

ALLIANCE
FOR INTELLECTUAL PROPERTY

**Celebrating 25 years of
championing the importance
of Intellectual Property**

**25TH
ANNIVERSARY**

INTRODUCTION

Over the last 25 years much has changed in the world of Intellectual Property, including our name, which has changed twice, but our aims and ambitions have remained constant. We simply exist to help ensure the UK has an IP framework that encourages innovation, protects the rights of creators and ensures the public has access to the products and services they love. Alongside that, we aim to make sure those rights can be protected and defended.

The world has changed though. Digitalisation of the economy has created new challenges for enforcement in a way that when we were tackling fake CDs and DVDs being sold in pubs were never foreseen. For many years counterfeiting remained a physical phenomenon, but now online marketplaces and social media mean that many of the challenges faced by copyright owners are now those experienced by trademark owners and designers. The value of data has also increased exponentially but that brings new challenges whilst other technologies such as drones, create new issues for live events. Helpfully, however, the solutions we pursue can bring benefits across rightsholders, whilst always ensuring that the public benefit from the reforms we propose.

The political environment in which we operate has also changed. The Alliance has always been apolitical, and we have seen positive changes made by successive governments of different hues. The context in which those politics operate, however, is now very different. Being outside the EU means the UK is now negotiating its own trade agreements, a steep learning curve for all of us while the UK now has its own seat at multilateral bodies such as WIPO.

The UK's IP framework will no longer mirror that of the EU and that brings both opportunities but potential challenges. As our new relationship with the EU matures there remain

many areas of shared policy agendas that can be pursued but we can also find UK solutions on issues such as digital regulation that can make the UK framework even more conducive to investment.

The way in which the Alliance operates has also remained consistent. We have always endeavoured to be collegiate, recognising that what unites IP owners is far greater than any issues where there might be differences. We always aim to be constructive in our engagement with government, highlighting the benefits of a strong IP framework but engaging positively in any proposals for reform. Our relationships in Parliament remain crucial. The work of the All-Party Parliamentary Group has been instrumental in garnering support over many years on our issues and helps cement our view that promoting and protecting IP has never been a party political issue.

Our relationship with the Government now covers three key departments and Ministerial teams, while our relationship with the Intellectual Property Office remains absolutely vital in all our work. We will never, rightly, agree with the IPO on all issues, but while we share an agenda and belief in the importance of IP those disagreements will always be outweighed by those areas upon which we agree.

Finally, none of the work of the Alliance would be possible without our members, many of whom have been with us from the first steps of our 25 years. Previous Director Generals, Officers and policy assistants have made my job a simple one. Without their commitment, I would not have been able to make the progress we continue to experience. No doubt there will be policy challenges ahead but I know that within our membership there is the knowledge and experience required to overcome them and continue to make sure the UK has an IP framework we can be proud of.

Dan Guthrie, Director General

The Alliance for IP brings together 21 organisations representing IP-rich businesses and creative workers across a range of sectors. Our timeline below outlines some of the key moments within these creative industries over the last 25 years.

PUBLISHING

ALLIANCE FOR IP

DESIGN / BRANDS /
MEDIA

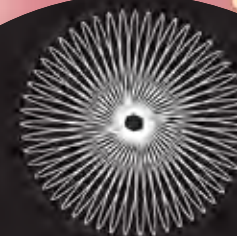
MUSIC / ARTISTS

IMAGE /
VISUAL ARTS

AUDIOVISUAL

TOY AND GAMES

SPORTS



ALLIANCE
AGAINST IP THEFT

1998

The Alliance Against Counterfeiting
and Piracy was launched.

THE ORIGIN OF THE ALLIANCE FOR IP

Reflecting on the Alliance's genesis, I recall writing, as the Chief Executive of the British Video Association (BVA) to the Chief Executive of the Local Authorities Coordination of trading standards in 1995, expressing frustration with the lack of copyright enforcement and the Home Office dragging its feet over giving courts new powers to seize offenders' assets under the 1988 Copyright, Design and Patents Act (CDPA). I asked if he would support our recommendation to amend the Proceeds of Crime Bill so that Trading Standards could receive extra funding to carry out law enforcement.

