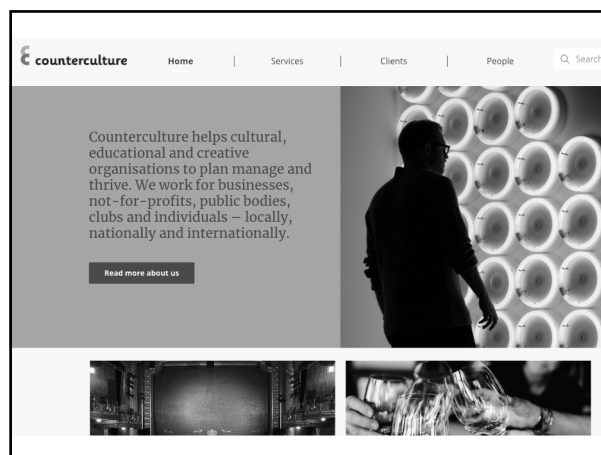
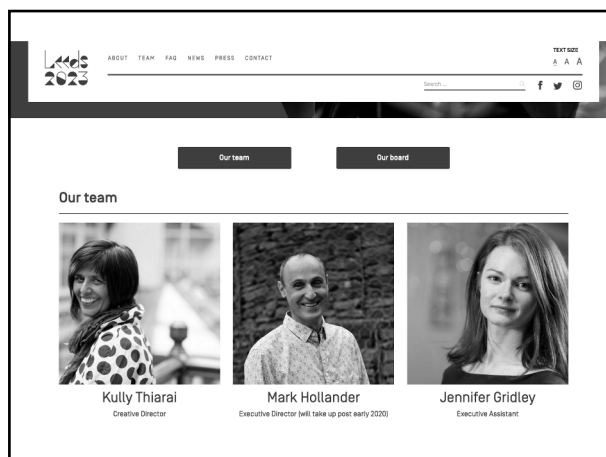


1 INTRODUCTION

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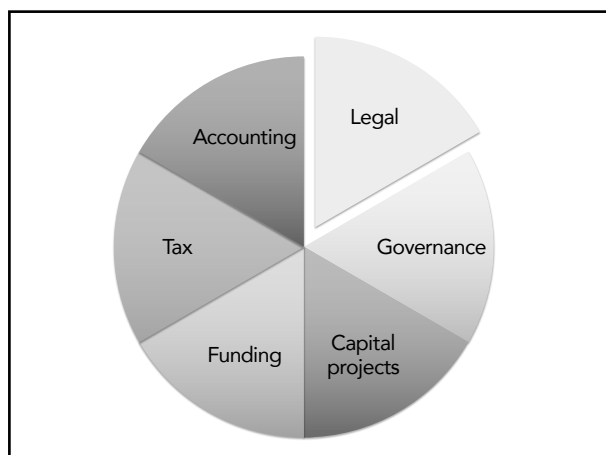
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The IP Tree

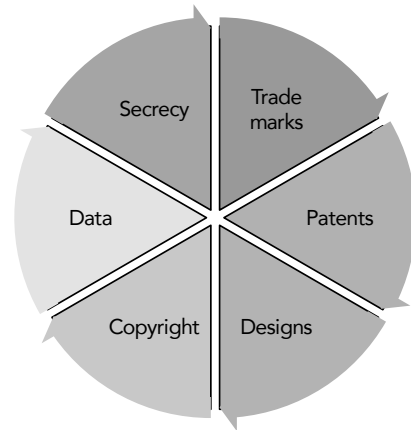
- The passion for the project (the “why”) must run through the process at its core and be its supporting strength. It must be rooted in the desire to create a return on the investment made.

6

Ideas

- No Protection of ideas
- Learn to fail quickly
- How to encourage new ideas
- Turning ideas into projects
- Keep records of the process
- Apply resources to chosen projects
- Make the project distinctively yours

7



8

Names and Brands

- Business names
- Transparency
- Protecting your brands
- Stopping others using your brand

9

Checking names

- Companies House: beta.companieshouse.gov.uk
- UK IPO: ipo.gov.uk
- Google
- Trade Journals and magazines
- Domain name registration
- Social Media Accounts: knowem.com
- NOT National Business Register

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Trademarks - free or registered?

- tm / passing off
- ● ®
- “May be registered if it is a sign capable of being represented graphically which is capable of distinguishing goods or services of one undertaking from those of other undertakings”
- Search / Apply / Advertise / Grant / Extend
- Don't forget the other ways to protect a

11

Can I use someone else's brand?

