(on your company headed notepaper)

Name of MP

Address

Postcode

(if you are unsure of your MP’s name and address contact ACID)

Date:

Dear

**#DESIGNIPBREXIT**

(name of your company) is a design-led company in your constituency and we employ (x) number of people. Critical to our and their job certainty is the protection of our intellectual property rights to achieve growth, supported by the ability to rely on UK and EU design rights if our products are copied. IP infringement is a significant threat to our sector.

Despite 96% of the creative industries voting to “REMAIN”, we consider that, handled carefully, Brexit offers a unique opportunity to ensure that UK designers are not disadvantaged by any erosion of either registered or unregistered EU design rights. (*The UK design already punches above its weight at £71.4 billion per year with a growth rate of nearly 10% per year*)

The majority of the UK’s 350,000 designers rely on unregistered rights and the potential consequence of Brexit will mean a loss of unregistered Community design right (lasting 3 years) and registered Community design rights (lasting 25 years) currently giving UK designers protection over 28 member states with one application. Brexit will mean that UK designs can only rely on UK unregistered and registered design rights.

A UK unregistered design right only offers design protection for the shape and configuration of a design but EU unregistered rights protect a combination of colours, ornamentation, lines, texture or surface decoration as well as shape and configuration on which thousands have relied to protect their designs. Consequently, it is a much stronger design right and loss of access potentially may well influence UK designers seeking to launch new designs to find alternative European locations to secure better design protection.

We need your help. We belong to the trade organisation **Anti Copying in Design (ACID)** which is engaging positively with the IP Minister, Government and the Intellectual Property Office to:

1. Create a new UK unregistered design law which mirrors EU unregistered rights but lasts for 10/15 not 3 years
2. Introduce Unfair Competition, placing UK designers on a par with our EU counterparts when IP law fails them (e.g.,Trunki v PMS International). Currently we are at a disadvantage because we can only rely on “passing off” on which micro and SMEs find its almost impossible to rely
3. Extend criminal provisions for the intentional infringement of an unregistered UK design as a priority. (2 years on we have seen a decline in copying following the 2014 IP Act which made the intentional infringement of a design a crime, the object of which was to support designers with a strong deterrent against copying, where individual directors are also responsible)

Not only does harmonised law have enormous advantages for industry – most design-led businesses selling into (or out of) Europe and will articulate that IP law is roughly the same in 28 countries.

I would be most grateful if you could demonstrate your support to ensure our requests remain high on radar and political priority in the forthcoming negotiationsto ensure that UK designers are not disadvantaged by any erosion of either registered or unregistered design rights.

The strongest possible negotiated transitional arrangements, reciprocity and a focus on International obligations will play a key role to ensure that UK designers are fully supported.

Yours sincerely

(Your name, company and position)

Cc: Anti Copying in Design