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YOUR VOICE AGAINST DESIGN THEFT

Guest Editor

Adam Aaronson,
Glass Maker

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CEO's letter to members
- starting ACID was
thirsty work!

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Campaigning Update IP
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now - Nick Kounoupias

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26 April Save the Date
- Celebrate World IP
Day 2021

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Dear ACID members

Why do people copy? Because it's easier to take the fast track to market by stealing.



Only good design gets copied, so as UK's design prowess sparkles, many designers still run the risk of IP infringement, a sanitised word for theft. Design theft happened to me. Badly. In the mid-1980s, a colleague and I created Holbein, a company producing hand painted decorative accessories for top interior designers. The business was a great success. But it came with a huge problem: theft. Every time we launched a new design, it was knocked off by larger companies with little hope of redress.

Like the vast majority of Britain's design companies, we were a tiny outfit. We weren't in a position to take on the unscrupulous thieves and copycats. We had no idea where to start.

So, I got angry and came up with another idea: to create a plan to help David fight Goliath. I gathered a few other friends from Chelsea Harbour and together with the creative design lawyer Simon Clark in 1996 we set about trying to establish a fighting body. We all had busy day jobs but met every week after work in Adam Aaronson's amazing glass factory in Fulham (see pages 6 and 7) – it was thirsty work - as the kilns got hotter, the chilled wine flowed to help us through the night's business.

Elephant in bite size pieces! Week by week we nudged things on and eventually ACID formally launched in 1998.

In 2023 we will celebrate our proper silver jubilee! Big time.



Since 1996 we've shouted loudly, brazenly named and shamed, campaigned for a law change (the intentional infringement of a registered design is now a crime), and developed the ACID logo, used by thousands, to become a real brand of deterrence. But there is still much to be done. Namely, ensuring that the deliberate infringement of an unregistered design is made a crime - the ultimate deterrent. Government still insists that this would be, in their words, "*chilling for innovation*" but despite repeated requests, they have thus far failed to provide any evidence. What do you think?

Imitation isn't flattery if it costs you your business. It nearly cost me mine!

MEMBERS



Every April 26, WIPO celebrates World Intellectual Property Day (see Page 10 and 11) to learn about the role that **intellectual property** (IP) rights play in encouraging innovation and creativity. Every business starts with an idea. Each of the millions of small and medium-sized enterprises (SMEs) that operate across the globe every day started with an idea that took shape in someone's mind and made its way to market.

When nurtured and enriched with ingenuity, know-how and flair an idea becomes an IP asset that can drive business development, economic recovery and human progress.

But the irony cannot escape us all that whilst nurturing new ideas to become the next zeitgeist is part of our national DNA, so too come the challenges of IP theft.

Education, prevention, deterrence against copying must be the corner stones of good IP policy and Government needs to step up and lead on this in equal measure with tough enforcement that really hurts! IP crime should be treated in the same way as any other crime. Currently it is not!

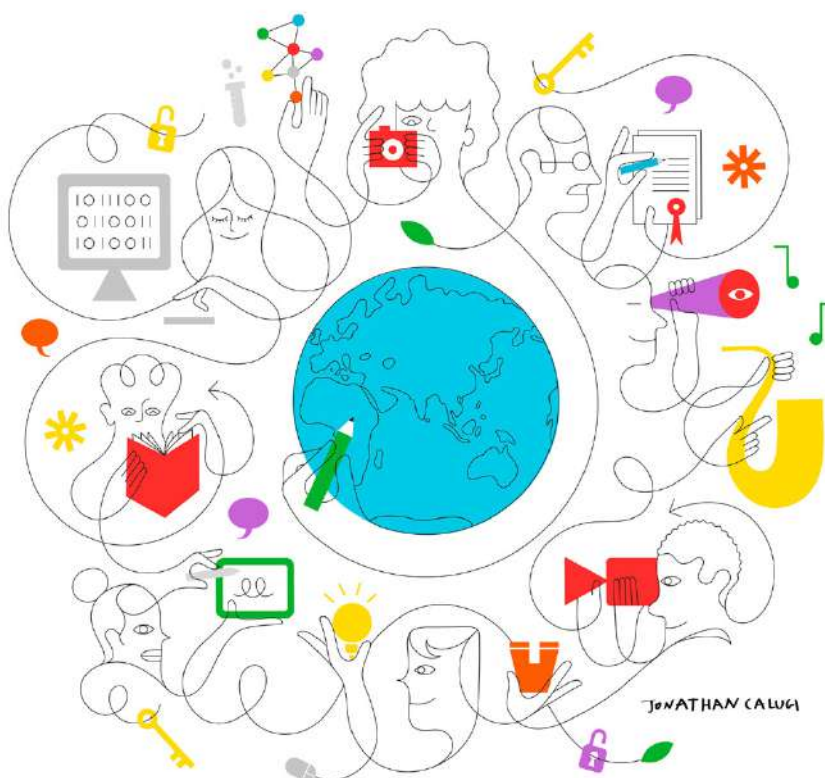
All good wishes
Dids Macdonald
OBE CEO of ACID

IP and SMEs:

Taking your ideas to market

World Intellectual
Property Day 2021
April 26

 #worldipday
wipo.int/ipday



Designer lives matter!



