

March 2012

## INTELLECTUAL PROPERTY IN THE FASHION DESIGN INDUSTRY TOOLKIT

HOW A SMALL FASHION DESIGN BUSINESS  
CAN DEVELOP AN IP STRATEGY





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**Foreword**

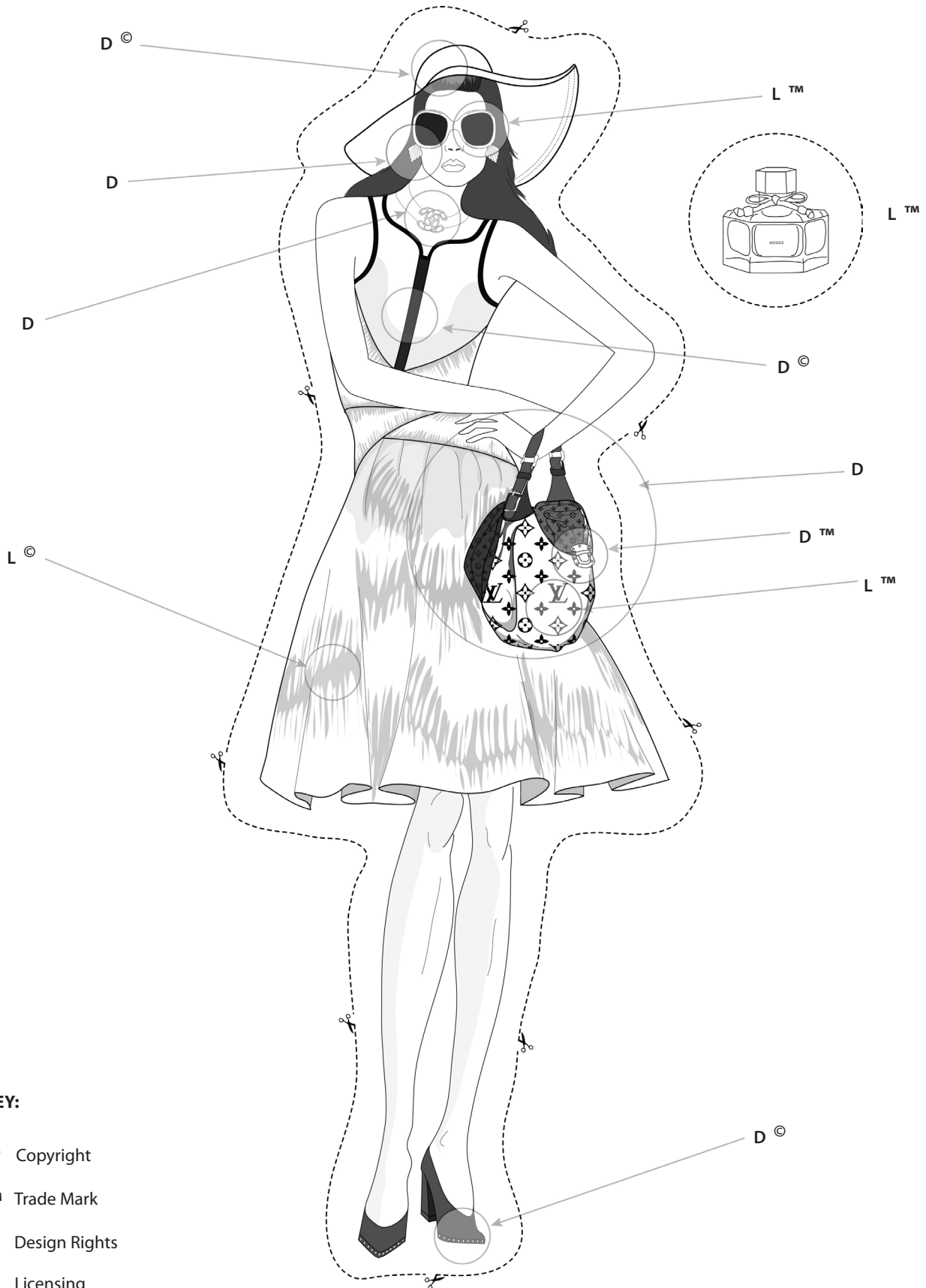
The Centre for Fashion Enterprise has worked with London's emerging fashion designers since 2003. During that time it has become obvious that sound legal advice at an early stage is paramount, and the partnership with the legal firm Olswang has helped us to stem the flow of lost financial opportunity through identifying and securing the designers' assets. The financial ramifications of not understanding the key legal issues to a fashion designer in business are clear to see across the industry – which is the reason why we wanted to work with the intellectual property office to produce an "Intellectual Property Guide for the Fashion Design Industry" for non legal fashion professionals. It includes clear guidelines relating to Design Rights, Trade Marks, Copyright and Licensing with a roadmap on why to use these.

