



Figure 1



CELEBRATING INNOVATION

ISSUE 01

SPRING/SUMMER 2017



Albright IP | PROTECTING INVENTIONS, COMPANIES AND BRANDS SINCE 2007

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ALSO AVAILABLE ONLINE

Figure 1 Magazine is published by:

Albright IP

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WELCOME TO FIGURE 1



Thank you for reading the first edition of our new magazine. Developed to keep our clients up to date with the Intellectual Property (IP) sector, we hope you find it full of interesting stories and IP intelligence relevant to you and your projects.

In this edition, we celebrate the innovation of our clients, take a closer look at some of their projects and offer advice on how to ensure you are keeping your business protected.

In the first of a series of client interviews we talk to Wes Sugden-Brook, CEO and founder of water saving company, Drenched Ltd about the development of his company and what winning the 'Pitch at the Palace' means to him.

Finally, we will update you on the IP news you need to be aware of and tell you about what we've been getting up to here at Albright IP.

We hope you enjoy reading this first edition.

Robert Games

MANAGING DIRECTOR

 Albright IP





A NEW CENTRE FOR INNOVATION

WELCOME TO COUNTY HOUSE



As part of our continued growth, we have recently purchased and moved into a new head office, County House in Cheltenham. The new premises have allowed us to co-locate with our sister product design and production company, DUKU – creating a ‘Centre for Innovation’ in Cheltenham.

This mix of patent and trade mark attorneys, designers and production expertise now means that we are uniquely placed to offer a holistic approach to innovation where companies and entrepreneurs can develop ideas into successful products.

Develop and Protect

Through our sister company, DUKU, we are now the only UK IP attorneys who not only help to protect your patents and trademarks, but also have the expertise and facilities to turn your light bulb moment into a commercially marketed product.

We have a long history in Cheltenham, starting out with just one person, and in under ten years we have grown to 22 staff at Albright IP. We have a further five staff members in DUKU. We currently help to protect the intellectual property rights of over 1,300 companies and clients.

Team Expansion

Due to this growth we have also recently taken on three new graduates to help us to further expand our services. Joining the Albright IP

team are Rupert Belsham, Matthew Cyrson and Jerome Luchesa Smith. Matthew and Jerome have just graduated from Oxford with Rupert graduating from Imperial College London. With our support they will now seek to achieve their British and European patent qualifications over the next five years.