As our Guest Editor, Adam Aaronson describes, the first seeds of ACID were sown in 1996 by an informal group of designers who met in his glass factory in Fulham. Design, in the context of IP was rarely mentioned by Government. E.g., the then Patent Office, now Intellectual Property Office (IPO) used to describe IP rights as copyright, trade marks and patents and never included designs. Design and design skills contribution to the UK economy is £85.2 billion so now, rightly, 25 years on, at least design rights are included in IP conversations but there is much work that needs to be done.

The wonderful book "1984" by George Orwell contains the following sentence "all animals are equal, but some animals are more equal than others." The same sentiment can be applied to IP rights - "all IP rights are equal, but some IP rights are more equal than other!"

How has this state of affairs arisen? Do designer lives matter as much as those of other IP rights owners?

The UK proudly claims to have the best IP system in the world and over the last 25 years there have of course been major increases to copyright law protection (for example the 2002 EU directive that made it a copyright infringement to communicate content to the public and the subsequent changes to UK laws), and changes to trade marks law in the form of various Trade Marks Directives. The enforcement landscape has improved for rights owners with the EU Enforcement Directive also being implemented in the UK. These have been nuances to existing laws. The underlying rights themselves have not been changed. Nevertheless, copyright and trade mark owners will take huge comfort from the changes that have supported them.

"over the last 12 months protection has decreased due to Brexit"

CAMPAIGNING

But designers would claim with considerable justification that the protection of their designs has not developed in the same way and indeed over the last 12 months that protection has in fact decreased due to Brexit. The improvements made to UK copyright and trade mark laws have been by and large enhancements to an existing robust regime. No substantive rights have been lost. This is not so for designers.

UK designers did of course initially benefit from a three-year term of protection within the EU as a result of the EU Designs Regulation of 2001 and the creation of the

“If the UK is to emerge post Brexit as a vibrant economy, it needs to protect the rights of designers better.”



unregistered community design right. This did provide greater protection, albeit for three years, for designs that possessed individual character. But this right has now been lost within the EU in respect of designs first made available to the public in the UK as a result of Brexit and the EU's refusal to protect UK designs first published in the UK within the EU. So, in fact the rights provided to designers in 2001 has now been lost.

In addition, in 2002, the term of imprisonment for copyright infringement (an unregistered right) was increased in the UK to ten years to bring it into line with trade mark infringement. Unregistered design

right infringement is however not even a criminal offence, with one of the alleged justifications for this unfair state of affairs being that unregistered design right is – to state the obvious an unregistered right. This means that there is less of a deterrent to infringing design rights than infringing other IP rights.

Why is it fair, designers ask, for an unregistered copyright in a song, book, computer software, or a photograph to be treated as intrinsically more important than a design?

Well, obviously, it isn't! This disparity in protection was evident in the Hargreaves Report into Intellectual Property where designs were given scant attention despite being the second fastest growing sector in the UK.

If the UK is to emerge post Brexit as a vibrant economy, it needs to protect the rights of designers better. These rights are under attack. They need to be supported and protected.

Don't designer lives matter also?

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

**Read more
about
campaigning
here**

**DESIGNER
LIVES
MATTER**

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MATTER**

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MATTER**

Guest Editor

Adam Aaronson, Glass Maker



GUEST EDITOR

Twenty-five years ago, a small group of designers who were fed up with being ripped off got together and decided we were going to make a difference. We all had one thing in common – a sense of outrage. We knew that it was easy for unscrupulous people or corporations to steal a designer's carefully thought-out product and copy it and there wasn't much any of us could do about it. We all had suffered financial loss from copyright infringement, and we all

knew many others who had endured the same issues. But everyone told us there was nothing we could do.

So, we realised that we would have to punch above our weight. When we called the organisation ACID, we raised a few eyebrows and a few laughs. But the intention was to get noticed and as we really wanted to send a chill down the spine of the perpetrators, we concentrated on getting our marketing catchy and noticeable. From day one, we called ourselves

the "hard-hitting" action group to create the impression that we'd been at it for ever and it worked! People started to take us seriously. One of our key messages and, I think, the underlying basis of our success, was that although we aimed to support the individual issues of our growing membership, we were always going to be a campaigning group and we were never going to stop until we had changed attitudes, practices and the law.

Adam Aaronson

Glass Maker and founding member

adamaaronson.com

One of our earliest straplines “*You wouldn’t think copying was the sincerest form of flattery, if it cost you your business*” resonated with hundreds of designers and before long we were being taken seriously on an international level.



We had excellent support and endorsement from Ian Thompson at Decorex. This was pivotal in getting off the ground. Decorex was the first trade fair to take us seriously and things began to snowball. Within a couple of years of our inception, we were approached by Messe Frankfurt. They were so impressed with ACID’s professionalism at Heimtextil, that they wanted us to take over responsibility for all their trade fairs! After giving this serious consideration, we decided that we didn’t have the resources to take this on. Looking back, it was a good call as it would have been bigger than we could chew. But we continued to work with Heimtextil

and other fairs and there was a clear sense of relief among trade show organisers that issues that they understood were a problem, but didn’t know how to address, were being tackled sensibly by the ACID team.

Today we don’t have to use the same sleight of hand to be heard. ACID is at the top table, taken seriously by government and if you ask an IP lawyer if they’ve heard of us, they certainly have.

Indeed, just the mention of ACID might now create a frisson not just among the perpetrators but with their lawyers as well!