Small designer businesses are operating within a global environment where, according to Chris Donegan in his July/August 2011 article in *Spears, Brand and IP* experts estimate that over 80% of the value of typical Fortune 500 companies is represented by IP. This includes brands, trade-marks, copyrights and patents.

Understanding and managing IP has been an active basis of trade and business for decades and is now a mainstreamed activity. Small and medium enterprises and talented individuals can more readily benefit through royalties and IP revenue streams from their ideas and inventions through a better understanding of the "tools of the trade".

**Wendy Malem** MBA FRSA FCSD  
Director, Centre for Fashion Enterprise

**WHAT DESIGN RIGHTS MUST  
THERE BE IN MY DESIGN WORK  
THAT I SHOULD KNOW ABOUT?**



**KEY:**

© Copyright

™ Trade Mark

D Design Rights

L Licensing

**INTELLECTUAL PROPERTY IN THE  
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## INTRODUCTION

### HOW A SMALL FASHION DESIGN BUSINESS CAN DEVELOP AN IP STRATEGY

'Intellectual property' (IP) can be a confusing term; however, it is simply an all-encompassing phrase to describe the legal rights in the creative material which you use in your business. These elements can include your trade mark, garment designs, print designs and even patterns or methods of garment construction.

The law recognises and acknowledges the value that these rights have for businesses and makes provision for protecting them. IP law covers a range of rights which serve to protect all businesses, including designer fashion labels, fashion and lifestyle brands and retailers by granting them rights to control who can use their 'property' including:

- Trade Marks
- Copyright
- Registered Design and Unregistered Design Rights

Protecting your IP and planning in advance who may be allowed to use it has important benefits. Such protection may serve to maximise revenue flowing into your business and also prevent you from losing income. This protection is also valuable if you are aiming to secure investment into your business at some point in the future. IP is the foundation of your business and investors will need a clear idea of IP ownership and strategy.

If your IP is protected:

- You are in a position to licence it to other companies in exchange for payment e.g. a royalty.
- You may enter into commercial collaborations where your IP will be used in conjunction with that of another fashion label, brand or retailer in return for payment.
- You may be able to prevent other companies from potentially damaging the positioning of your label and reducing your sales by copying your designs.
- You are more attractive as an investment proposition.

Ultimately, careful management of your IP can protect the income of your business and potentially lead to increased revenue and enhanced profit

This guide sets out the issues a fashion business owner should consider for protecting and maximising the exploitation of their IP. It provides explanations of each form of IP right and lists potential action that can be taken to protect your IP. These actions should become integral to your business plan.

The Centre for Fashion Enterprise has produced a Guide for Intellectual Property in the Fashion Industry which will give you a detailed insight into Design Rights, Trademarks, Copyright and Licensing. Also a separate Toolkit describing how a Small Fashion Designer business can develop a Licensing Strategy for their business. These can be downloaded from [www.fashion-enterprise.com](http://www.fashion-enterprise.com). As with any industry, counterfeiting can be seen as a good sign for a business. It demonstrates that a copied work or brand has considerable value. But this is only if the designer/brand owner has the resources to challenge, litigate and stay one design step ahead of the criminals. For emerging designer businesses with limited resources, it can be more challenging to protect and enforce their IP rights and therefore they do not enjoy the 'positive' aspect of copying and counterfeiters.