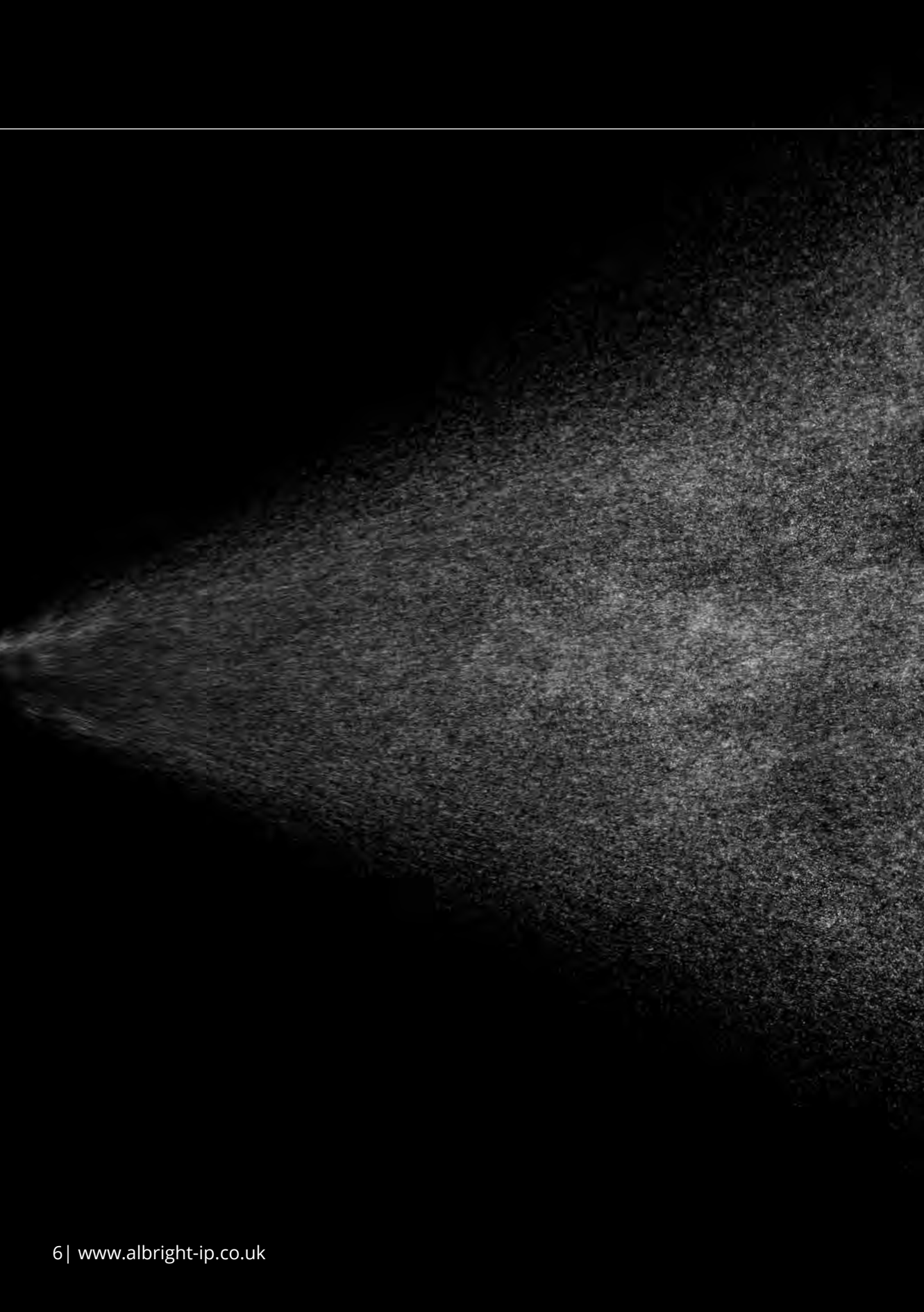
We’re incredibly pleased with our new headquarters in Cheltenham. We work with companies from across the globe but we are always delighted with the businesses that we have in this area and the innovations that local companies bring to our door.

Katie Oliver

DIRECTOR

 Albright IP





DRENCHED

CLIENT INTERVIEW



DRENCHED LTD IS A WATER SAVING COMPANY, WHOSE VOLUMIZER PRODUCT EMBRACES THE TRUE MEANING OF CONSERVATION AND SUSTAINABILITY.

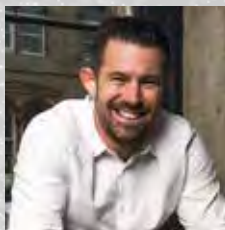
THE PRODUCT, WHEN FITTED TO A TAP, TRANSFORMS THE WATER FLOW INTO A TARGETED MOLECULAR CONE . THIS REDUCES THE VOLUME OF WATER USED IN THE PROCESS BY MORE THAN 90% AGAINST THE CURRENT BEST IN CLASS.

FIGURE 1 TALKS TO

Wes Sugden-Brook

CEO AND FOUNDER OF DRENCHED

ABOUT THE LAUNCH OF HIS NEW BUSINESS AND THEIR SUCCESS AT 'PITCH AT THE PALACE'.



DRENCHED

CLIENT INTERVIEW



Where did the idea for Drenched come from?

I watched a Ted Talk from a guy called Alex Stephan. He's a U.S. environmentalist and it was about sustainable futures. That was the moment something flicked a switch in me, because basically there were two things he talked about that really hit home.