About Adam

Adam has a palpable passion for all things glass and has been at the heart of British studio glass for nearly 40 years, first running galleries dedicated to glass art and subsequently as a

glass artist in his own right, learning how to create glass art later in his career and developing self-taught methods. Adam is a skilled maker and a truly diverse and talented glass artist. He is constantly experimenting with techniques and exploring new ideas, including the potential of large sculptural works designed for the outdoors. Take a look at Adam’s wonderful courses in glass making. [here](#)



Photography by:
Luke Whatley-Bigg

RUSI REPORT “TAKING THE PROFIT OUT OF INTELLECTUAL PROPERTY CRIME”

But will Government listen?

In a keenly awaited publication, this RUSI (The Royal United Services Institute) report looks at how criminals profit from IP Crime, mainly undeterred by penalties, and provides recommendations of how Government, law enforcement's and private sector stakeholders can help to make a difference.

Download the report (PDF) **Download 'At a Glance' (PDF)**

The authors, Ardi Janjeva, Alexandria Reid and Anton Masienko preface the report saying the following, “The distribution of copyright-infringing audio-visual content, also known as ‘piracy’, is a major profit-generating crime that offers significant opportunities for criminal gain. The idea that piracy is solely carried out by otherwise law-abiding, opportunistic individuals is no longer tenable. Piracy is an increasingly professionalised crime, yet the current response lacks the required urgency on numerous levels, from an incomplete understanding of pirate business models to the often low priority attached to tackling it by law enforcement agencies, regulators and online service providers and the limited awareness in the financial sector about intellectual property crime.

This report explores how criminals make money from piracy and provides recommendations for how the UK government, law enforcement and private sector stakeholders can decrease the profitability of doing so. Its recommendations are addressed to UK

audiences, but almost all of them are internationally applicable. This is particularly true of those aimed at rights holders, the financial sector and online service providers working across multiple geographies.”

RUSI Whitehall Reports

ACID comment: “The recommendations are very sensible and whilst this report offers the admirable suggestion of a public-private partnership, this must be a Government-led initiative first of all by recognising that IP Crime is just as serious as any other crime. Consumer buy-in to the consequences of IP crime is a first step.”



Find out
more about
RUSI here



The Royal United Services Institute (RUSI) is the world's oldest independent think tank on international defence and security.

The report makes recommendations in 5 areas:

- 1 Reducing opportunities to monetise pirate operations through the creation of a public-private partnership for intelligence sharing across government, law enforcement agencies, financial institutions, rights holders, online service providers and advertising networks.
- 2 Preventing access to infringing websites and services through continued engagement with online service providers, as well as a revision of their responsibilities in the context of KYBC practices.
- 3 Disrupting payments for infringing content through engagement with Acquiring banks; Payment service providers; Card payment schemes; Crypto-asset service providers
- 4 Improving financial investigation and enforcement response to piracy, including by creating a single intelligence system accessible to all UK agencies involved in policing IP crime that can be used to develop a better understanding of amounts of money made at various stages of the piracy supply chain
- 5 Reducing user demand for infringing content by educating consumers on associated risks, such as fraud, malware infections, scams, high-risk advertising and malicious redirectors.

At a Glance: Taking the Profit Out of Intellectual Property Crime

RECOMMENDATIONS

- 1 **Public-private partnership:** Sharing intelligence across law enforcement and the private sector
- 2 **Reducing monetisation opportunities:** Greater use of pirate website lists among financial institutions
- 3 **Access and demand reduction:** Implement 'know your business customer' requirements for online service providers to record and verify customer identity
- 4 **Payment disruption:** Public-private partnerships should engage with acquiring banks, payment service providers, card payment schemes and crypto-asset service providers
- 5 **Strengthening financial investigations:** Resourcing for a whole-of-system response coordinating agencies across government and activating investigative skills across the UK's serious and organised crime policing network

WORLD INTELLECTUAL PROPERTY DAY APRIL 26, 2021

**2021 Theme: IP & SMEs -
Taking your ideas to market**



Every April 26, the World Intellectual Property Organisation (WIPO) organises World IP Day to learn about the role that intellectual property (IP) rights play in encouraging innovation and creativity.

Every business starts with an idea. Each of the millions of small and medium-sized enterprises (SMEs) that operate across the globe every day started with an idea that took shape in someone's mind and made its way to market.

Creative minds the world over – architects, artists, artisans, designers, engineers, entrepreneurs, researchers, scientists and many others – come up with new ideas every day. From the arts to artificial intelligence, fashion to farming, renewable energy to