Designers should also keep in mind the following points:

- Misuse (infringement) of the IP of others can be damaging and costly.
- IP rights are geographically territorial, so a designer needs to check that a right is available for use in all territories in which they intend to do business, including the need to consider the IP issues before embarking on overseas fashion shows or PR activity.
- Ownership of rights that have demonstrated a commercial return is useful in convincing investors, venture capitalists or banks to the commercial value of a company.
- Protecting IP also enables designers to safely access new markets through licensing, franchising, entering joint ventures or other contractual arrangements (including overseas manufacturing, marketing and distribution) with other companies.



This guide is based on the prevailing law in the UK in 2011, which is aimed at enlightening the trade and students on the issues relating to IP in the fashion industry. It is a framework to support the earlier consideration, protection and exploitation of IP within the design and commercialisation process. The guide sections are:

- Trade Marks
- Registered Design and Design Right
- Copyright
- Licensing

Alongside the Trademark, Design Rights, Copyright and Licensing Guides, two toolkits have been developed as resources for fashion entrepreneurs. These cover the following themes:

- How a small business can develop an IP Strategy.
- How a small business can approach Licensing Opportunities.

The purpose of this collection is to provide relevant and topical resources for business planning and tuition in order to improve the commercial return from IP developed within the industry, from smarter ways of operating and from individual talent.

### **Developing an IP strategy for your business**

Once you have done the key essentials for IP protection, you can start to think about how you develop the future strategy for your business in the knowledge that you have secured this IP.

You should have a separate section in your business plan, which would be of interest to potential investors, identifying what your IP strategy is and what your assets are. Your trademark for example is your brand and has a financial value. How you manage your trademark is another strategic business decision, for example, do you own the name yourself and licence it to your registered business, to another company or have you made another arrangement.

### **The seven key pointers for an IP healthy business:**

1. You have selected a brand name and secured it.
2. You have designed your latest collection and marked up & archived the drawings.
3. If you have other designers/employees/freelancers working with you on the design collection and you have signed agreements with them assigning the copyright to you.
4. If you are discussing your latest collection with manufacturers, licensees or possible partners you have a Non-Disclosure Agreement (NDA) in place signed by all parties.
5. If you have designed a textile print and you want to license it for bags and other products you have protected your IP.
6. If you have successfully licensed your print or design you have a professional licensing agreement in place.
7. If you have a signature design you plan to use season after season you have registered it.

Your IP strategy for your business is a matter of having a vision and determining what the strategic objectives are for your business, building on what you are good at, what you are known for and what type of business you want to be.

You do not always have the know-how or expertise to launch new product categories or to enter new markets. A strategic partnership can bring new strategic opportunities but these must fit where you want to be as a brand. It is essential to define your expectations of the partnership and be clear from the outset, with a legal agreement laying out the partnership and building in IP protection which will expand on what each party brings to it. You must always maintain control of your sign-off, distribution and your licenses, and in maintaining the quality levels that you expect.

## WHAT IS A TRADE MARK?

A trade mark is a distinctive name or sign that distinguishes the goods of one brand or business from those of another. In the case of a designer business, it is the label or brand name (which may also be accompanied by a logo or other symbol or phrase) that signifies that you are the originator or source of a particular garment. Your trade mark may be registered or unregistered (see later), but either way it is the consistent commercial signature that your customers recognise, that confirms to them that the product they are looking at or wearing has been designed by you. A trade mark can be displayed on a garment in a number of ways:

1. Interior branding such as fabric labels bearing the designer's trade mark which are sewn into the back neck or side seam of a garment.
2. Interior branding where the trade mark is printed on the inside back yoke of a garment.
3. Permanent exterior branding such as a printed or embroidered trade mark, branded zips, buttons or rivets, leather patches or other such visible elements bearing the branding.
4. Removable exterior branding where the trade mark appears on removable hangtags.

Your trade mark may also be presented visually to customers separately from your actual products in a variety of other ways, for instance, on your website, customer websites, look books, press releases, online retailers, Twitter, Facebook and other social media, in-store signage, commercial advertisements and a host of other marketing materials.

### Protecting your trade mark

You should seek to protect your trade mark as soon as you possibly can after launching your business. This is not the same as registering a limited company as a vehicle for your fashion business. For clarification, registration of a company should take place first. The company name may or may not be the same as the trade mark. The company will be the legal entity that runs the fashion business and it will be using the trade mark in that business.