- Comparative advertising
- Quotes
- Domain names
- Google Adwords

12

Finding value

- Is the brand or the design or delivery of the project paramount?
- Discover value in any collected data or customer created material
- Consider domains, website and app delivery and social media accounts

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Patents

- Inventions can be protected if:
 - ✓ New, inventive step
 - ✓ Capable of industrial application
 - ✓ Not excluded under the Act
- Take action before invention is made public
- Search / Apply / Spec / Exam / Grant / Register / Extend
- Obtain confidentiality undertakings

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Confidentiality Agreements

- How do I keep my idea secret?
- What is an NDA?
- Should a freelancer sign an NDA?
- One way and mutual NDAs
- Pick your team
- Articulate the value of your proposition
- Don't give everything away too soon

15

Personal Data

- GDPR & the Data Protection Act
- Privacy statements
- Consent / Legitimate interests
- Sharing data

16

Design Rights

- Registered and unregistered designs
- Register original features of shape, configuration or ornament applied to an article
- Otherwise, unregistered rights to protect the appearance of original functional products
- 12 month grace period for applications

17

What does Copyright protect?

Protection of "Works":

- Original literary, dramatic musical or artistic works;
- Sound recordings, films, broadcasts or cable programs, and
- Arrangements of published editions
- No test for quality

18

Do I have to use the © symbol?

- No, but it is an international symbol that helps you educate everyone as to the value of the work
- Sometimes it is useful to be able to show that someone “knew” it was your work.

19

Do I have to register my copyright?

- No – in the UK there is no database registration requirements
- In the US, you may have to register to enforce your rights
- Avoid internet scams.

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Who Owns Copyright in a work?

- The creator of the work owns the work, unless it was created by an employee during the course of their employment.
- The creator can do a deal, by which ownership is sold (but that should be in writing).
- Freelancers are not employees for this purpose.

21

What is the post-it trick?

- This is one way to prove you created a work on a particular day
- The date stamp shows the envelope went via the Royal Mail on the date shown.
- Remember – don’t open the envelope!

22

How long does copyright last?

- Most works are protected for 70 years after the end of the year in which the creator dies
- Some works are protected for less time – see table.
- Once copyright expires, the work goes into the public domain, and anyone can use it for free.

23

What does copyright restrict?

- A copyright owner can stop anyone from:
- Copying all or a substantial part
 - Issuing copies to the public
 - Performing / showing / broadcasting the work
 - Adapting the work

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What is Creative Commons?

- This is a way of showing that your work can be used by others for limited purposes.
- There are standard graphics to help others understand the licences
- Beware, the licences that go with each graphic can be long and hard to understand.

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Public Domain & Orphan Works

- Public domain works are those whose copyright has expired.
- Orphan works are those whose author remains untraceable – and therefore you can't check to see if it is in the public domain.
- The UK IPO might be able to grant you a licence to use an orphan work if you have checked for the owner's details.

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What are Moral Rights?

- Paternity (the right to be named as the author of a work)
- Integrity (the right for your work not to be altered)
- Privacy (some private photos etc have to remain private – eg wedding photos).

27

What are Resale Rights?

- The right for an artist to receive a commission of resales of their work in professional galleries and auction houses
- Register with DACS.

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Doing Deals

- Buy
- Sell
- Licence
- Grants

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Exclusive

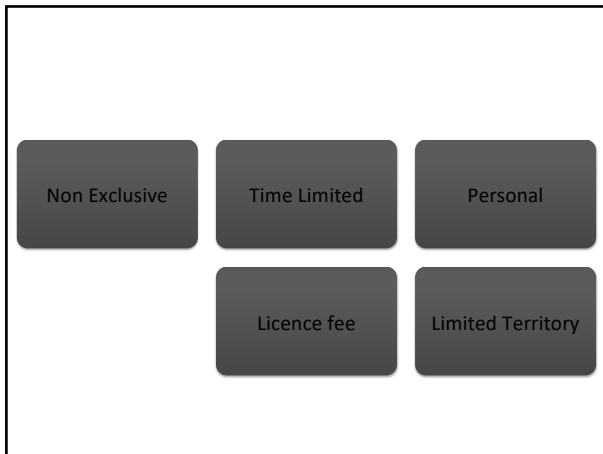
Perpetual

Assignable

Royalty Free

World Wide

30



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Market testing

- Decide which material is to be created, purchased or commissioned
- Test those decisions for all types of exploitation (now and in the future)
- If you cannot find a market, take the risk, cash-flow or make a profit, end the project

32

Business Models

- Will new business come from new customers or adaptations for the same customers?
- Can you roll out by allowing others to pay to access your materials or sell off the project?
- Is it better to allow open free access to materials or to remove them from the public domain?

33

ENFORCING IPR

- Audit
- Prevention
- Criminal Acts
- Protection overseas

34

12 Point Plan

• Identify	• Keep Secrets
• Audit	• Tell Everyone
• Keep Records	• Thumbprints
• Register	• Value
• Fix	• Deal with infringers
• Integrate	• Transfer

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