

Big plans for small business

❖ Innovative services tap new markets for Briffa

The WORLDleaders awards are designed to recognise individual contributions that will have a lasting and significant effect on the wider practice of intellectual property. Generally, this excludes honouring firms simply for carrying out their professional tasks at an exemplary level. However, in the case of London intellectual property boutique, Briffa, the judges were particularly impressed by a range of nominations highlighting specific programmes designed to introduce the small business sector to IP.

The decision to make a **Judges' Special Award** to the firm, led by principal Margaret Briffa, was not uncontroversial. Several of the judges felt that innovation in the delivery of professional services was laudable, but not extraordinary, and by no means limited to Briffa. Others commented that some of the services on offer were not unique, and amounted to clever marketing. The majority vote, however, felt that Briffa's specific focus on making intellectual property protection accessible to small businesses would yield wider benefits to the profession, and warranted recognition as such.

Briffa focuses its activities on the creative sector, a marketplace characterised by a high number of self-employed rights owners, as well as small businesses completely dependent on the exploitation of their intellectual property, be it computer games, musical compositions, fashion designs or fabric patterns. Traditionally, this type of client has been missing from the roster of many law firms, either being unaware of the need to protect their IP, or more frequently, unable to afford to do so convincingly. Briffa has taken on the task of bringing these clients into the IP system with club-like programmes that offer fixed-price services for a membership fee.

The programmes target different IP needs: RAIDAR is an anti-counterfeiting initiative that monitors potential infringements of members' IP, up to and including search and seizure activity in foreign markets; designprotect offers an informal copyright log, preliminary advice and access to discounted legal expenses cover; while brandprotect provides trademark owners with continuous access to specialist trademark advice for a fixed fee. Designprotect – at £40 (plus VAT) per year – has more than 300 members of the scheme, while brandprotect (£50 plus VAT) manages some 250 marks.

RAIDAR'S success can be measured by a number of anti-counterfeiting operations undertaken for small businesses. In support of the nomination, one customer stressed the ability for small businesses to take on counterfeiters was a critical success factor.

Paul Mardon, chief executive of Cambridge company, Pulsar Light, explained "The Chinese have copied two of our recently launched, innovative lighting products. They are selling these copies internationally and on the UK market at 40% of our price," a frequent situation that Mr Mardon says is "crucifying world manufacturing".

Following a campaign undertaken against the China-based manufacturer and distributor, Briffa solicitor Naazneen Schmittzehe was able to secure damages and legal costs for Pulsar Light.

"We have been pleased with the quality of the service and the approach which Briffa has towards smaller clients who want to undertake anti-counterfeiting actions, against a seemingly impossible quarry," Mr Mardon said in supporting the nomination. □



Margaret Briffa

Margaret Briffa is a leading intellectual property lawyer and founding partner of Briffa. She advises on all aspects of intellectual property protection and enforcement, with particular emphasis on dispute resolution. Ms Briffa acted for the claimants in many design, patent and trade mark cases including *Parker v Tidball* (1996) and the *Court of Appeal Case of Farmers Build v Carier* (1997) which are the cornerstones of the modern law of industrial design. She personally heads the Designprotect scheme offered by Briffa, and has assisted in the development of Brandprotect and RAIDAR, headed by her colleagues Paul Randle and Naazneen Schmittzehe.