There are charges associated with applying to register a trade mark, but this expenditure must be regarded as an investment which will have long term benefits. Unfortunately one registration will not cover all product types in all countries. The truth of the matter is that with the exception of the EU, you will generally need to make individual applications by product category and country by country.

Product types are split into different categories known as 'classifications'. So when considering how to register your trade mark you need to start with your business plan – ascertaining which products you are most likely to launch in the near future, and in which countries.

The product classifications most likely to be required by designers are:

Class 25 - Clothing, headwear and footwear for men, women and children.

Class 18 - Bags, luggage and leather goods

Class 14 - Jewellery, watches

Class 9 - Eyewear

Class 3 - Fragrance and Beauty products

Class 24 - Home furnishings

If you are only planning to launch one product type in one country for the foreseeable future, e.g. clothing in the UK, then you can apply in Class 25 (clothing footwear and headwear) in the UK only.

However, if your strategy is to sell clothing internationally, it is better to apply to register your trade mark in Class 25 across several countries from the beginning. There is currently a cost effective EU method which allows businesses to register their trade marks in all EU countries (including the UK) by one application. This is known as the 'Community Trade mark (CTM)'. One CTM application covers 3 classes (which you need to select) for the basic filing fee – other classes can be added for extra fees. Therefore if you plan to sell in Europe, and think you are going to add leather goods and jewellery to your collection, then you should consider applying to register your trade mark in Classes 25, 18 and 14.

You can apply to register your trade mark in additional countries and for different product classifications at any time. Many designers do this as they start to take orders from customers in new territories, for example in the USA and Japan. You do not have to have registered your trade mark before supplying a store in a new country, although it is advisable as it will grant you more protection. An early application to register your trade mark may also reveal whether another person or company has registered your name in a particular country before you.

It is not uncommon for unscrupulous people to pre-emptively register up-and-coming trade marks, in particular territories such as China. Whilst such wrongful registration can often be challenged, this can be a very expensive and lengthy process potentially preventing you from trading in that country until the matter is resolved.



It is always advisable to seek the advice of a specialist trade mark lawyer when applying to register your trade mark. They will advise you of the most cost-effective way to secure your mark, in the territories and classifications that you require and will also assist with completion and submission of the necessary forms. They will also help in situations of potential conflict, for example, where a brand with a similar name challenges your name in your desired area. In this case a resolution needs to be found that is satisfactory to both parties.

Your business plan should outline where you are intending to take your business in terms of export countries and these should be your priorities for registration. Your business plan may also indicate if you intend to diversify into an alternative product category, such as sunglasses, where you would need to partner with a specialist manufacturer and allow that partner to use your trade mark under licence. Try not to over complicate things though. If you do not intend to export to Uzbekistan for example, then it is not worth paying for a registration there.

Before your mark is registered you may put <sup>TM</sup> after your trade mark to show other parties that you are claiming that the mark is a trade mark and that the application has been made. It is a good thing to do this after you have filed an application. Also, in most countries, once an application has been filed, it will be published so that other parties can object to registration. Assuming nobody objects to your trade mark, when you have received formal notification of registration in a particular country, you are entitled to use the ® which is a formal and internationally recognised indication that the mark is a registered trade mark. It is recommended to use this wherever possible but only for trade marks that are registered.

As your brand grows, more brands and retailers will be interested in working with you on developing co-branded merchandise featuring the trade marks of both companies. You will be required to sign an agreement with the other party confirming that you own your trade mark in the particular territory for the particular product category of the proposed collaboration. Anticipating opportunities to collaborate with other brands or retailers may therefore influence how and when you register your trade mark in additional product classes.

You need to remember that you may need to protect your trademark in the countries where you are manufacturing your products as well as where your products are selling.

### What Should I Do?

1. Register your trade mark as soon as you possibly can in the countries you class as a priority and in the product classes you think you are going to launch.
2. As your profile increases, you may want to consider registering your trade mark in more territories, particularly where you intend to export your products.
3. BE VIGILANT! Watch out for your trade mark appearing on merchandise in stores or on websites, especially in overseas territories you might not be serving directly.
4. If you believe that someone is using your trade mark without your permission obtain evidence (either by purchasing a sample or making an image of a web page) and discuss it with your legal representative.

