goliaths who copy their designs on a level playing field. That we know. But let's not pretend then that we do have one of the best IP regimes in the world. That just adds insult to injury.

**Nick Kounoupas**  
is ACID's Chief Counsel and  
Director of Intellectual Property

Read more  
about  
campaigning  
here

**“if you are a designer.  
In the field of designs  
law, where David is  
the designer, Goliath  
has the advantage  
every time”**



# Guest Editor

## Will Butler-Adams, OBE CEO of Brompton Bikes

**Thirteen years.....ridicule, false starts, obsessive determination, and every penny he had; this is what it took Andrew Ritchie (the inventor of the Brompton Bicycle) to get the business off the ground.**

By then over half of his patent protection had expired and he had only just begun. The patents officially ran out in 1998 and since then we have been bombarded by copies from across the world.

Organisations that copy, infringe IP, are parasites, living off the toil of others and in many cases

putting the customer at risk. I joined Brompton in 2002, we had less than thirty staff and the patent had long expired. Twenty-one years was too short for Andrew to take full advantage of his invention, as is so often the case, it took a long time for him to get started. But notwithstanding this we accepted that others could take inspiration from the Brompton, to stimulate more innovation and bring a greater choice for the customer.

This is not what we have seen, instead it has been outright copying but with a lack of understanding of the engineering principals and



GUEST EDITOR



Visit  
Brompton  
Bikes  
website



Will Butler-Adams  
[www.Brompton.com](http://www.Brompton.com)

manufacturing control behind the design. There are manufacturers copying the Brompton in Taiwan, Indonesia, South Korea and China to name but a few.



It takes several years to develop each improvement on the Brompton as it continues to evolve, the recent Brompton electric took over six. In this period of innovation, you are permanently failing and evolving your design, it takes time, requires commitment and investment to 'find' the solution. It is disheartening when a few months after the product goes live we see 'upgraded' copies with blunt interpretations of our design on 'their' folding bikes. But they have not employed the engineers, they have not invested in the mistakes, done months of testing, produced hundreds of prototypes.....no they just copy.

But we are not only protecting our business in looking for stronger IP protection, we are protecting the customer. The copies are not Brompton's, they just try to look like them. We have a brand based on performance and trust. A Brompton is a transport tool not a toy, and if it breaks it can hurt. Too often we have seen customers across the world thinking they are buying a cheap 'Brompton' and all is fine on the day of purchase but in one year, three years, five years down

that line, we see these copies fail, causing serious injury to the customer.

Strong IP protection will foster investment to nurture the next generation of innovative companies, but if there is not the protection to give those that take risks the opportunity to make a return, then innovation and all the benefits that come with it will stagnate.



# SOCIAL MEDIA AND IP

Navigating around the labyrinth that is social media and how it affects designers from an intellectual property perspective is a hot topic. Whether you are creating your own content or sharing images or videos you need to ensure that you protect your IP rights and, just as important, make sure you are not inadvertently infringing the rights of others. In a recent webinar, Trade Mark expert Kelly Hudson, an ACID legal affiliate and Director of McDaniel's Law offers some handy tips.

**Mc  
Daniels  
Law**

## Facts and Figures for the main different types of social media:



Over **1.79bn** users, **120m** fake users.



Over **1bn** monthly users, **20%** of Instagram accounts are for business use.



**187m** daily users and suspended **925,700** accounts in the first half of 2020.



**4.3m** sellers on its platform in **243** countries. In Q2 of 2020 it had over **60.2m** sales.

## Photographs/ image use

A photograph will have copyright protection vested in it automatically upon creation. If you were the photographer then you were the 'author' of the photograph for copyright purposes, therefore copyright vests in you as the author. If you have employees and they take a photograph in the course of their employment, then copyright will 'vest' or rather be owned by you as the employer. Copyright is an automatic right which protects your work, in this case, your photographs. This allows you to stop others from copying your works, and gives you the exclusive right to adapt it, issue copies of it to the public, rent

or lend. If you see someone has taken your photographs and is using them without your consent, you have a right to stop them. As a rule, copyright will last for your lifetime plus 70 years.

## Permissions - read the small print!

By agreeing to Facebook and Instagram's terms and conditions, you agree that you provide these platforms with a non-exclusive right to host, use, distribute, modify, run, copy, publicly perform or display, translate and create derivative works of your content. This does not affect your ownership



of your work, but it is important to know what permissions you are giving to these platforms. Effectively they are getting permission to do an awful lot with your photos.