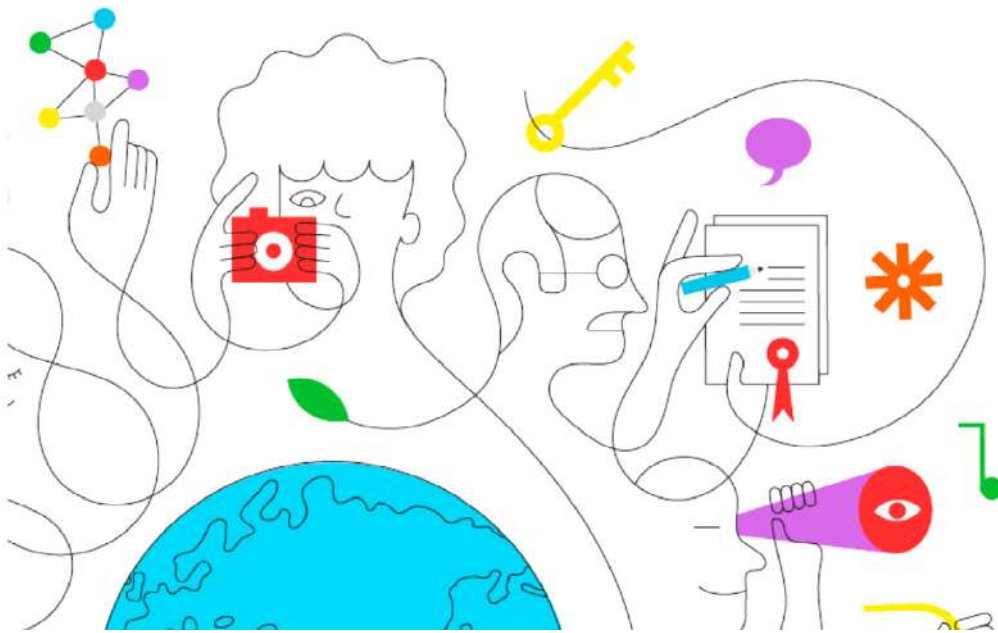
retail, television to tourism, and virtual reality to videogames, to name just a few.

Designers are particularly relevant to this conversation. The UK (one of around 100 countries) has only recently become a member of the WIPO Hague Agreement which grants the international registration of **industrial designs**. First adopted in 1925, the Agreement effectively establishes an international system – the **Hague System** – that allows industrial designs to be protected in multiple

countries or regions with minimal formalities. Seeking international protection is a wise move, see a short **video**

Dids Macdonald, OBE., CEO of Anti Copying in Design said, “Flag-flying for the UK’s incredibly talented designers on World IP Day emphasises the importance of design and design protection as we negotiate new trade deals. Design protection is now made even easier as the UK are signatories of the Hague Agreement, a relatively simple one stop to global protection. Equally important, is a

Artwork:
Jonathan Calugi



strong UK enforcement system now the UK designers have lost the all-important automatic EU Unregistered Community Design protection in EU27, post Brexit.”

Minnie Moll, CEO of the Design Council said, “With the 2021 World Intellectual Property Day focus on taking ideas to market, designers need an intellectual property system that is flexible, reliable and easy to use. This is challenging in the rapidly changing global context but it is vital given the international nature of the UK design industry. When nurtured and supported, those with design skills can transform a design idea into an IP asset that fuels business development, growth and economic recovery.”

ACID's Plans for World IP Day include:
A short video with Rt Hon Emily Thornberry, MP., Shadow Secretary

of State for International Trade (tbc).

60 seconds with 10 ACID members from different industry sectors about the importance of IP to

stimulate innovation for growth. Why IP Matters? What are the challenges/opportunities of bringing new ideas to market? Videos to be released during World IP Day.

Launch of an IP (True or False) competition – winner announced on British IP Day 1st July.

About WIPO:

Designs: a valuable business asset

Protecting your designs (the shape, form, patterns, lines or colour of the ornamental part of your product) is essential. Why?

1. The exclusive rights associated with design protection allow you to license others to use your design for a fee, creating a revenue stream for your company.
2. Protection against copying and counterfeits will strengthen your competitive position and the commercial value of your business and its products. This, in turn, will stimulate business growth.
3. As your SME expands its business into new global markets, the need to protect your designs on an international scale becomes paramount. This is where WIPO's Hague System comes into play.
4. Research by the European Union Intellectual Property Office shows that SMEs which own design rights have 17 percent higher revenue per employee than those that do not.

Design Council: www.designcouncil.org.uk

Anti Copying in Design: www.acid.uk.com

IP OVERSEAS HELP AT HAND!

For IP
Attaché
contact details
see here

IP Attaché Shares South East Asia Update

ACID is an enthusiastic supporter of the Intellectual Property Office's support provided by its IP attachés worldwide, with whom we have a close relationship. IP attachés are IP liaison officers, who work with local UK Department for International Trade (DIT) alongside Foreign and Commonwealth Office (FCO) leads to provide support for UK businesses seeking advice on local IP matters. They also:

- Raise awareness of IP through business outreach. This includes briefing business delegations, joint webinars with DIT, and local trade associations.
- Liaise with host governments and stakeholders about local and international IP frameworks / environment.

ACID Comment: “The IP attachés are a great resource, the good news is they are accessible and enthusiastic to share local/regional insight into IP issues, especially for SMEs.”

Check out the South East Asia contact details [here](#)

Check out contact details for all IP attachés in all territories [here](#)

The ASEAN IP Newsletter is a thrice yearly update on IP developments in South East Asia. The next edition will be in June 2021.

Headlines in this newsletter, further details [here](#)

- **Myanmar** – New IP office expected to strengthen country’s global IP position; launch of trademark re-registration program; amendment to Trade Service Fees of Tradenet 2.0 System.
- **Cambodia** – Ratifies Berne Convention as 2021 TRIPS deadline looms.
- **Thailand** – Amendments to the Copyright Act 2020; TH domains available from 1st February 2021.
- **Vietnam** – New administrative penalties for violations in commercial activities; IP office tightening requirements for document signatories; temporarily reduces some IP fees by 50%; IP law amendments - workshop supported by the UK Government; UK signs FTA with Vietnam adopting EU IP provisions.



