



Intellectual Property in the Events Sector

Kelly Hudson

Director, McDaniels Law

Laura Newbold Breen

CEO, ACID

ESSA | Event Supplier and
Services Association

What We Will Cover

- About ACID
- Your intellectual property rights
 - Copyright
 - Design right
 - Trade marks
 - Patents
- Contractual agreements
- How ACID Helps
- Any Questions?

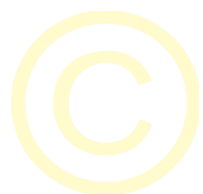
ESSA | Event Supplier and
Services Association





About ACID

ACID Stats



FIVE PILLARS

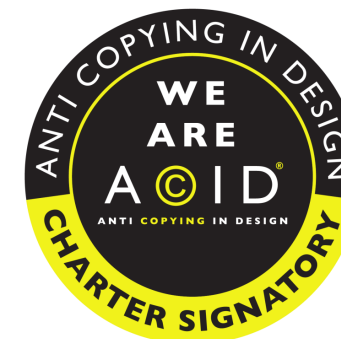
Education & Awareness
Deterrence Prevention
Support Campaigning



Achieved **Intellectual Property Act 2014** & **Small Claims Track for IP** and other design law reforms



c. **90% ACID Members** believe design IP infringement is deliberate



Partnerships

designs in mind



A selection of
partners making up
our ACID
Community!



bpma
British
Promotional
Merchandise
Association



CREATIVITY | CRAFTSMANSHIP | COMMUNITY





Your intellectual property rights

Copyright

- Copyright arises automatically
- Protects:
 - Artistic works – e.g. artwork, design drawings for stands or photographs featured on stands or the shape of the stand itself
 - Literary works – e.g. copyright text featured on stands
- Originality – must demonstrate a degree of labour, skill, or judgement
- Protects the expression of works, not the idea so it is vital to record your work
- Owner – the person who created the work or the employer if created by an employee
- Period of protection – author's lifetime plus 70 years
- Protected in the country of creation and other Berne countries

Design right

- Design right can arise automatically, or it can be registered
- **3 types of design right:**
 1. registered design
 2. unregistered design
 3. supplementary unregistered design right
- **Protection duration:**
 - Registered: up to 25 years, renewed every 5 years
 - Unregistered: 10-15 years
 - Supplementary unregistered: 3 years
- **What it protects:**
 - Unregistered: 3D appearance – e.g. the shape of a stand
 - Registered: 2D and 3D designs – e.g. patterns, embossing, surface decoration

Registered trade marks

- Protects any sign that distinguishes your brand and its products
- **Includes:**
 - Brand names
 - Logos
 - Tag lines
 - Domain names
- **Protection duration:** 10 years
- **Renewal:** can be renewed an infinite number of times
- Classes 20 and 35 are generally the most relevant registration classes if you are making/providing stands for trade shows.
- Can be registered in the majority of countries through various methods (but note that trade marks are territorial)
- Can use the ® symbol

Unregistered trade marks and passing off

- Unregistered trade marks are acquired through trading and building a reputation, which becomes goodwill.
- Goodwill can attach to your name/ logo/ specific elements of your branding, which becomes an unregistered trade mark.
- Unregistered trade marks can be enforced through the tort of passing off.
- **Passing off requirements:**
 - Goodwill
 - Misrepresentation
 - Damage
- Regional rights
- Can use the TM symbol

Patents

- **Requirements:**
 - The item is new
 - The item is inventive
 - The item is something that can be made and used, a technical process, or a method of doing something
- Do not disclose an invention to anyone other than a legal representative until a patent application is made if you want to obtain a patent.
- Can be applied for in most countries.
- **Protection duration:** up to 20 years with renewals starting usually after the 4th year.