## IP infringements on social media and what to check

Social media platforms are rife with unauthorised content, which may include the unlawful use of other people's content including their photographs, videos, and text, as well as counterfeit goods and the unlawful use of a brand's trade mark without consent. Often some use unauthorised content to advertise their own goods or to sell counterfeit goods. If you are looking to upload photos to Facebook, or videos to Instagram which are not your own content you should be aware of the possible dangers in doing so without gaining the owner's consent. Remember, you cannot simply just take other people's work and use it for commercial purposes. Do your due diligence so you stay on the right side of the law. Image houses like Getty have agreements and retainers in place with lawyers and other entities to enforce their copyright for them, so if you do use an image, you wouldn't like to get a letter from one of them (usually which seeks a royalty in the region of £500 - £1000) – if that happens don't just pay, call ACID and get some legal advice. (Initial advice is free for ACID members)

**IP** is one of your most valuable assets. **Protect it or forget it!**

## IP infringements - what can I do?

Often companies use others' photographs to sell their own range of products regularly on Facebook, Instagram, Amazon, eBay, Alibaba. Each of these platforms has its own take down notice procedures. Facebook and Instagram each use a tick box form which is very efficient. Once you submit a takedown notice through the tick box form, Facebook and Instagram will determine whether the page does infringe upon your rights and will disable the page within 24 hours.

Alibaba's process includes a more detailed assessment of the rights you are claiming and the works you are claiming to have infringed those rights. Once a takedown notice is submitted, it is sent to the owner of the complained of works who has a set period to respond. If no response is received the page is taken down. Etsy offer a slightly different system to that of other social media platforms and other e-commerce websites. Etsy's first point of call is for you to issue a formal Notice of Infringement on the business and the complained of articles or whatever the case may be. In this Notice of Infringement, you will lay out what works/photographs etc. are infringing your works/photographs. On submission of this notice, Etsy will send this to the owner of the complained of works who can then submit a counter notice. If the alleged infringer submits a counter notice, the applicant has 10 business days to show Etsy proof that they are seeking an order from the Court against the alleged infringer.

This platform's policies do not seem to offer the best course of action for protecting your intellectual property rights.

## Defamation - How to avoid!

You can avoid allegation of defamation by being vigilant in what you say. Make sure you control the narrative and only say what you can prove. Do not embellish the truth with lies and do not state your opinion as if that is a fact. The truth can never be defamatory.

If you are unlucky enough to be the victim of unauthorised use of your content, ACID members can make use of initial free legal advice which is usually simple common sense. Consider the value of registering your name as a trade mark because if others do use it, it is a very strong right and, as a trade mark expert, look after your trade secrets and know-how. After all they are what sets you against a competitor. They are your crown jewels. If you've got a good idea keep it safe – careless talk can cost the competitive edge. And of course, manage your risk and keep an eye out on your competition! In a recent ACID survey 90% said that IP theft was blatant and deliberate.



**Kelly Hudson**

ACID legal affiliate and Director of McDaniels Law

IP REPORT

# Government Responds to the Intellectual Property Enforcement Consultation

A huge thank you to all ACID members who helped provide case studies to the original [Enforcement Consultation](#). To whom we owe a great debt, details of their evidence are on our news desk. Through the Alliance for IP of which ACID is a long-standing member, their response to the consultation is also found on our website. We submitted 10 compelling case studies and also sent various comments from [interviews](#) with over 30 ACID members.

**“we would prefer to see action rather than words”**

The full Review can be downloaded [here](#). In summary, the Intellectual Property Office plans the following:

- To work with the Ministry of Justice (MOJ) and Her Majesty's Courts & Tribunal Service (HMCTS) to consider the feedback received and identify where service improvements to the IP Courts can be made. Where appropriate this may also include discussions regarding the publication of judgments.
- Develop a project to streamline the available guidance for IP Court users which is currently on several different government websites. Improvements in this area should make it easier for users to find information on available services and what to do if they believe their IP is being infringed. This should include work with HMCTS and The IP Court Users Committee to update the guidance for users of the SCT and could include provision of a selection of anonymised case studies of SCT cases.
- To work with the Citizens Advice Bureau to make sure suitable IP guidance is available at all sites when enquiries are made.
- Develop a project to raise awareness of the full range of options available to rights holders when they have an infringement issue including alternative dispute resolution such as mediation. It should also provide clear guidance on the mediation process, including which parts can be made public.
- Research on statutory damages, which may include a comparative study of current regimes in similar common law countries. It should consider the impact the regime has had on the enforcement of IP rights and what statutory damages might look like for the UK.
- Carry out further work to assess whether registered designs should be included in the small claims track of the Intellectual Property Enterprise Court (IPEC).