FACT was an effective anti-piracy body but with restricted powers. Of course, the video industry was not alone in calling for legislative reform; music, games and others were also making representations to government. We had the sympathetic ear of Judith Sullivan in the Patent Office, now the Intellectual Property Office, but no commitment to act.

So the BVA met up with FACT, BPI, MCPS/PRS and ACG to discuss a battle plan. A list of objectives was drawn up by the lawyers amongst us, with the invaluable assistance of Luther Pendragon. In 1998, with a growing band of collaborators, we formed a new cross-industry body: the Alliance Against Counterfeiting & Piracy, covering

video, music, games software and brand manufacturing. Members estimated that the value of IP theft cost the combined sectors £6.42bn annually, with over £1bn lost to the Exchequer. Whilst continuing our dialogue with the Patent Office, DTI, Lord Chancellor's Department and Home Office, we rallied new supporters and pooled resources to fund a campaign and employ the services of parliamentary draftsmen to encapsulate our aims in a Private Member's Bill, to be introduced in the House of Lords in order to generate serious debate and prompt Government action. DTI Minister, Kim Howells, was also supportive, setting up an IP Forum, giving us cause for some optimism – we thought maybe our aims could be achieved in two years!

However, assurances of future improvements were vague – we wanted immediate action. We had a champion in Lib Dem Peer Lord McNally, who introduced the Copyright & Trade Marks Bill in March 2000. Citing the Prime Minister as his motivation, he said, "I have been much impressed by his call for Britain to make her way in the world in the new century by adding value, innovating and using our creative talents." He urged the Government not to rely on EU copyright and e-commerce developments as an excuse to bat away the Bill. Swayed by cross-party support, the Government promised to consult on a range of new measures, with the understanding that, in the absence of sufficient progress, Lord McNally would bring back a revised Bill at the following Queen's Speech.

By the time of our 2000 AGM, attended by Home Office Minister Charles Clark, the Alliance had become a powerful voice representing IP rights: Anti-Counterfeiting Group, Anti Copying in Design, British Association of Record Dealers, British Brands Group, British Music Rights, British Phonographic Industry, British Video Association, Business Software Alliance, Copyright Licensing Agency, European Leisure Software Publishers Association, Federation Against Copyright Theft and the Newspaper Licensing Agency. We recognised we would have to tackle our growing wish list by working with several ministries to create a more favourable environment for private and public enforcement agencies.

Before long, we celebrated the success of Vince Cable's 2001 Private Member's Bill, increasing the powers of seizure and forfeiture and making copyright theft an arrestable offence. With intensive lobbying we achieved the addition of IP theft to the schedule of the Proceeds of Crime Act 2002. Buoyed by these victories the Alliance has continued over the following 20 years to realise an impressive array of legislative reforms, now with 21 industry bodies within its membership. From those early first steps, I am incredibly proud of what the Alliance has become and that the BVA, now renamed BASE, remains an integral part of its work.

**Lavinia Carey OBE,
Hon President and Founder,
Alliance for Intellectual Property**



1998

Harry Potter and the Chamber of Secrets is released, selling over 77 million copies - the most sold book in the last 25 years.



1999

Inditex buy Stradivarius. The corporation also own, or hold majority shares in, Massimo Dutti, Zara, Bershka and Pull & Bear.



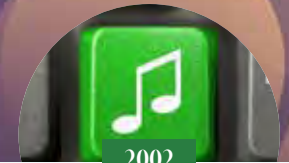
2000

Wolfgang Tillmans becomes the first photographer to win the Turner Prize.



2001

MGA Entertainment release their first 'Bratz' doll; by 2005, they would sell 125 million dolls worldwide, totalling \$2billion in sales.



2002

Napster is shut down, having been found guilty of vicarious and contributory copyright infringement for providing free MP3 downloads.

BRITISH IP DAY AND CELEBRATING 25 YEARS OF THE ALLIANCE FOR IP



Viscount Camrose, Minister for Intellectual Property Parliamentary Under Secretary of State (Minister for AI and Intellectual Property)

In 1998 the world was a very different place. The Department for Culture, Media and Sport was barely a year old. Responsibility for innovation lay with the Victorian sounding Department for Trade and Industry. And, the Intellectual Property Office (IPO) was still known as just The Patent Office. It was in this space that the potential for promoting the importance of IP, and supporting those who rely on the UK IP system, gave birth to the Alliance.