- **Singapore** – Ranked by WIPO as Asia’s most innovative nation; IPOS releases guidelines on registering non-physical products as designs; RCEP signed - includes chapter relating to IP; UK-SG FTA: securing bilateral trade in goods & services post-Brexit including enhancement in IP rights.
- **Indonesia** – New amendments to IP laws.
- **Philippines** – Revised rules of procedure for IP Rights cases to take effect on 16th November 2020.
- **Malaysia** – Trademarks (waiver & modification of fee) Regulations 2020.



- **Regional** – Has COVID hit ‘fast forward’ in the world of online IP filing?
- **IPO Highlights** – Business engagement goes virtual; introducing the trade mark pre-apply service; value of IP crime; IP rights enforcement manual for Vietnam, Indonesia and Philippines.



ACID Generic Agreements

ACID Generic Agreements - We always advise you to seek the advice of an IP specialist if you are in any doubt about the use of such agreements or if you wish to add any specific clauses which may be relevant to your business. Remember, our agreements are instantly downloadable from the website and reusable and can be used repeatedly as an integral part of your standard terms and conditions of business. You will discover we have, wherever possible, cut legalese and provided easy to understand, legally enforceable

documents to support and protect your Intellectual Property Rights. As these agreements have not been drafted specifically for your circumstances, it is strongly advised, once you have made the appropriate changes to meet your business requirements, that you check it with your solicitor or with an ACID Legal Affiliate before using it, to ensure that the document suits your particular circumstances. No liability is accepted by ACID or any ACID Legal Affiliate if this procedure is not followed.

Confidentiality or Non-Disclosure Agreement (NDA)

The ACID Confidentiality or Non-Disclosure Agreement (NDA) is a standard form precedent into which you should enter the relevant details as appropriate and should be stored onto your computer in order for you to be able to use it.

Here, Tony Catterall, a Partner in Taylors Commercial, an ACID Affiliate Lawyer explains further:

Designers, inventors, and other creatives use these confidentiality agreements, sometime called non-disclosure agreements (NDA) to ensure that their good ideas won't be stolen or treated carelessly by those with whom they share them. The key advantage of using the ACID agreement is one of evidence. If everything discussed at a meeting is oral,

then who said what to whom can be very difficult to prove. The main remedy for breach of confidence is a court order to stop the continued breach plus compensation. Having a document signed by the recipient will significantly enhance prospects of success.

A confidentiality (or non-disclosure) agreement can however only protect information that is not generally known and/or ideas that are not public knowledge or obtained or copied from someone else. Clause 3 contains provisions that protect the person

receiving the information so that if they lawfully obtained the information through other sources, they are not obligated to keep the information secret.

Please take care to ensure what you are disclosing is indeed confidential and has not already been shared without protection in place. You also need to complete the agreement carefully and describe in sufficient detail exactly what Information / subject matter is covered.

If the person you are meeting refuses to sign, think very carefully before going ahead with the meeting. Note that some larger organisations have a policy of only signing their own standard form of NDA – please take advice on it before you sign. Their NDA may look similar, but not provide the same level of protection as the ACID document.



Assignment of Copyright

The assignment of Intellectual Property Rights is a straightforward assignment for 1 of the intellectual property rights in a design or a list of designs which are already in existence at the date of the agreement.

A copyright assignment is an essential prerequisite to the purchase of a third party's design. Don't fall into the trap of assuming that a purchase invoice transfers ownership!

In addition to being a record of the transfer of ownership in a copyright work, and exactly what is being agreed – for example that the author is waiving their right to be identified as the owner of the works described, the assignment document requires the author to provide a warranty, namely a guarantee that the work is original and was produced by the author.

Use of a purchased design that turns out not to be original can involve the buyer in expensive litigation brought by the

true owner. Therefore clause 4.1.5 contains an indemnity from the original author to be responsible for all such costs incurred by the buyer, if any action is brought against the buyer and it turns out that this warranty was untrue. There is a big difference between being inspired by another's work and copying, which is a line often crossed by the unscrupulous.

So, if you are purchasing a design or other creative work – make sure that the designer is a reputable business or you may find that the design turns out to be a very expensive mistake, particularly if the author does not have the financial standing to meet the indemnity given.

Other ACID generic agreements include such subjects as:

Assignment of General Intellectual Property Rights, Assignment of Registered Rights, Commercial Agent's Agreement, Deed of Assignment of a Trade Mark, Freelance Designer, Intellectual Property, Licence/Royalty, Standard Terms and Conditions of Business, Standard Terms of Trading via the Internet.