**Dids Macdonald, OBE., CEO of Anti Copying in Design said,**

*"Whilst we welcome these improvements, we hope that as a minimum they will be included in the Enforcement Strategy due to be published in September. We feel, however, that the above recommendations should have been the "given" of an operationally efficient IP system that is cost and time effective for those who need to take action efficiently, especially for registered designs to be heard in the small claims track some 8 years after it was created."*



**Nick Kounoupas, ACID's Chief Counsel and IP Director said,**

*"It is lamentable that in the main, our members case studies have not been considered, the majority all rightly calling for criminal sanctions for the intentional infringement of*

*an unregistered design following the loss of EU27 protection when we left the EU. Our resolve remains unchanged that until Government changes its attitude to the disparity between the protection offered to copyright creators and those of designers, UK designers remain unsupported in this Enforcement Strategy as it stands."*



We are consistently told by Government that design matters! Well, we would prefer to see action rather than words and we will be continuing our various campaigns to ensure that designers are no longer treated as the poor cousins of the IP Family.

The Government's response to our repeated requests for criminal provisions to be introduced for the intentional infringement of an unregistered design are that this would be "chilling for innovation". We do not accept this argument nor, despite repeated requests, have we seen the evidence to support this statement. For copyright creators,

an unregistered right, to have the ultimate criminal sanction, has not been chilling for innovation. Far from it, our copyright creators have and continue to innovate to the extent that all sectors have provided seismic growth to our economy. Yet again, 3D unregistered designers are short changed and under protected, more especially as we lost EU27 protection on Jan 1st, 2021.

**The campaign goes on!**

**"UK designers remain unsupported in this Enforcement Strategy as it stands."**

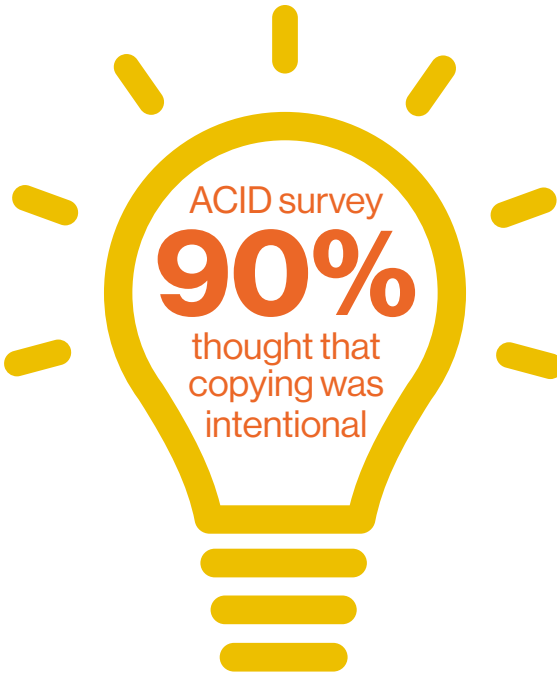
# ORIGINAL OR FAKE Innovation v Imitation?

## Ensure you are prepared for the Autumn Exhibitions!

**I don't know if you are as excited as we are but actually going to live exhibitions this Autumn will be wonderful. We can't wait!**

So, if you are launching a new product or bringing a new product range to market amidst the anticipation, just dots the i's and cross the t's as, sadly, the copying and counterfeiting of products is rife. Even more important, therefore, to ensure you have a proactive intellectual property strategy to help protect and prevent knock offs. Sending a clear message of deterrence to those who go deliberately to exhibitions to copy and steal ideas is an important element in any business strategy.

In a recent ACID survey 90% of those surveyed thought that copying is intentional. **Scary!**



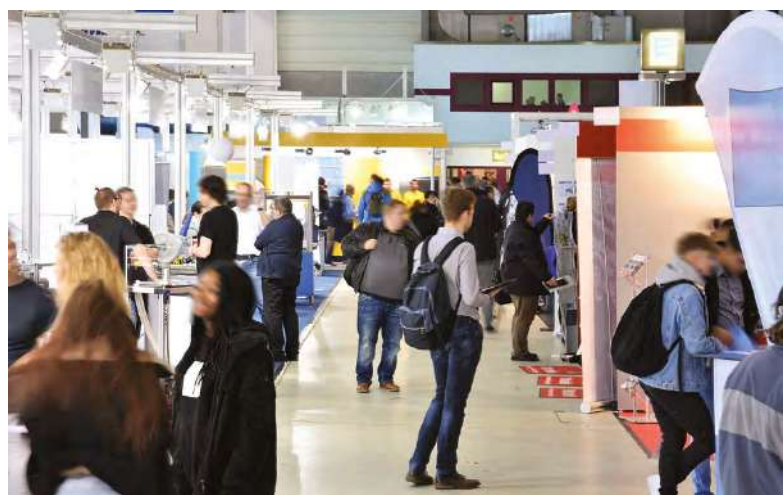
ACID survey  
**90%**  
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intentional

So, the over-riding objective must be prevention and here are one or two simple things you can do to protect your designs:

Exhibitions can provide a unique opportunity to get in front of genuine design buyers, so taking a few steps to ensure you protect any new designs against being copied will pay dividends. Start by being “**IP SAVVY**” – know your © from your design right and your trade marks from your patents!