The first one was that his global estimate was that we need between seven and nine planets to sustain the one that we live on, due to the amount of resource that we're stripping from it. The second was that we build a city the size of Seattle every four days which again is just not sustainable. It was a bit of a wow moment for me! I thought that's just crazy and it's my 'goose bump' moment, when I decided that I

needed to do something about it. It really hit me hard because I've got two young kids and as an engineer it made me feel absolutely hopeless. So, I set out to create something that would reduce our impact on the world's resources.

What sets it apart?

It's very easy to understand. Once you've experienced it, I promise you will never, ever think about washing hands in the same way again. Like many great designs, it is also very simple - the physics and the actual technology behind it aren't, but as a product it is. It's simple to use, apply, fix and it's cheap. For me, it's about the impact that something so simple can make.

How many people wash their hands every day? How much water is wasted? You run the



numbers and it's got a massive opportunity globally. That for me is the absolute pinnacle and the beauty of it.

At what stage did you start thinking about your IP?

Pretty much from day one. If you know you've got something that's a good product, for me you've got to start looking at IP because the bigger companies that have got the resources will take what you've got. At the end of the day it's business.

Right from the start we were already searching on Google to see if this had been done before. We took a few weeks doing this and then we started talking to IP attorneys to say "Look, this is what we've got. How much does it cost? How much does IP cost? What are the pitfalls around it?" and, "What do you think about the product?"

Is IP important to the company and why?

Choosing the right IP attorney is very important, you need to know that they understand what you're doing. It's not just about filing one IP document in the UK, there is so much more than that. It's about what you're going to do after and how to get the patent granted for a particular area.

For us it's about a complete IP strategy that helps to put time between you and your competition and the further development of your technology which allows you to keep the innovation moving

forward. By the time somebody's figured out how to get around our tech, we've already got the next version standing by. When they launch, like most businesses, you just launch the better version – staying one step ahead of the competition.



How did you find DUKU?

We found DUKU through a google search and it might seem strange but I just liked the feel of the website. I liked what they were doing and it made me think straight away, yeah, I could work with them.

I'm quite a big believer in fate and that things happen for a reason, so I rang them up and the following day I had a chat and to be fair they're exactly what the website portrayed. It was just so easy to do work with them.



We did a non-disclosure agreement and I said, "Listen, what I'm going to be telling you is a bit crazy so just hear us out." and the team was brilliant. We sent my sketches down to them and some drawings and we had a few meetings and they just got it. We've worked with them now for probably nearly two years on quite a few different projects.

How has Albright IP supported the company?

At the same time we started working with Albright IP - the fact that they are both linked just works brilliantly. For us it was a double whammy of a product design and IP business.

It's perfect because the design work links straight into the IP. It's really easy to work with the design

team and the IP team in tandem. They are very good at translating everything from the design into the right IP language. I thought lawyers' language was pretty tough, but then when you get into IP, it's like Mandarin!

For us, the biggest tick in the box is that we got two UK patents granted for the products quite quickly.

What has been your favourite part of the process?

Definitely meeting people. We meet so many different types of people from different backgrounds, from different levels of business. It's been really amazing. For instance we met Sir Evelyn de Rothschild personally, he even asked for us!

There's that side from a business, but even a personal point of view. I get to drop my kids off at school in the morning. That is absolutely amazing - money doesn't buy that for me.

What did it mean to you to win the Pitch at the Palace?

At a personal level, I felt honoured that I've got recognition for the idea, that somebody actually thinks that it's a good product and it's worthy to win.

Obviously, being asked to pitch in front of her Majesty the Queen is the highest honour I will ever have. That for me will never be beaten.



From a business point of view, it's an amazing opportunity to network and the Palace helps to unlock doors you never even knew were there! It is definitely a business accelerant.

What advice would you give someone who has an aspiration to turn an idea into a commercial product?