A quarter of a century on and the Alliance for IP is a cornerstone of the UK's IP landscape. And now, probably more than ever, the UK's IP intensive innovation and creative led sectors - and the environment that supports them - are fundamental to our global reputation, economic growth and cultural enrichment.

We know that the IP system, through protection and reward, stimulates innovation and investment and fosters a climate ripe for entrepreneurship and job creation. It promotes and showcases our rich creativity and diversity through the books, films, music, design and sports that we, and those around the world, love. The work of the Alliance and its membership have played a crucial part in making this a reality.

The Alliance has been a consistent and effective voice for IP. Through its membership of IP-rich organisations, representing not only businesses and creators vital to our economy but our society also, they have campaigned and advocated for a strong IP regime.

Crucially, they have mobilised constructive parliamentary support and held successive governments to account. They have been instrumental in influencing and shaping policy, through large scale government reviews of the IP system by Andrew Gowers and Professor Ian Hargreaves.

They have championed initiatives to tackle counterfeiting and piracy which has such a damaging effect on its members and the wider economy. They have worked in collaboration with the IPO and other partners on ground-breaking research to tackle IP crime. In recent years, they have had a greater focus on trade, in a post-Brexit world, to make sure the IP system continues to function effectively.

The Alliance has been a consistent and effective voice for IP

I'm delighted to celebrate this year's British IP Day - another Alliance initiative. It gives us all the opportunity not only to celebrate the last 25 years of the Alliance's work but also to look forward to our continued partnership. I hope reading through these pages will give pause for these reflections too.

A strong IP system is relevant to our collective success - and the Alliance and its members will continue to have such an important part to play in that. Happy British IP Day!



The first meeting of the All-Party Parliamentary Group for Intellectual Property was launched.



In a rare moment, 'The Lord of the Rings: The Return of the King' wins all 11 of the awards at the Oscars - the joint most ever.



The Alliance hosts its summer reception on the Parliamentary Terrace for the first time.



Nintendo Wii is released, selling 3.19 million units in its breakout year.



Manchester United win the Premier League, in what will be a three-year run for them under Alex Ferguson's management.

A VIEW FROM A MEMBER



Bill Bush,
Executive Director, Premier League

People often ask why the Premier League is so interested in Intellectual Property and Copyright in particular. They understand that we face issues with counterfeit shirts and other merchandise but what have we got in common with the movie, music, games and publishing sectors?

How can football have the same interests as academic publishers?

The truth is that while we are built on amazing football, watched in the stands by millions of loyal fans each year, that success is driven by our ability to broadcast the jeopardy, passion and heart-stopping moments that exist in our League to millions more fans in the UK and over 900 million people around the world.

Crucially, they have mobilised constructive parliamentary support and held successive governments to account

While Stockley Park may have entered the vernacular due to VAR, it hides the fact that 170 people work in the same building producing and distributing Premier League matches to those 900 million people in over 180 territories. On the final day of the season over 230 telecom lines in and out of Stockley Park were transferring eight terabytes of data, the equivalent of 2000 films. As soon as Luton Town won promotion, work started on a 26 mile-long underground cable between Kenilworth Road and Stockley.

That world leading audiovisual content can only be created if we have the copyright framework in the UK and around the world to protect it. Our broadcast agreements, our league and the money we use to funnel into other football tiers and the grassroots can only happen if we can maximise that income. Those international revenues now account for

more than those we receive from UK broadcasters, making our trade agreements vital to increasing protection across those territories, particularly in the far east.

So yes, copyright is vital to our league, our game and many other sports. We made a decision many years ago, however, that the Premier League didn't have exclusivity over tackling copyright theft. Many other industries were facing similar threats to their creativity and content. The Alliance was a natural place for us to talk through those issues and find solutions that benefitted not just the Premier League and the broader sports family, but other rights holders, millions of employees and even more millions of fans. It's why we joined forces with the music and audiovisual sectors to campaign for legislation that would block access to illegal streaming sites, which also host malware and other damaging software. We also worked together to make sure that audiovisual content broadcast in public was protected and we work hard to ensure IP issues are high up the trade agenda.