### PROOF OF DESIGN OWNERSHIP IS CRITICAL?

It's not rocket science! Make sure you have a design audit trail from the seed of an idea to marketplace. Signed and dated drawings do the trick. Better still, register your designs in the UK. Or, like the majority of designers, you rely on unregistered rights; send them to the ACID IP Databank (©™ and Designs) giving you independent evidence of receipt. In any dispute it's necessary to provide evidence of ownership, originality and date of creation. The ACID IP Databank is supported by the Police Intellectual Property Crime Unit (PIPCU).





## DO NOT ALLOW UNAUTHORISED PHOTOGRAPHY!

Remember with phone cameras, your designs can be sent across the world in seconds and mass-produced before you even pack up your stand! So take control of who photographs your work, ask them why and note down their contact details. Only allow authorised photography and if it's a problem, insist that organisers support you. After all, you pay thousands to rent your stand space and exhibition organisers build their reputations on your innovation.

## TELL PEOPLE YOU DON'T WANT TO BE COPIED?

Well why not? There's no more powerful message on your website/marketing material or a statement on your stand. Something along the lines of: ***"All the intellectual property in our designs and products belongs to (your name). Any infringements will be viewed seriously"***. If you discover a copy of your designs at an exhibition and you don't have a DATED design audit trail or evidence to support your work, it is almost impossible to take legal action or complain effectively to the show organisers; even better if this evidence can be reinforced by a member of ACID logo. The ACID community's message resonates as YOUR voice against design theft, especially with the "Spot the Difference" initiative.

## TAKING SOMEONE TO COURT ISN'T AS EXPENSIVE AS IT USED TO BE!

For relatively small IP disputes (£10,000 or less) if you have to take legal action it doesn't necessarily cost a fortune and there is access to inexpensive justice through a small claims track.

The ACID team of IP specialist lawyers will be on hand this Autumn at Autumn Fair, GLEE (both ACID Accredited Exhibitions) and at Telford for the National Bed Federation event. So, if you are unlucky enough to be copied you can call on our help to mediate the issue. Out of over 4000 interventions at various exhibitions, less than 3% have reached a final Court hearing. Most importantly, we will be there to give advice on any intellectual aspect of your business, registrations, licensing, agreements et al. So, do visit us.



**FIND US** Autumn Fair 5-8 September Hall 6 K34,  
GLEE 14-16 September, Hall 8 C74, The Bed Event,  
Telford Hall 3 in the Lounge Area.

**Imitation isn't flattery if it costs you your business.  
Make sure it doesn't happen to you.**

### COVID 19 SAFETY – Autumn Fair – Important information.

Following the government's latest guidance and working in consultation with the Association of Event Organisers (AEO), it has been confirmed that this September's Autumn Fair will ask all attendees, including visitors, exhibitors, contractors, venue, and organiser staff, to verify their COVID-19 status on arrival. This means all attendees will need to demonstrate proof of COVID-19 status for entry to the event. This will need to be one of the following:

- Proof of completion of a full course of vaccination two weeks prior to arrival.
- Proof of a negative Lateral Flow Test taken within 48hrs of arrival (retaken and reported every 72hrs).
- Proof of natural immunity shown by a positive PCR test result for COVID-19, lasting for 180 days from the date of the positive test and following completion of the self-isolation period.

Further details on how to prove your COVID-19 status and FAQs can be found at <https://www.autumnfair.com/contact-us/visit-faqs> and further information for international exhibitors and visitors will be provided very soon.

**AUTUMNFAIR**

5-8 September NEC  
<https://www.autumnfair.com>

**glee**

14-16 September NEC  
<https://www.gleebirmingham.com/why-visit>



21-22 September  
Telford International Centre  
<https://www.bedshow.co.uk/visit>

# ACID MARKETPLACE

## FANTASTIC MEMBER-ONLY DISCOUNT OFFER!

Promote your designs and products through ACID's Online Marketplace and invite buyers to view your new products - safe in the assurance that all viewings of your images are tracked and recorded on your profile.

Do you have the launch of a new product or range that you wish to make available to ACID members at a special discounted price? Now you can!

ACID hosts an additional facility on ACID Marketplace, opening **exciting member to member discount opportunities** between ACID members. **There is no set discount - it is completely up to you!**

### A couple of clicks will do the trick!

- Log in to your "My Designs" area
- Upload your marketing images and choose your offer to members
- Display the ACID Member to Member discount logo
- Let us know and we will promote you to other members, as well as on social media
- Share your story with us!
- Note -The discount you select can easily be applied and/or removed so that you can make seasonal adjustments whenever you like!

New to the process? No problem! Simply visit the Member Area of the ACID Marketplace section to see our guide on how to use the discount logo and upload your work. Alternatively, call the membership office and we can guide you through the process personally.