Do it. Just do it. Seriously, jump in with both feet and go for it. As long as you're not putting your house on the line, just do it because even if it doesn't work, the experience, the learning, you just can't get it anywhere else. It's difficult to describe but it's a leap of faith and I think the big thing is there are a lot of serious entrepreneurs that have been there and done it and they have views on it.

If you started again, is there anything you would do differently, any lessons learnt?

I wouldn't change anything. You learn a lot from your mistakes and working through the tough times. My belief is that the kind of entrepreneurs, the business guys that have been there, done it, really got the scars, they're the ones that generally are going to get the longevity.

It's about having that resilience and being able to keep going when things get tough and to be able to say, "I've been here, I know what to do, let's dig in. We know how to get through this."

What does the future hold for Drenched?

So, short term, obviously, we are expanding the

UK market. We're actively marketing the product more so into the commercial arena at the moment. For instance, we are going into the likes of hotels, football stadiums, airports, restaurants, you name it.

In the long term we want everybody on the planet washing their hands using our tech because there is no reason why they shouldn't be. Why waste loads of water and energy? It's crazy. It's a bit like turning all the central heating on in your house and saying, it's too warm, let's open the windows!

What is your favourite invention?

The Apple products are really cool. Steve Jobs just knew how to design things beautifully but also make them really functional. From an invention point of view the simpler it is the better. Take the apple magnetic dock for the power, the way it clicks in, the way it feels is so simple and yet just makes the product for me.



WHAT'S GOING ON AT DUKU

ALL THE LATEST NEWS FROM OUR PRODUCT DESIGN TEAM



IT'S BEEN A BUSY FEW MONTHS FOR THE DUKU DESIGN TEAM. NEW PRODUCT LAUNCHES, SOME AWESOME NEW DESIGN PROJECTS, PLENTY OF PROTOTYPING AND A COUPLE OF NEW DESIGNERS TO ADD TO THE TEAM TO MAKE SURE THAT WE CAN KEEP DEVELOPING EXCITING NEW IDEAS FOR OUR CLIENTS.

GET IN TOUCH AT WWW.DUKU.CO.UK



Duku welcomes two new team members.

Product Designers Dean Morgan (left) & Chris Rodden (right) join the team to help develop creative solutions for our clients.



Designed by Duku, **Brightspark** have just launched a new bicycle light containing forward and rear facing indicators, a laser projector and class leading super bright headlights in a sleek, removable, handlebar mounted design. We think they're pretty swanky - we hope you agree!

Find out more at:

www.brightsparkglobal.co.uk

Duku helped **Eldon Watches** design a new range of modular watches. Following a successful crowdfunding campaign, you can buy yours online at:

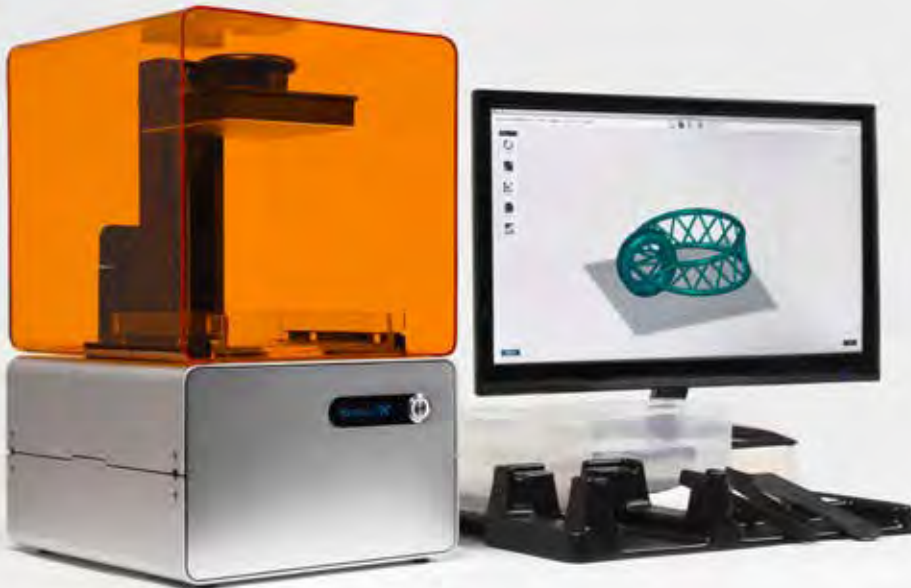
www.eldonwatches.com





COMING SOON:

NEW RANGE OF DENTAL EQUIPMENT | LAUNCH OF NEW CHILDREN'S NATURAL RUBBER TEETHING TOY |
COOL NEW WATER BOTTLE | MEDICAL TRAINING EQUIPMENT | CHILDREN'S PLAY MAT SYSTEM



We've just added a new 3D printer to our workshop!

Our new printer allows us to prototype parts for our clients quickly and cost effectively, meaning we can try out lots of ideas to make better products. We've named her Felicity, see her in action on our twitter feed:

[@duku_design](#)



Looblades shipped!

Following a hugely successful crowdfunding campaign, customers are now receiving the Looblade! Buy yours at:
www.looblade.com



Duku helped **No Quarter Paint** develop their new cycle detailing kit.

Buy it online at:

www.noquarterpaint.co.uk



Julia House

DIRECTOR

 Albright IP

ILLUSTRATES WHY IT IS IMPORTANT TO
REGISTER YOUR TRADEMARK.



FIGURE 1 SHINES A LIGHT ON:

THE DIFFERENCES BETWEEN A COMPANY NAME AND A TRADEMARK



Many business owners are unaware of the importance of registering their trademark, even though in time this could become one of their most valued assets. This can be because many wrongly assume that once they have registered their name at Companies House, or have secured a domain, they have unrestricted rights to the name in conjunction with all aspects of their business.

A company name identifies a legal entity.

By incorporating a company at Companies House, the owner of the company will only be preventing other businesses from registering an identical or very closely similar company name. Incorporation of a company therefore does not prevent other people from selling goods or providing services under an identical or a similar name.

A registered trademark is entirely different from a company name.

A trademark is a distinguishable Mark whether it is a word mark, strapline, logo or a combination, which identifies goods or services of a particular source from those of others.

Trademark registration grants the exclusive right to use the trademark in relation to the goods and/or services in respect of which it is registered for an indefinite period of time (provided renewal dates are met and the trademark is put to genuine use). Once registered, it will deter other parties from misrepresenting or copying a

brand identity, and will give you the enforceable right to stop infringers who use an identical or confusingly similar trademark in relation to the registered goods or services.

Before a new company is formed, it is important that searches are made of the company, domain, and trademark registers. If a company registers a company name or a domain name which is identical or similar to a registered trademark and provides similar goods or services, the owner of the registered trademark may be entitled to bring an action for trademark infringement, even if the company has incorporated its name, or secured the domain before the filing date of the registered trademark.

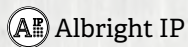
Companies often delay seeking trademark protection until they have been trading for a few years. This means that despite spending significant time and money on branding and marketing, another company could pre-empt them in securing a registration for an identical or closely similar trademark. The fact that registration will not be available will diminish the value of their asset and make it more challenging and costly to defend/enforce their rights. It is therefore of the utmost importance that a trademark is registered as soon as possible within the lifetime of your brand/ company. If you are starting out, or expanding, think of 'DoCiT' as a helpful acronym: Domain, Company, Trademark; they each require separate protection.

FOR ANY BUSINESS, TAKING OUT INSURANCE
TO COVER ITSELF FROM THEFT, DAMAGE OR
NEGLIGENCE IS COMMON PRACTICE.

HOWEVER, WITH UP TO 80% OF A COMPANY'S
ASSETS MADE UP OF IP, MANY ARE NOT
ADEQUATELY PROTECTING THEMSELVES.