For the last six years I've also had the privilege of being Chair of the Alliance and have seen at closer hand that by working together, brands, designers and the creative sector can raise the profile of IP in a way that individually they could never do. As new challenges and opportunities arise, from AI for example, I've seen creators and producers unite to ensure the creative economy can continue to flourish and I'm proud that the Alliance is at the heart of that campaign.



2008

Clothing company Shein is established with their HQ in China. It will come to be mired with accusations of intellectual property theft.



2009

Five days before release, James Burt illegally distributes New Super Mario Bros Wii; it was downloaded 50,000 times. In settlement, Burt paid for a week of sales, plus Nintendo's legal costs.



2010

Beyoncé's 'Single Ladies' wins the Grammy for 'Song of the Year'.



2011

The Hargreaves Review of Intellectual Property is published under the title 'Digital Opportunity', making wide-ranging recommendations.



2012

Manchester City secure the Premier League title for the first time in 44 years, with two goals scored in injury time.

APPG FOR INTELLECTUAL PROPERTY



The All-Party Parliamentary Group for Intellectual Property was launched 20 years ago this year, not quite as old as the Alliance, but we've been on most of the same journey together.

People don't realise there are many hundreds of APPGs, all vying for Parliamentarians' time and therefore the longevity of the IP group is something we are all proud of. One of the reasons for that, I think, is that we are a very open group. We don't charge membership fees and anyone and anybody can, and does, come to our meetings.

The work of the group is also genuinely cross-party, as we believe support for a strong IP framework isn't a party-political issue but one that every Parliamentarian can, and should, support. In every constituency you can find creators, entrepreneurs and businesses that rely on IP to support their endeavours, whether that's designers, trademark owners, patent holders or those working in the creative economy. Supporting IP is supporting those constituents and the broader economic and societal benefits they bring.

We know that our IP laws can at times be complicated so we've always, as a group, tried to simplify it to some basic principles. We believe that IP enables people to have control over what they create and make money from it while ensuring the public can continue to enjoy the new innovative products, content and services that they love.

Over the years, Governments of all colours have sought to reform our IP laws, some for the good and others not so good. As a group we've made huge efforts to scrutinise, interrogate and suggest reforms to those proposals so that we continue to have high standards that are admired around the world.

We've seen many IP Ministers come and speak to us, had a member become the UK's first IP Tsar and had officers come in and out of Government. In the last couple of years,

On celebrating the Alliance's 25th anniversary, we should pay tribute to the passion they showed for the subject

we have sadly seen the passing of Mike Weatherley, that first IP Tsar and also Janet Anderson, who was a champion of the creative sectors both as a Minister and a stalwart of our group. On celebrating the Alliance's 25th anniversary, we should pay tribute to the passion they showed for the

subject. The commitment showed by our members has, I believe, created a focus for discussion and we, along with other APPGs reflecting sectors such as music, fashion, design, film, publishing and writers, ensure the rights of creators and IP rich businesses are well represented in debates, Select Committee inquiries and other Parliamentary discourse.

Of course, we couldn't have delivered our work without the support of the many different industry and creator groups who frequently come and talk to us and provide us with their insights. We genuinely want to be a forum for discussion, and we have also been very grateful, particularly in recent years, for the support given to the group by the Intellectual Property Office. In every policy area, debate can often be heated, not least in the Chamber, but we hope we enable more reasonable dialogue in a non-confrontational environment. Finally, we are hugely grateful to the Alliance and Luther Pendragon, who have supported us in all our activities over the last 20 years. Without their advice and guidance we have no doubt that our work would not have been so successful, so we wish the Alliance a very happy and well deserved 25th anniversary.

Pete Wishart MP,
Chair of APPG for Intellectual Property

2013

On November 1st, UK law changes so that copyright lasts for 70 years in sound recordings; it had previously lasted for 50 years.

2014

Converse filed lawsuits against 22 companies, including Ralph Lauren and Skechers, for design infringement.