**Make your membership work for you AND the ACID community.**





# Member Profile

# CROFTS & ASSINDER



Alex Crofts, CEO of Crofts & Assinder and a valued ACID Council Member was interviewed recently to discuss their key to longevity and success in high-end design and manufacturing of interior accessories. Alex said, *"We have managed to stay on trend through the years, since 1875, by keeping style and innovation of design as a cornerstone. Supplying giants of the hospitality industry such as the Ritz Hotel and the Waldorf Hotel, surviving and supplying both World Wars, then expanding into an ever-competitive market at home and abroad, is, I believe, why we go from strength to strength."*

In the ACID interview Alex highlighted Crofts & Assinder's belief that copying is destructive to the creative industry, what Government should be doing to support designers and how ACID has supported them and the industry over the years.

**Crofts & Assinder has such a rich history of design. Can you tell us a little about how the company developed and the driving force behind its success as innovators in interior accessory design?**

Crofts & Assinder Ltd was founded in Birmingham in 1875 by George Crofts & Frederick Assinder. In the early years, the Company was a specialist in the design and manufacture of brass parts.

The Company started making decorative fittings in the early 20th century and was successful in obtaining business for the high-end contract market; high profile clients included the Ritz Hotel, the Waldorf Hotel, the British Embassy in Buenos Aires, and high-end fitting projects for both

the Cunard and White Star lines. Reproduction items in this period became a very successful part of the business.

With the growth of cinemas in the 20th century, the Company supplied brassware into the emerging Odeon and the Gaumont chains and was a market leader in quality and design.

At the outbreak of the Second World War, as in the First World War, the company was instructed to supply the war effort and avoided bomb damage. After the war, the company developed an extensive export market into North America with its reproduction Lombard brand range and expanded its existing handle ranges into cabinet and kitchen hardware with the introduction of zinc diecastings.

Since 1987, the Company has centred on the design, manufacture and distribution of

fittings, fixtures and related accessories for the Furniture, Kitchen, Upholstery and Wholesale markets.

**Why do you think Crofts & Assinder have such a desired brand, and continues to thrive in such a competitive market?**

For me it all boils down to the quality of the design and product as well as the high level of service provided. We have an outstanding Head of Design, Zoran Matijevic, who produces some truly wonderful designs, and our manufacturing facilities do a fantastic job in producing high quality goods, which when combined with excellent work conducted by our Marketing and Sales Team defines our brand. As proven by our history, everyone within the Company and I have a very strong benchmark to maintain, and this is a challenge all our employees are passionate about delivering.



**Did you have any knowledge of intellectual property when you started your business?**

To be honest, I had a very basic understanding of IPR and over the years, with the help of Guy Crofts, Dids Macdonald and the ACID team, I realised the importance of IPR protection and the value it adds to a business.

**Copying culture is an unfortunate but undeniable aspect of design in the UK, what is your message about this culture, to those who perpetuate it?**

Please stop. By copying other people's designs, you are in effect damaging their livelihood and causing unnecessary worry and concern to people who are investing their heart, sweat, time, and financial resources into their





designs. To see your own creations being copied can be soul destroying, yet if I went into the house of the Director of a Company who has taken the decision to copy a design and stole all their electronic equipment in front of their eyes, they would be furious and call the police. I see no difference between the two – you just do not do it!

**Do you think that IP ethics, compliance and respect for intellectual property should be the cornerstone of the industry, in terms of declared Corporate Social Responsibility? And if so, how could the interior design sector achieve this?**

Yes. I do believe that this should form a part of a Company's CSR policy. For me it is about guiding the design sector on how you can deliver this within a CSR message, so that a common consistent approach is taken across the design sector, with particular focus on persuading the well-known brands to adopt such a strategy.

**Designing beautiful, classic, and luxury handles, and fittings is at the heart of Crofts & Assinder design principles; how do you inspire your people to persistently attain high standards and how important do you think this is for the future of such a trusted and respected British family company?**

For me, it is about keeping the design briefs simple and allowing the Design Team to have a degree of trust and freedom when working. It is also important for the Company to aspire to be a trend setter within the market, who our peers wish to follow, and this requires a

good understanding of the market and future trends. One of Head of Design's key mantras is to have a distinct style that people will recognise as a Crofts & Assinder product.

**Under the latest IP Act, we have criminal provisions for intentional Registered design infringement against the infringing company but also for individual directors. Do you believe that if these criminal provisions are extended to unregistered designs infringements, it will become more of a deterrent?**

Yes, I do believe in this point. If infringers are aware that they may face criminal sanctions for unregistered design infringements theft this will help to reduce the trend. I also believe some well publicized examples of where organisations, directors and employees have been found guilty of criminal actions, it will act as a deterrent to those thinking of copying. In my opinion, there is still an element of people who have no morals when it comes to copying designer's work and they need to be stopped.