### Business Plan tips:

- Register your trade mark as early as possible so that you are ready to grasp licensing and partnership opportunities as they arise.
- Investors would expect you at the very least to have a CTM. They will be looking to scale up your business, and need assurance that there are no barriers to this.
- Firm up your strategy identifying new product categories you expect to diversify into. So your business plan should set out which classes you are going to prioritise to register as funds become available. It is your responsibility, not your manufacturing or license partners!!
- Firm up your strategy identifying export countries where sales growth is achievable and prioritise to register your trade mark in these countries as funds become available. Europe, followed by the US and then Japan are typically the starting points for country/region trade mark registration for small fashion designer businesses. But this does vary from designer to designer depending on the product, market receptiveness and strategy.
- Develop a strategy for buying domain names as well. Start with .co.uk and .com, and add other important countries as soon as funding is available.
- There is a well-known counterfeit culture in the Far East, and in particular China. As your order-book grows, you will be looking for larger manufacturing capacity, which is likely to be in another country offshore. Again, as part of your strategy, as you expand your manufacturing networks, include trade mark registration in those countries as well.

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- Before investing time and money into a chosen name, it is advisable to initially check that it is not already being used. There are several easy steps;
- Search online using a good search engine. Bear in mind, if you intend to sell your designs worldwide you will want to do a worldwide search, not just of the UK. You may also wish to search for similar names, and names which sound alike but are spelt differently.
- Apply to register a domain name. This is also a good indication of whether a name is in use. If it is available, you may wish to register it quickly in order to prevent anyone else from registering the same name.
- Following the above steps, you may wish to register a trade mark, to protect your name and to prevent others from using it. Each country has its own rules for registration of a trade mark, so you will need to decide where you wish to register. In the UK a trade mark lasts 10 years from the date of registration, with options for renewal.

**Potential consequences of not registering your trademark:**

If a fashion designer has not registered their trademark, then they are putting their business at serious risk. The longer you postpone the trademark application process, the greater the risk of someone else registering the trademark in various countries before you do. The consequences can be significant. You will not be able to protect, license or market your product in any of those countries.

## WHAT IS COPYRIGHT?

Put simply, copyright entitles creators of original material to protect it from copying. In fashion design terms this could be a print design, a textile design, logo, label, artwork, photo or film. The law of copyright gives the creators of unique material the right to control how their work is used. Copyright is an automatic right in as much as it does not require registration, forms or fees and arises when someone has created a 'work' which is regarded as original and which exhibits the necessary degree of labour, skill and judgement. While copyright arises automatically, it is still vital to record all of your developments from initial concept to the final product because if a dispute arises, having accurate records of your designs will assist you in proving your ownership.

As a fashion designer, one way to protect yourself is to use the copyright mark © whenever you produce relevant designs on paper, on your computer, or when you make a sample. Always note the copyright details somewhere on the design. In addition to the ©, you should add the year of creation, and the name of the copyright owner. Store your initial design work carefully as it is evidence of the design stages you have gone through to create your final work. This can include scribbles, sketches, designs and other creative work or records.

Some people send copies of the designs to themselves by registered post. The envelope will show the date clearly and should be left unopened. Be careful to record the contents on the outside of the envelope to avoid confusion! But this is not necessary – find a system that works for you and make sure it records each design, when it was made and by whom.

- If you think someone has copied your design, these records are evidence that you worked on the original development of the material and may allow you to take action and claim damages.
- These records are also evidence of the origin of the material if someone else claims you have copied their design.
- These records enable you to stop others from using your work without permission and trying to exploit it commercially.
- They also allow you to licence your copyright to others to use.

Copyright is particularly relevant if you produce print or textile designs, since these are likely to be of interest for potential commercial exploitation in a range of product categories beyond those which you already produce e.g. home furnishings, luggage, toiletries, packaging, or stationery. If another company wishes to produce such goods using your designs you may grant them the rights to do so under licence for a certain period of time in exchange for a royalty fee. This can bring in valuable funds into your business (see the Centre for Fashion Enterprise toolkit "How a small Business can approach Licensing Opportunities" [www.fashion-enterprise.com](http://www.fashion-enterprise.com)).