Further
information about
**ACID generic
Agreements**
can be
found here

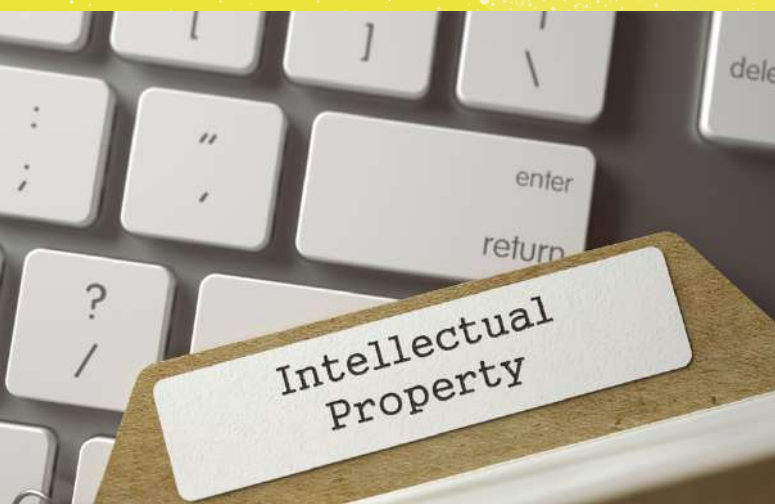
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Member Focus

Jess Linklater of Robe De Voyage

After graduating from the Royal College of Art, Designer and Director Jessica Linklater spent ten years working in Paris designing pret-a-porter. Designed in London, tailored in Paris by a retired cutter from Dior and individually screen printed and assembled in Delhi, every Robe de Voyage garment is unique: an original work of art that you will never want to travel without.



In a few words, could you tell us a little about the history of Robe de Voyage and the driving force behind your success?

Robe de voyage was born out of going on a lot of work trips and getting bored of wearing heavy fluffy hotel dressing gowns. I saw a photo of Lauren Bacall and Humphrey Bogart one day looking effortlessly chic in

lightweight robes eating breakfast in the jungle and it gave me the idea to design a modern travel robe. The driving force is being passionate about what I do, and excited to see whether the acorn I planted will ever grow into a tree.

Why do you think Robe de Voyage has had the success it has in such a volatile and diverse market?

The "Scribble" prints are instantly recognisable, the robes are reasonably priced, and each piece is hand-woven, and hand printed at a time when sustainability and traceability is becoming more normal in fashion shopping. There are people out there in the world who do care about where their clothes come from and don't want to waste money on mass produced, plagiarised style.

As a result of your investment in design, skill and craftsmanship and the people with whom you work you are a leader not a follower. You have seen so many lookalikes of your quite distinctive designs. Could you tell us a little about how you discover and deal with infringements?

I discover them usually through friends tipping me off, as I literally don't have time to trawl Instagram or go shopping. I register my print designs, but it's incredibly hard to fight off someone who's copied you and selling it via the internet in another country, it's always a David and Goliath situation. The only people who've really helped me to avoid wasting large sums of money on litigation is ACID. The trick

is to keep moving forwards as a designer and not let the plagiarisers get you down.

Would you and others support an ACID campaign, "It's not cute to copy?" "It's not neat to cheat!" or to join the Vogue US campaign with the strapline, "Fakes are Never in Fashion".

With pleasure!

Following the recent settlement by COS after the recent lookalike debacle, would you do things differently in terms of your IP protection?

There's nothing you can do - these high street brands are ruthless and aren't deterred by IP protection. You just have to hope that water finds a way and the truth comes out.

What was the worst aspect of the experience tackling COS?

I think the worst thing was the intimidating experience of coming up against their intransigent lawyer and their collective arrogance, as a major brand, in communicating that I was a nobody.

Their lack of legitimate evidence to substantiate what they claimed was

Jess was recently in a dispute with COS, which was settled through mediation. Read the story [here](#)



their original design, was staggering. The evidence that they did produce was unconvincing and an insult to my knowledge about creating original designs. The whole process was deliberately delayed by them and diverted me from creating for a whole season and left me feeling flattened at the end of it. The fact that they continued selling lookalike designs around the world was galling enough but then offering it for free until the day before the mediation and, subsequent settlement, left me feeling disturbed by this brand's fashion industry ethics.

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 fashion sector achieve this?

Yes, it would be good if they paid designers for their ideas, rather than pinch them like a burglar. The high street fashion chains are the main problem, and what's ironic is that they have the money to buy the ideas. I don't know how it can be enforced, there is no such thing as fashion police.

We now have an IP Act which will mean not only criminal provisions for intentional Registered design infringement but also for individual directors. Do you believe that if this is extended to unregistered designs infringement, it will become more of a deterrent?

I think if someone big like H&M were pulled up on a charge like that and made an example of it would scare/deter the high street design teams from being quite so obvious about their copying.

Can you give us a steer on what you feel ACID's achievements have been and what we could do in the future to raise further awareness about IP theft?

ACID really help individual designers like me, with no employees or financial backing, to have a voice and stand up to these people through mediation rather than litigation. Word of mouth raises awareness and getting heavyweights in the press like Vogue on board to try and help protect the individual creative designer.

As you know ACID is the main Policy and Government campaigning

body for Design & IP reform. What are your 3 recommendations to Government to stem the tide of blatant design theft to support the fashion sector and broader design sector?

Fund a free letter from a barrister and free court trial if the designer is an individual designer with a case and no money - and then a no win no fee system to find a lawyer to represent, and ideally a time limit set to 3 months to settle so that, that an individual designer doesn't waste the year trying to fight for their designs.



Your technicians are in Paris and your production is done in India. By helping them to develop skills and craftsmanship. How important do you think this is for the future of your organisation?

Vital, because I can't produce my fabrics without them - and I adore India and my trips out there are all a part of RdV's creative journey.