**What do you feel ACID's achievements have been and what could we do in the future to further raise awareness about IP theft?**

ACID has done a fantastic job in raising the profile of IPR infringement and the impact this has on the design community. The work that ACID has done with regards to lobbying government for legislative changes has been very impressive and I can say from personal experience that the legal advice and support given when we have faced design infringement has

been second to none. On an educational side, the seminars that have been delivered to young designers fresh out of education have been vital in making young designers aware of the importance of IPR in relation to their work.

**As you know ACID is the main Policy and Government campaigning body for Design & IP reform. Do you have any recommendations to Government to stem the tide of blatant design theft to support the interior design and broader design sector?**

I believe the Government can and should do more to protect design theft. One area of concern I have relates to the inconsistency of how copyright infringement and design infringement is applied across different industry sectors. For example, the music industry has very strong protection about the duration of protection, yet a product designer's protection with regard to duration is significantly shorter. This is not right. A final concern I have relates to the cost of protecting your design when an infringement occurs. From personal experience, it is typically the larger organisations who copy or arrange for copies of products to be made – typically on grounds of wanting reduced costs. However, when you do engage with the legal challenge route, the legal costs for designers and small businesses can escalate very quickly and can often cripple sole traders or small businesses financially. The large companies who copy know they can outspend smaller companies when it comes to legal challenges. It takes a very brave and principled person to see a legal challenge through

to the end and all too often, many withdraw from this process before it concludes. I would like to see government instruct insurance companies to offer, as part of their standard terms, protection cover for businesses in relation to IPR and infringement. I do believe that when continuous infringing organisations are challenged successfully and when they receive adverse publicity, that their approach to copying does change.



**Alex Crofts**  
Crofts & Assinder

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

ACID MEMBER



*The Tiafi Connection:  
the 'You' and 'Me' Charms  
connect together!*

## MEMBER FOCUS

# Tiafi Jewellery

Emma-Kate and husband, Dylan, launched Tiafi Jewellery earlier this year with their debut 'Friendship Collection'. Each piece in the collection is handcrafted in the UK, made from high quality recycled sterling silver and 18ct gold vermeil for pendants, bracelets, and studs, along with the statement signet rings.

Read  
more of our  
Member  
Focuses  
here

Having fallen in love with a Welshman, Dylan, whilst studying at the Royal College of Art in London and now proudly based in Wales, the name Tiafi (meaning 'You' and 'Me' in Welsh) fitted perfectly.

Beautifully gift wrapped in luxury eco-packaging, Tiafi Jewellery pieces are the perfect thoughtful gift for friends, family and bridal.

**When and why did you first start to create your products/designs?**

*I first came up with the unique connecting charm concept back in 2019.*

*I was in my workshop, and I found an old picture of my best friends from when I lived in London, and it made me think how I could feel connected to them now that we're apart.*

*The concept is simple but very clever. The raised 'Me' charm connects with the indented 'You' charm, like they're having a big hug!*

**Did you have any knowledge of intellectual property when you started your business?**

*I've run Emma-Kate*

*Jewellery for over 15 years, so I had some knowledge about trademarks but very limited knowledge about how to protect a unique design.*

**Which ACID Membership services have you used and how have you benefited from being a Member?**

*We listened to an ACID webinar on how to protect jewellery designs and that was so helpful. We then lodged the designs on the IP Databank and took advantage of the free legal advice benefit with one of ACID's legal*





partners McDaniel & Co. Now that we've launched Tiafi Jewellery, we've used the Member of ACID logo on our website.

**Have you brought anything new to the marketplace recently that you would like to share?**

We launched Tiafi Jewellery earlier this year with their debut 'Friendship Collection' which is inspired by the Celtic symbol for Friendship and features our unique connecting charms. We have other collections which we're planning to launch later this year and we'll be adding them to the IP Databank.

**What is the best aspect of ACID Membership for your business?**

Having the knowledge that you've got someone to turn to for advice on Intellectual Property is fantastic. The team were incredibly helpful when we joined, it gave us the confidence to launch the business knowing we'd done all we could to protect our idea.