### What should I do to protect my original designs?

1. Mark all working drawings, sketches, patterns, etc. as follows:

© Year of creation, Name of copyright owner and if possible the contact details ("copyright notice").

2. File all such sketches, designs, scribbles, etc. in a secure place.

**BE VIGILANT!** Watch out for copies of your sketches and finished designs appearing on catwalks, in stores, in magazines or on websites. If you believe that someone has copied your design, the best way to obtain evidence is to purchase a sample of the offending item. If this is not practical, you could print an image of a web page featuring the product, or take a photograph of it in store. It will then be necessary to discuss the situation with your legal representative.

These records are also evidence of the origin of the material if someone else claims you have copied their design. These records enable you to stop others from using your work without permission and trying to exploit it commercially. They also allow you to licence your copyright to others to use.

**Business Plan tips:**

- As your brand grows there will be more opportunities to reproduce designs from your archive for your own use or in collaboration with partners. Protecting your designs at the point of original creation will maximise your opportunity to use them in the future.
- As an example, if you generate 30 new designs a season and have been trading for 10 seasons, you will already have a potential catalogue of 300 designs that can be copyright to you. This type of data adds to your brand value and is important when you are in discussion with potential investors.
- List your catalogue of designs as part of an IP Appendix in your business plan (although possibly in an abbreviated form)

**Potential consequences of not archiving and copyrighting your designs:**

- If a fashion designer has not copyrighted its work, then they will not have exclusive rights to the following:
- Copy the design: potential loss of re-orders on a design.
- Licensing : potential loss of new revenue streams
- Show the design in the public domain: potential loss of wider brand exposure.
- Make adaptations to the design: potential loss of re-orders on a design.

## WHAT ARE REGISTERED DESIGNS OR UNREGISTERED DESIGN RIGHTS?

Similar to copyright, but these 'rights' relate to products which are not covered by copyright, e.g. an actual manufactured garment. It is not uncommon to register a design of a garment especially where there is a unique construction that gives a garment a particular look or fit. It is important to think about registering a design if it is to become your design signature and is unique to you.

### Unregistered EU Design Rights:

– Arise automatically upon first creation of the design and lasts up to 3 years.

### EU and UK Registered Designs:

– Arise upon registration of the design.

– Last for up to 25 years (if registration renewed every 5 years).

Since many fashion items are only intended to last for the duration of a single season, the length of the protection of the unregistered right of 3 years is usually sufficient for most designers and requires no effort. However, if something unique remains unregistered, disputes over copying of designs can be difficult to fight.

Registered Designs are protected for longer and so are better suited to perennial signature designs or for example a particular new clasp on a handbag or other accessory. Because the design is registered, a defence against infringers is generally easier. An important difference is that to establish infringement of copyright or unregistered design right copying is important, but in the case of a registered design it does not matter if there has been no copying. A registered design is a monopoly right.

## What Should I Do?

- Determine whether a particular design is likely to be integrated into your collection as an ongoing high profile core element across several seasons. You need to assess whether you believe the product is likely to be copied, either within your existing markets or in overseas territories you have yet to exploit yourself.
- If your designs are likely to be enduring (ongoing) designs at a high risk of being copied, consider registering them either as a UK Registered Design or as an EU registration. Talk to your legal adviser about this.
- **BE VIGILANT!** Watch out for copies of your sketches and finished designs appearing on catwalks, in stores, in magazines or on websites.
- If you believe that someone has copied your design as noted above, the best way to obtain evidence is to purchase a sample of the offending item. If this is not practical, you could print an image of a web page featuring the product, or take a photograph of it in store.

### Business Plan tips:

- A key part of your business plan and the business case you are making to the reader – will be about your Unique Selling Point (USP). As a fashion designer you will also be describing your design 'signature'. If part of this signature is based on a unique construction, then you should think about registering the design. An investor will see the market potential of a unique registered design.
- List your catalogue of registered designs as part of an IP Appendix in your business plan

### Potential consequences of not registering your designs:

- If a fashion designer has not registered their work, then they will not have exclusive rights to the following:
- Copy the design: potential loss of re-orders on a design.
- Licensing: potential loss of new revenue streams
- Show the design in the public domain: potential loss of wider brand exposure.
- Make adaptations to the design: potential loss of re-orders on a design.