Jess Linklater
Robe De Voyage

www.robedevoyage.com

ACID MEMBER

Member Focus

Nina D

Read
more of our
Member
Focuses
here

Nina D talks about her new designs, how important IP knowledge is to her, and how helpful it is being a part of the ACID community. Nina D is an illustrator from Stockholm, Sweden. She has lived in England for twenty-four years and now lives in beautiful Cheshire. She produces high quality homeware products inspired by her Swedish upbringing and family traditions. Each design is named after a person or a place close to Nina's heart in Sweden. Nina's designs are meticulously hand illustrated. Her collection features a range of bespoke patterns, unique textures within each ornately layered, two-dimensional design.

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

I have been creative for as long as I can remember and graduated from London's Wimbledon School of Art in Theatre Design twenty years ago. In 2019 I really had that 'lightbulb moment' standing in a Swedish store searching for new placemats. Why don't I create my own hand illustrated placemats and coasters!

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

No, I didn't. I have previously worked creatively on small scale, one-off projects but starting my own creative business was new to me at the time. I was recommended to join ACID last summer by a coach supporting women starting up their own creative business.

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

The regular ACID newsletters and being part of a creative community is so

important to me, especially as we are still under lockdown restrictions. For example, ACID posted an article of designs copied from an Etsy shop. As I have an Etsy shop myself, it was interesting to follow the case and action taken by the designer and ACID. I make sure to feature ACID on my platforms and business stationery.

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

My homeware collections now include Swedish birch wood serving trays and handmade linen tableware. I am currently working on my new design launching this spring, inspired by a famous park in Stockholm when the cherry blossom trees are in full bloom. I am also working with a local pottery studio in Altrincham to produce hand illustrating porcelain cups with a bee theme.





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

The reassurance that I am supported and protected by ACID for my designs and intellectual property. Being part of a creative community and receiving the regular newsletters, keeps me up to date in the creative sector.

What advice would you offer to a new designer?

Join creative communities and interact with local creative businesses. Over the past year, I have made so many friends in the creative industry. We support each other through these challenging times on social media and zoom meet ups.

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?

I think it is important to continue promoting the support available for IP, especially new designers. To successfully reach out and connect with new creative businesses who may not be aware of IP.



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ACID MEMBER

UK GDPR

(GENERAL DATA PROTECTION REGULATION)

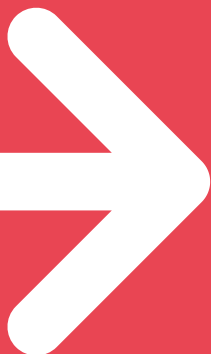
Do you know the rules post Brexit?

Since Brexit, new rules apply when doing business with Europe.

It's important to understand some of the common myths around the GDPR to achieve compliance and to look at what you will need to do under the new rules.

Have your thought about your company's data protection policies and do you adhere to the various rules? For example:

- Collecting personal; data: do you have a declared and transparent policy for how you wish to use data?
Are your reasons for collecting and using personal data fair and lawful?
- Do you need a customer's permission to transfer their data to the EU?
- What about personal data transferring to you from customers, agents and others in the EU? Are there any special protections you need to adopt?
- What about using suppliers based in the USA, such as cloud-based service providers? Is it OK to send personal data to them about your employees and customers?



Join an ACID webinar, Robert Lands, a partner at ACID Legal Affiliates Howard Kennedy will guide us through this tricky area on 22 April 2021 at 11am with easy-to-understand explanations of the changes post-Brexit followed by a Q & A session.

Register here

https://us02web.zoom.us/webinar/register/WN_m4si_2y6RKSHaE8HSMUEUw



GDPR was adopted on 14 April 2016 and became enforceable throughout the EU on 25 May 2018. GDPR meant that organisations must implement data protection principles to protect information about individuals, including customers and employees of business. The fines for non-compliance are potentially extremely high.

When we left the European Union, there was a transition period which ended on 31 December 2020. During that transition, the law stayed as it had been when we were EU members. But when the transition ended on January 1, 2021, the law changed. You will need to be aware of these changes in order to comply.

Join Robert in an easy-to-understand webinar when he dispels some of the myths, explains the general principles of GDPR compliance, the full impact of Brexit on data protection law and the impact of the “Schrems II” legal case.

Robert Lands, Partner at Howard Kennedy said, *“British design is respected the world over and ACID members need to be able to trade internationally. The flow of personal data across borders post Brexit is crucial for that trade to flourish. We’ll look at what steps ACID members should take in the new regulatory climate”*

ACID Comment:

“There are so many things for any business to think about, especially post-Brexit, but not complying with data protection rules whether existing or new can land a business in hot water, so take time out on April 22nd to understand the basics!”