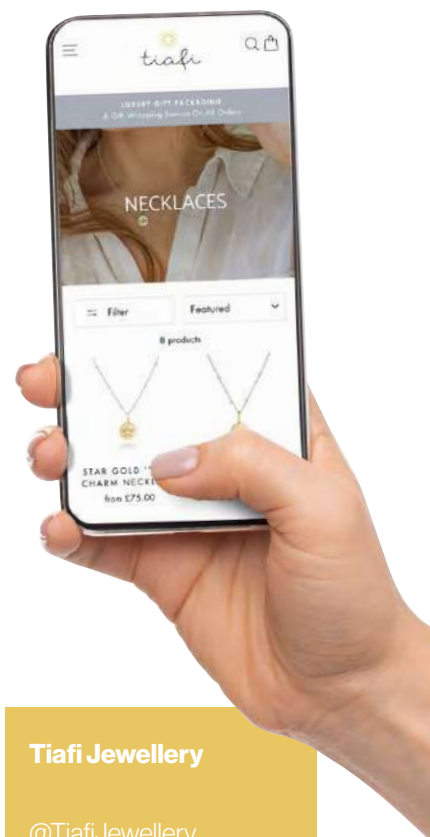
**What advice would you offer to a new designer?**

Have confidence in your idea but do your research on what other products are in the market and get some advice on IP as it's important to get it right.

**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?**

It would be great if they could give more protection to small designers against bigger businesses as design law is very complex and apparently very costly to take action.



**Tiafi Jewellery**

@TiafiJewellery  
[www.tiafi.com](http://www.tiafi.com)

ACID MEMBER



## MEMBER FOCUS

# Four ACID Members celebrate their designers' Coveted Furniture Makers' Design Guild Mark Awards!

The prestigious Design Guild Mark is awarded by The Furniture Makers' Company to drive excellence and raise the profile of British design and innovation. ACID is delighted to announce that designs by Tim Rundle, Edward Barber and Jay Osgerby, Simon Cass, Drew Millward, and Charlotte Raffo for four ACID members were awardees of this coveted recognition of excellence. We also extended our congratulations to all DGM awardees.

### **Textiles, Wall Coverings, Surfaces, Carpets & Floor Coverings**

Hit the North: Designed by Drew Millward and Charlotte Raffo for  
**The Monkey Puzzle Tree**  
DGM 257



**See all Design Guild Mark Awardees  
here.**



## Furniture



Rakino Collection: Designed by Tim Rundle for **Morgan Contract Furniture** DGM 237



Pi Stool: Designed by Simon Cass for Par-avion co./**Skandium** DGM 253



Smalto Table Collection: Designed by Edward Barber and Jay Osgerby for **Knoll International** DGM 239

**Furniture DGM Judge Jeremy Myerson, Professor of design at the Royal College of Art** said,

*"Excellence in furniture design is what the Design Guild Mark scheme is all about. This year, the judges set about examining the entrants with exacting technical criteria and commitment to rewarding creativity. We saw some great work, which was a tonic after a pandemic-ravaged year in which just sitting on a sofa with others has been out of bounds."*

**ACID Council Member and Design Guild Mark Chairman Rodney McMahon** said,

*"This year we welcomed the Lighting Design category, with its new panel of judges and we are delighted to have expanded the scope and reach of the Guild Marks by doing so. The three days of virtual judging were absolutely riveting, and, despite the obvious challenges, we embraced the process and achieved a very balanced and effective result. Emboldened by this, we shall hold the Awards ceremony on Instagram in June and look forward to connecting to as wide a spectrum of designers, and their admirers, as possible."*

**ACID CEO and Immediate Past Master of the Furniture Makers Company Dids Macdonald OBE** said,

*"Despite the pandemic challenges, Rodney McMahon has led the Design Guild Mark into new territory with support from a much-revered judging panel who judged remotely with all the restrictions that this poses between designer and judge. So, hats off to all, for ensuring that despite these challenges, the Design Guild Mark goes from strength to strength as the ultimate arbiter for design excellence."*

**Take a look at the Design Guild Mark Judges here.**

**[www.designguildmark.co.uk](http://www.designguildmark.co.uk)**





# SHOUT OUT



Shown here are some examples of our new members' work as we welcome them to the ACID community on social media. To keep up to date with the latest news go to [https://twitter.com/ACID\\_tweets](https://twitter.com/ACID_tweets)

Wishing a warm welcome to new #ACID member Keeley Traae!

Keeley is a design consultant and product designer with over 25 years of experience within the Ceramic Industry. Check out Keeley's fantastic designs here: <http://keeleytraae.com>

07968 520 326



We are excited that Woodupp UK has joined ACID as new members! Welcome to our ACID community! WoodUpp create remarkable products for modern customers who want to improve the look and acoustics of their favourite room.

Discover more about their excellent products here: <https://woodupp.co.uk>



A big hello to and welcome to new ACID member @LKGallacher! Lindsey is a qualified jewellery designer who graduated from Edinburgh College of Art with 1st class honours in silversmithing and jewellery.

Read more here: <https://lindseygallacher.com/>



Ledtroniks, who work with the leading lighting designers, architects, and engineers to bring the most innovative lighting solutions to life are also new joiners, and we look forward to working with them and other new members on their IP strategy.