### **What is Confidential Information?**

As a small fashion design business you need to take care that all information about your day to day activities and future strategy remain confidential. Essentially, confidential information is anything pertaining to your business that you consider to be commercially sensitive and valuable. For instance, you may be thinking of launching a diffusion line or entering into a design collaboration that neither you nor your client wants to be disclosed. Alternatively, you may be in the process of negotiating with an investor, or contemplating showing your collections in Paris instead of London. All the above would constitute 'trade secrets' that you want to remain private until such time as you decide to advise your customers, competitors, the press or trade bodies.

As a small fashion business, confidential information is also just as likely to relate to the creative ideas that you have. Your ability to innovate is one of the greatest assets you and your label have as it is this which generates financial returns to your business.

This section covers the protection of your creativity at the original concept stage including materials, sketches and designs under copyright; but also other private elements such as business plans, and financial information that you might be obliged to share confidentially with other commercial parties, such as a potential business partner or investor, collaboration or consultancy partner, sales agent, legal adviser, accountant or member of staff.

### **What Should I Do?**

The best way is to protect your confidential information is to use a non-disclosure agreement, often referred to as an NDA or a 'confidentiality agreement'. An NDA is a binding contract that reinforces the confidential nature of information shared between two or more parties. Asking a potential business or commercial partner to sign an NDA before you enter into discussion is normal business practise, and sets the tone of the anticipated business relationship by demonstrating:

1. That you take your business and IP seriously, and that you protect it, which is a positive sign for anyone considering working with you in any commercial capacity.
2. That you take a responsible business approach to negotiations.
3. That you expect to be treated professionally.
4. **BE VIGILANT!** You and your team should always watch out for any copies of your sketches and finished designs appearing on catwalks, in stores, in magazines or on websites.
5. If you believe that someone has copied your design, once again, the best way to obtain evidence is to purchase a sample of the offending item. If this is not practical, you could print an image of a web page featuring the product, or take a photograph of it in store.
6. NDAs are not a sign of distrust; they are used extensively throughout all industries. You may be requested to sign an NDA yourself when being considered for a commercial project that a third party wishes to involve you in. If you do sign, be sure to respect the confidentiality.



### **Business Plan Tips**

- Do not wait until you are about to enter into a negotiation to source an NDA to use. This should be something you have from the outset. You can download an NDA template online (see the Where Can I Get More Information section at the end of this Guide).
- Prior to discussing confidential ideas or information, tell the other person in advance of the meeting that the subject matter will be confidential and that you will require an NDA to be signed.
- If possible, email the NDA before the meeting so they can read through it in advance. People do not like legal documents thrust under their noses with no warning. They can then either sign and date it and email it back to you prior to the meeting, or sign it at the start of the meeting.
- If it is to be signed at the meeting, always have 2 copies ready so each party can retain a signed copy.
- In any case, you must always ask for an NDA to be signed before any ideas, designs or company information is disclosed.
- Your Business Plan is a serious document and will have taken significant time, expertise and resources to prepare. It will include current and future stockists lists, information about your supply chain, and details of how you intend to finance your growth. Make sure that your Business Plan is treated with respect and remains confidential to the person you are sharing it with. Request they sign an NDA before receipt of the Business Plan.

### **Potential consequences of not having an NDA in place before disclosing:**

If a fashion designer does not have an NDA in place (either instigated by the client or the designer) they leave themselves at serious risk of:

- Having their designs stolen or re-interpreted, with a loss of potential new revenue streams from the licensing or collaboration opportunities the designs may have been intended for.
- Having market sensitive information and data revealed and shared with people you do not wish to share it with.

**WHERE CAN I GET MORE INFORMATION TO DEVELOP  
AND IMPLEMENT MY IP STRATEGY?**

UAL students and alumni can download free NDA templates from the Own-it advisory service website ([www.own-it.org](http://www.own-it.org)).