Adrian Hocking

DIRECTOR



EXPLAINS WHY BUSINESSES SHOULD
RE-EVALUATE THEIR IP PROTECTION.



CAN YOU AFFORD TO PROTECT YOURSELF?

THE BENEFITS OF IP INSURANCE



Most companies understand the importance of Intellectual Property (IP) and the need to patent and trademark the elements that make their business unique. However, many companies don't then go on to develop an IP strategy that will protect them if IP enforcement or defence is needed in the future.

Mike Tyson famously said "everyone has a plan until they get hit" and likewise most businesses who have taken out patents and trademarks are content until they are infringed upon or inadvertently infringe upon someone else. Then the question arises, what next? Court? How much will it cost to protect our business? Can we afford it?

So how do you protect yourself?

Just like you protect your home with buildings and contents insurance, the easiest way to protect your IP is to take out specialist insurance when you file your patents and trademarks.

Patent and trade mark insurance, also known as IP insurance, will support you financially if you find yourself in an IP dispute.

It will act as a deterrent to many hostile companies, because the other side will realise you have the financial backing to pursue an argument, and thus it typically encourages a speedier settlement.

For many SMEs, the cost of defending or

pursuing a claim can be prohibitive and leave your business exposed. A typical IP insurance package suitable for companies up to £5m turnover costs around £2000 a year. However, if it will save you tens or even hundreds of thousands down the road, it could be a small price to pay.

How much could a dispute cost?

IP claims for businesses under £5m turnover can often be undertaken in the UK Intellectual Property Enterprise Court (IPEC), a specialist court which aims to keep costs low. Like any insurance policy you will have an excess to pay and this commonly ranges from £5,000 to £10,000.

This is still a serious expense of course, but with costs even in the IPEC often running to well over £100,000 for many IP claims, insurance is a powerful tool to make enforcement of rights affordable to SMEs.

Estimating how much it will cost you to fight an IP infringement in court is very difficult. However, it is not uncommon to see cases costing companies up to £125,000.

One important point to note with IPEC is that the recovery of costs is capped to £50,000 pounds (losing party paying) and if there is inquiry into damages this is capped at £25,000.

So even if you win the case, it is likely to still cost you a considerable amount, as the maximum



you could receive back is £75,000 and in reality it often doesn't even get to that.

The battle of the suitcases

If you need any evidence of how much an infringement can cost, then look no further than the recent case of the "Trunki". In what was a long and costly saga, UK based Magmatic (the company behind children's ride on suitcase Trunki) took Hong Kong-based PMS International (marketer of the Kiddee Case) to court.

Mr Justice Arnold found that PMS had copied aspects of the Trunki, infringed Magmatic's registered design, and even copied the safety notice from their rival. PMS appealed the finding on the registered design, which went all the way to the Supreme Court.

The finding of infringement of the registered design ended up being overturned, although the High Court's finding that copying had occurred, and the Magmatic's win in unregistered design right and copyright stands.

For Magmatic, a company with a turnover of around £8 million, the legal battle has cost the firm more than £500,000 and in 2014 they posted a loss before tax of £1.5 million.

It is also a good example of where a much larger business (PMS International has a turnover of around £45m) has impacted upon a smaller business by copying its designs. Paul Beverley, the managing director of PMS, had openly admitted that he came up with the idea for





Kiddee Cases after seeing Trunki luggage.

IP insurance can give smaller companies the confidence and means to enforce their IP. Disclosing your ability to finance a court case may make those looking to infringe your IP think twice.

What do you need to consider?

An important question to ask is whether the policy covers both pursuit and defence. Some policies only cover defence of an alleged IP infringement.

This means that if someone accuses your company of an infringement you can claim on the insurance to fight it. However, without pursuit, you can't actively protect your own IP and take someone to court who has infringed on your patent or trademark.

Fundamentally, it's about making sure that you can afford to protect your rights. A company's IP could outweigh the value of its plant, premises or stock.