<http://ledtroniks.co.uk>

+44 (0) 208 438 2934 [info@ledtroniks.co.uk](mailto:info@ledtroniks.co.uk)



Joining from Somerset are new members @ FlanciActive, designing activewear brand providing fun and funky fitness leg wear for people who love colour. Check out their amazing and unique ranges here:

<http://flanciactivewear.co.uk>



@candlekitchen, creators of fantastic, customised candles for sale globally have also recently joined ACID and we welcome them warmly. Check out their fair trade lanterns and candle holders alongside their range of candles.

Read more here:

<https://bit.ly/3AxSmDw>



Creators of gorgeous designs for fabrics, wallpaper and interiors, @Nuthatch\_Grey are amongst our exciting new members – welcome! Working in pencil and watercolour, taking inspiration from the natural world to bring the beauty of nature to your home. Discover their enchanting work here

<https://bit.ly/354Hhel>



New ACID members also include @TheOldPipingBag, who make unique, award-winning silicone moulds for cakes and crafts. To make beautiful bakes and tasty treats take a peek here: <https://bit.ly/35cR6HH>



From the bespoke furniture sector, we welcome Huckleberry to our ACID Community. They design and make beautiful fitted and unfitted furniture for the whole house. Made by highly skilled artisans and built to last a lifetime. Feast your eyes here:

<https://www.huckleberryhome.co.uk/>



And from Sussex we welcome ACID member @HounddogF, a designer-maker who creates stunning interior design pieces, crafted with care from solid timber. Take a look at some of his beautiful work here

<https://bit.ly/3fOdahC>



And from the Ceramics world, a big hello to new ACID member Sam Andrew who creates a stunning functional range of ceramics, each piece handmade and unique. Share their lovely collection here

<https://bit.ly/3oVAn4n>



# New Members

ACID welcomes the following new members to the ACID Community

Company	Industry	Company	Industry
Garter & Veil Ltd	Bridal	The Stamford Gift Studio Limited	Giftware
Kaye Wyatt	Ceramics	Design Sheep Ltd	Graphics
Sam Andrew	Ceramics	Craftsuprint Ltd	Greetings Cards
Rockahula Kids	Childrenswear	Dandy Sloth	Greetings Cards
Red Betty	Design Agency	Keeley Traae Design	Interior Accessories
Belfield Home	Fabrics & Textiles	Little Shop Of Ltd.	Interior Accessories
CINNY Papers & Linens	Fabrics & Textiles	The Candle Kitchen	Interior Accessories
FLANCI Ltd	Fabrics & Textiles	Wood Upp	Interior Design
Nuthatch Grey	Fabrics & Textiles	Cammie Toloui / UnMuted Designs	Jewellery
Stil Haven	Fabrics & Textiles	Element Isle Limited	Jewellery
The Little Cloth Rabbit	Fabrics & Textiles	Jordan Herry Jewellery	Jewellery
Amy Lianne Ltd	Fashion	Lindsey Gallacher	Jewellery
Latoyah London	Fashion	Sibo Daka	Jewellery
Let Us Pretend	Fashion	Empty State	Lighting
MOYO BY BIBI	Fashion	Ledtroniks Ltd	Lighting
9Oone	Furniture	Hop Inn Limited	Product Design
Huckleberry Design Ltd	Furniture	Horseology	Product Design
Nick Newlands	Furniture	mavricsc	Product Design
Oldershaw and Clark	Furniture	Plumbtub Limited	Product Design
Outstanding Desk	Furniture	The-Old Piping Bag	Product Design
RRUKI Group	Furniture	Wainman Design	Product Design
Sofa Source Direct Ltd	Furniture	Flossie and Twts	The Arts
The Blighty Furniture Company Limited	Furniture	Rie Designed	The Arts
Urbis Design	Garden Products	The Puzzle Factory	The Arts
CountryStyle® Photography	Giftware	The Studio	The Arts




## Anti Copying in Design Ltd

Anti Copying In Design Ltd.,  
All Mail to: Graham House,  
Chequers Close, Enigma  
Business Park, Malvern,  
Worcs., WR14 1GP

## Membership Office:

+44 (0) 845 644 3617  
Email: [info@acid.uk.com](mailto:info@acid.uk.com)  
Online: [www.acid.uk.com](http://www.acid.uk.com)

## Social Media:

 @ACID\_tweets  
 Anti.Copying.In.Design  
 anti.copyright.in.design

ACID Registered Head Office:  
Fifth Floor, Suite 23, 63/66 Hatton  
Garden, London, EC1N 8LE  
Company Reg. No 3402512.  
VAT Reg. No 707 5923 23

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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## ACID's Joining Criteria for New Members

In accordance with our policy that all members are provisional members for the first 6 months of their subscription period, we publish a list in each newsletter of companies which have recently joined ACID. In the event that there is any complaint against a new member, please write to the Chief Executive 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 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.