**UK IPO ([www.ipo.org.uk](http://www.ipo.org.uk)): Free downloads**

- Checklist for Licensing Deals, <http://www.ipo.gov.uk/licensingchecklist.pdf>
- IP Healthcheck Series: Non-Disclosure Agreements (WS0019), November 2010
- IP Healthcheck Series: Agreeing a Price for Intellectual Property Rights (DPS/C450/04-11), April 2011
- Search and Advisory Service
- MyIP: Intellectual Property Explained (WS0011DPS\MWL\11-10), November 2010
- IPO Crime Group, Supply Chain Toolkit (WS0020DPS/E100/06-10), June 2010
- IP Healthcheck Series: Licensing Intellectual Property (DPS/C450/06-11), June 2011
- IP Healthcheck Series: Choosing the Right IP Advisor (DPS/C450/08-11), August 2011

**EU funded China IPR Helpdesk:**

Provides EU SMEs with free information on protecting and enforcing IP in and in relation to China.

<http://www.china-iprhelpdesk.eu/>

**Centre for Fashion Enterprise:**

- UK Designer Fashion Economy,, Centre For Fashion Enterprise/NESTA, December 2008
- Production Toolkits, <http://www.fashionalliance.co.uk/>
- Designer Toolkit, [http://www.nesta.org.uk/areas\\_of\\_work/creative\\_economy/fashiontoolkit/designers\\_edition](http://www.nesta.org.uk/areas_of_work/creative_economy/fashiontoolkit/designers_edition)
- Manufacturer Toolkit, [http://www.nesta.org.uk/areas\\_of\\_work/creative\\_economy/fashiontoolkit/manufacturers\\_edition](http://www.nesta.org.uk/areas_of_work/creative_economy/fashiontoolkit/manufacturers_edition)
- Jewellery Manufacturers Toolkit, <http://benchpeg.com/toolkit/>

### **OWN-IT FACT SHEETS: FREE DOWNLOADS**

- The Intellectual Property Guide to... Fashion, Gallant MacMillan, 2009
- Factsheet: Confidentiality, Briffa, 2004

### **Own-it Contract Templates: May have a download charge**

- Assignment of a Licence or Licence Agreement, CT266A
- Non Disclosure Confidentiality Agreement, CT239A
- Acknowledgement of Joint Ownership of Intellectual Property, CT240A (inc. patents, copyright, designs and trade marks)
- Prospective Investor Confidentiality Agreement, CT243A
- Joint Development and Commercialisation Agreement, CT245
- Intellectual Property Due Diligence Questionnaire, CT267
- Memorandum of Understanding in Relation to Negotiation of a Formal Joint Venture and Licensing Agreement, CT160
- Merchandising Licence, CT122
- Merchandising Agreement, CT135

### **Own-it Podcasts: Free downloads**

- Building a fashion brand: An insider's guide to licensing
- Building\_fashion\_brand pt1
- Building\_fashion\_brand\_p2

### **East meets west: Fashion manufacture in China**

- [http://www.own-it.org/uploads/files/93/original/east\\_meets\\_west\\_part\\_1.mp3](http://www.own-it.org/uploads/files/93/original/east_meets_west_part_1.mp3)
- [http://www.own-it.org/uploads/files/92/original/east\\_meets\\_west\\_part\\_2.mp3](http://www.own-it.org/uploads/files/92/original/east_meets_west_part_2.mp3)

### **How not to get ripped off: Enforcing and protecting your IP**

- [http://www.own-it.org/uploads/files/33/original/Intro\\_Copy\\_LCF\\_p1.mp3](http://www.own-it.org/uploads/files/33/original/Intro_Copy_LCF_p1.mp3)
- [http://www.own-it.org/uploads/files/32/original/Intro\\_Copy\\_LCF\\_p2.mp3](http://www.own-it.org/uploads/files/32/original/Intro_Copy_LCF_p2.mp3)

### **Other Useful Resources**

#### **CFE IP Guides**

- Trade Marks
- Design Rights
- Copyright
- Licensing

#### **CFE IP Toolkit**

- How a small business can approach Licensing Opportunities.

The Centre for Fashion Enterprise (CFE) is London's pioneering business incubator that supports and nurtures emerging fashion design talent.