Robert Lands,
Partner at ACID Legal Affiliates
Howard Kennedy



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



AntiCopying inDesign @ACID_tweets · Mar 15

Wishing a warm welcome to #ACIDmember Alice Philpott Jewellery who finds #design inspiration in the shapes and textures of the incredible landscape around her. Silver has a simple beauty and every piece is designed and crafted with that simplicity in mind. bit.ly/3eEPBYw

Alice Philpott Jewellery



f @Alice-Philpott-Jewellery, @ @alicephilpottjewellery, www.alicephilpott.co.uk



AntiCopying inDesign @ACID_tweets · Mar 23

Wishing a warm welcome to #ACIDmember Northern Woodwright Furniture, with a passion for #design & creative process, their #furniture uses local timber & embraces natural elements such as live-edges and spalted timber, exuding originality and style. bit.ly/3IQ7YLF

Northern Woodwright Furniture



f @NorthernWoodwrightFurniture, @ @northern_woodwright_furniture, www.northernwoodwrightfurniture.com



AntiCopying inDesign @ACID_tweets · Mar 10

Wishing a warm welcome to #ACIDmember @MySainted, who #design these wonderful custom candles, cushions, and prints of your loved ones. Someone you know or your fav celebrity, can be made up as an anointed saint. A great idea, and so much fun! Take a look bit.ly/3oxzMS6

@MySainted



t @MySainted, f @mysaintedaunt, @ @mysaintedauntuk, www.mysaintedaunt.com



AntiCopying inDesign @ACID_tweets · Feb 26

Wishing a warm welcome to #ACIDmember The Collective Agency who bring progressive thinking, sustainability, and quality to all they do. With the goal of maximising sustainable materials, they help make indoor and outdoor spaces eco, therefore kind spaces. bit.ly/3pYh7C8

The Collective Agency



@ @thecollective.agency, www.thecollective.agency



AntiCopying inDesign @ACID_tweets · Feb 26
Wishing a warm welcome to #ACIDmember @bellybambino who makes tidy up time fun, and incorporates stylish designs for kids and grown ups, making toy storage practical but beautiful. Take a look here bit.ly/2NFCsDy



@bellybambino

f @bellybambinobasket, i @bellybambinobasket,
www.bellybambino.com

AntiCopying inDesign @ACID_tweets · Feb 3
Wishing a warm welcome to #ACIDmember Badger & Birch who create handcrafted home and lifestyle products, with a focus on artisan design, natural sustainable materials, and minimising waste. Check them out here bit.ly/3In97O1



Badger & Birch

www.badgerandbirch.co.uk

AntiCopying inDesign @ACID_tweets · Feb 5
Wishing a warm welcome to #ACIDmember @bambizofficial who make luxurious bedroom and nursery furniture and accessories, combining traditional British craftsmanship with the best of modern design. Take a look here bit.ly/3p19CgR



@bambizofficial

t @bambizofficial, f @BambiziOfficial, i @bambizofficial,
<https://bambizi.co.uk>

AntiCopying inDesign @ACID_tweets · Feb 3
Wishing a warm welcome to #ACIDmember @Tri_Climb who make a lovely range of children's climbing toys designed to encourage a child's cognitive development skills. Take a look here bit.ly/2YMwO4d



@Tri_Climb

t @Tri_Climb, f @triclimb, i @tri_climb, <https://triclimb.co.uk>

AntiCopying inDesign @ACID_tweets · Feb 3
Wishing a warm welcome to #ACIDmember Nature in Steel who make stunning garden ornaments, each one handcrafted and unique. Take a look at this beautiful garden art here bit.ly/3asEKNz



Nature in Steel

f @natureinsteel, www.natureinsteel.com

AntiCopying inDesign @ACID_tweets · Mar 16
Wishing a warm welcome to #ACIDmember @fmcdonaldlondon who is inspired by Italian #design. Working with a team of skilled craftsmen, offering a British made range of #furniture and seating, providing well #designed and beautifully made pieces. Take a look bit.ly/3rRP67v



@fmcdonaldlondon

t @fmcdonaldlondon, f @FionaMcDonaldLondon,
i @fionamcdonaldlondon, www.fionamcdonald.com

New Members

ACID welcomes the following new members to the ACID Community

Company	Industry	Company	Industry
i3 Studios	Design Agency	My Sainted Aunt	Giftware
Emmeline North Surface Design	Fabrics & Textiles	Everlong Print Co.	Graphics
Hares Tail Printing	Fabrics & Textiles	Badger & Birch	Interior Accessories
Heather Prince	Fabrics & Textiles	Bellybambino Ltd	Interior Accessories
Helen Izzard Designs	Fabrics & Textiles	Peg and board Ltd	Interior Accessories
Kelly Ronan Designs	Fabrics & Textiles	Pushka Home Limited	Interior Accessories
Sharon Jane Interiors	Fabrics & Textiles	Alice Philpott Jewellery	Jewellery
The Bark Book Ltd T/A Lords & Labradors	Fabrics & Textiles	Bradley's Jewellers	Jewellery
The Monkey Puzzle tree Ltd	Fabrics & Textiles	Freyr Ltd	Jewellery
Adaptista Ltd	Fashion	Jules Stenning	Jewellery
Bambizi Limited	Furniture	Maria Sofron	Jewellery
Cut and Construct Ltd	Furniture	Iona Scott	Lighting
Fiona McDonald	Furniture	Grojo Ltd	Product Design
George William Peirce	Furniture	Pothies	Product Design
Iain Stirling	Furniture	The Collective Agency	Product Design
Northern Woodwright Furniture	Furniture	Abizart	The Arts
Plaey Ltd	Furniture	Clough & Co.	The Arts
SCNDI Ltd	Furniture	Tina Tarrant	The Arts
Tony Portus Bespoke	Furniture	Hello Greens	Toys
Farming Solutions LTD	Garden Products	Triclimb Ltd	Toys




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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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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.