Commercial agreements

Agreements you may come across

- Licensing agreements
- Agency agreements
- Retail agreements
- Supply agreements
- Wholesale agreements
- Terms and conditions
- Franchise agreements

Top tips

- Always have agreements in written form;
- Read and understand them;
- Get in touch if there is anything you are unsure about!



How ACID Helps

Membership



Membership Logo

Get a licence to display the Member of ACID logo on your websites, products and marketing materials as a powerful brand of deterrence.



Initial Free Legal Advice

Gain entitlement to a free period of preliminary legal advice on separate issues from our IP Specialist Legal Affiliates.



IP Databank

Upload your designs and documents to our online IP Databank to ensure you have third party dated evidence of their existence.



Campaigning

Take the opportunity to respond to surveys and give your opinion through case studies, and get your voice heard at Parliamentary level.



SnapDragon Monitoring

SnapDragon's cutting-edge AI, Swoop, proactively hunts down online threats & infringements. As an ACID Member, you'll benefit from a 15% discount!



Webinars & Events

Keep track of upcoming ACID events including ACID's Business Webinar Series or Meet the Team at ACID Accredited Exhibitions.

A MEMBER OF
ACID[®]
ANTI COPYING IN DESIGN

Downloadable and reusable templates



Licence Royalty
Agreement



Confidentiality
Agreement



Deed of Assignment of
Trade Mark Agreement

And many, many more!

ACID Members **save 60%** on Legal Agreement Templates

IP Databank

- FREE members' vault
- 3rd party, dated audit trail for designs and documents
- Police Intellectual Property Crime Unit (PIPCU) endorsed certification of ownership
- Invaluable for unregistered design rights and copyright
- Proven success on TEMU takedown portal



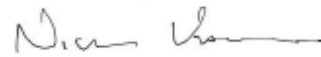
CERTIFICATE

of IP Lodgement and Independent 3rd Party Evidence of Date & Time of Receipt.

Member ID	16901
Member company name	Katie Test
Submission title	Chicks Collection
Locked date & time	17th January 2025 10:24AM

File Ref	File Name	File Description
363945881-1	Chicken-Collection.pdf	Chicks




Nick Kounoupas
ACID Chief Legal Counsel



The ACID Intellectual Property (IP) Databank supports protection but does not add to IP rights, which are created automatically. However, this certificate is evidence of the date on which you have submitted the above copyright and/or design files to ACID (Anti Copying In Design). Each file has a unique reference number with a confirmed locked date.

ACID's IP Databank service supports your unregistered rights (copyright & designs) and by downloading this certificate you acknowledge that this is different to paying a fee to register your designs officially at the UK Intellectual Property Office or EU Intellectual Property Office.

By lodging your copyright, designs and documents to the ACID IP Databank you are effectively date stamping your submitted files and this gives you a third party verifiable date of receipt. Should you be legally challenged on your unregistered IP rights' ownership, as with your registered rights, your rights can be invalidated if another party provides more legally compelling proof of design ownership. Ultimately a Court will decide. However, as you have ACID certification, the onus is on the challenger to provide evidence that you do not own the IP rights registered on the ACID IP Databank.

Anti Copying in Design Ltd | Registered in England & Wales No. 3402512 | VAT Reg No. 707 5923 23
Registered Office: 6 Lion Avenue, Twickenham, TW1 4JG.



Interested in Joining ACID?

**ESSA Members
get 20% off
ACID
Membership!**

A MEMBER OF



ANTI COPYING IN DESIGN



Any questions?



IP RESPECT, COMPLIANCE AND ETHICS

Please scan and sign!



<https://www.acid.uk.com/become-a-charter-signatory/>

Thank You!

Kelly Hudson

Director, McDaniels Law

kh@mcdanielslaw.com

Laura Newbold Breen

CEO, ACID

Laura.NewboldBreen@acid.uk.com



The logo for McDaniels Law is shown. It consists of the words 'Mc', 'Daniels', and 'Law' stacked vertically in a bold, serif font. The text is black and is enclosed within a blue square border.