In many cases, it will be the single most valuable asset in your business which you use to secure finance for company growth and will likely need to be valued and protected if you are seeking funding. Put simply, protecting your IP assets is just good business.

Work with us to develop your IP strategy

and insurance as you file your patents and trademarks. This way, we can help to ensure that you have the right level of protection for you.

For more information on IP Insurance contact ahocking@albright-ip.co.uk



ALBRIGHT NEWS

WHAT'S BEEN GOING ON?



Albright IP supported the Brain Tumour Charity by joining its national 'Wear it Out' fund raising initiative in March. 'Wear it Out' is a national campaign to raise awareness and funds for Brain Tumour month, which started on 3rd March. To help kick start the campaign, we invited our staff and suppliers to an afternoon drinks reception to raise money by donning specially designed bandanas to show their support for the charity and help raise awareness.



WHAT'S BEEN GOING ON?



The Brain Tumour Charity is at the forefront of the fight to defeat brain tumours, making a difference every day to the lives of people with a brain tumour and their families.

The Charity relies 100% on donations from the public and organisations, so why not sign up now at www.thebraintumourcharity.org and help to make next year's #WearItOut event an even bigger success.



COMMERCIALISING YOUR EUREKA MOMENT!



Crowdfunding is a great way to meet the costs of turning your idea into a reality, but you only get one chance to get it right.

The most common mistake when undertaking crowdfunding is not protecting your IP adequately. When crowdfunding, you're putting your invention out there for the world to see it and you need to have robust IP protection in place first. A public disclosure, such as putting your invention up on a web based crowd funding platform, is a bar to UK and European patenting. Without IP protection, you are at risk of being copied and your options for protection will be extremely limited.

In the first instance, it's important to protect your product's look, functionality or branding. This can

be achieved by securing patents for functional elements, registering designs for appearance and registered trademarks to protect your brand. Equally, you don't want to build a complete crowdfunding campaign and then find that you have to change your product's functionality, appearance or name because it infringes someone else's IP rights.

What makes your product unique?

Another issue we see with crowdfunding is a lack of product development. If your idea hasn't been developed properly and there are clear ways to improve it, then people may take the opportunity to do it better themselves, or you may simply lose potential investors. To gain investment people will judge the design very quickly and obvious flaws will impact on the product's appeal.



My advice would be to make sure you undertake the following:

- Set out and explain (concisely) the problem that your product has been designed to solve
- Make sure you are presenting a well thought through and developed solution
- Ensure you have a functional prototype
- Identify and explain what makes your product different, what are its unique selling points (USPs)?
- Show the product in the context of why it was created, so people understand its use and how it functions.
- Focus your efforts on your researched target market - who's going to benefit from this solution?

So how much do you need to raise?

Setting the right crowdfunding target is vital, too much and you may not attract any funding, too little and you won't be able to achieve your promises to investors.

As part of our product development work, we would carry out a 'production quotation' stage. This involves creating a detailed manufacturing

specification so that your chosen manufacturer can provide accurate tooling and unit costs for your invention.

However, if your product is not yet finalised, you will need to have a clear plan of what steps you need to take to get to the production quotation stage. This includes the length of time it will take and the additional costs involved. This ensures that you can build realistic timescales into your crowdfunding campaign so that you don't build negativity around the campaign before the product has even been delivered.

Finally, remember communication is key. So, before your campaign is up and running, decide what online and offline channels to use and how these integrate with one another. For instance, you may want to use social media along with traditional PR to raise awareness and drive people to your campaign site. As you start to get investment, keep people updated with the progress of your project, build momentum with interest and continue to push this forward once your product breaks into the marketplace.

For more information on protecting your IP or developing your product, get in touch at rgames@albrightpatents.co.uk

Robert Games

MANAGING DIRECTOR

 Albright IP



Figure 1

MAGAZINE



Albright IP

PROTECTING INVENTIONS, COMPANIES AND BRANDS SINCE 2007

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