2015

Paula Hawkins' 'The Girl on the Train' is the year's most popular book, selling 23 million copies.

2016

For the first time, Leonardo DiCaprio wins the 'Best Actor' Oscar for his role in 'The Revenant', having been nominated six times before.

2017

Leonardo da Vinci's Salvator Mundi is sold for \$497.8 million - the most expensive painting ever sold.

THE IMPORTANCE OF IP

Over the last 25 years, copyright infringement has evolved significantly due to technological advancements and giant leaps in distributing content. From physical media piracy in the late 1990s and early 2000s to the rise of the internet enabled BitTorrent network of pirated content, we now enter a world where infringed content can be found, delivered and watched quicker than ever.

Across this period, BASE's insights, underpinned by the Industry Trust's education efforts, have helped to inform more comprehensive education, enforcement and marketing activities across film, TV, and sports piracy.

For all of its 25 years the Alliance for IP has played a crucial role. It has helped to evolve the regulatory framework in which creativity can thrive and the UK can excel as a world leading exporter of creative content, underpinned by a gold standard for IP regulation.

An innovation boom in the decade pre-pandemic helped to insulate the audiovisual industry from some of Covid's challenges. When people were limited in their social interactions, they were offered more ways to watch. Flagship subscription services opened gateways to new worlds that audiences could explore from the confines of lockdowns and transactional services offered an oasis of choice to rent, buy or gift.

Infringing platforms have similarly not sat still, offering a slick streaming experience: Commercialised models with paid for plans that seek to undercut legitimate subscription services, promoted with mainstream marketing, to pull new consumers into piracy from trusted media and social media platforms.

In isolation, these developments could be dismissed as the latest evolution of a long-standing and evolving challenge and the UK's historic track-record on enforcement and education could well instil confidence. Yet the future is uncertain. The cost-of-living crisis, professionalised piracy, technological convenience, gaps in regulatory protection, and peer and media advocacy of infringing practices are all combining to create the potential for a perfect storm. We've seen a very similar climate before. It's one that cost the creative sector dearly, and has taken decades and many millions of pounds to address.

More than ever before, however, piracy is a problem shared which paves the way for a progressive, whole society solution.

Without the support and guidance of the Alliance the work of BASE in its endeavour to address piracy, would be all the more challenged

A supportive policy framework, enhanced with the implementation of Know Your Business Provisions, more powerful technological measures and a more protective and responsible media environment, are all underpinned by proven education and enforcement that can match the growing scale of the threat.

In the context of this collaborative approach to tackling infringement it is essential to stop and celebrate the Alliance for Intellectual Property, which for 25 years has been championing the importance of IP.

Representing a bold and inclusive cohort of the UK's IP based economy - spanning music, games, publishing, designs, branded goods, sports rights, film and TV - the Alliance has always worked to highlight the central tenet of its member organisations; that consumers can enjoy the products and content they love whilst creators are valued for their innovation.

Without the support and guidance of the Alliance the work of BASE in its endeavour to address piracy, would be all the more challenged.

Liz Bales,
Chief Executive at British Association for Screen Entertainment (BASE)



2018

Nike successfully defended a copyright action against them by Jacobus Rentmeester around Micheal Jordan's famous Jumpmaster pose.



2019

Tiger Woods wins his first US Masters since 2005.



2020

Parasite wins the Oscar for Best Picture. Its director Bong Joon-ho wins Best Director; it was the first non-English language film to win Best Picture.



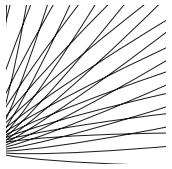
2021

Olivia Rodrigo retroactively credits Paramore, Taylor Swift and Jack Antonoff on her album, 'Sour', after multiple claims of copying.



2022

The Cuthbert v Colin the Caterpillar row between Aldi and M&S was settled out of court, after almost a year of litigation.



ALLIANCE

FOR INTELLECTUAL PROPERTY

The Alliance for Intellectual Property would like to thank its members who have supported us these past 25 years.

If you are interested in joining us, please contact Dan Guthrie, dan@allianceforip.co.uk

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2023

Hermès began their case against artist Mason Rothschild, who has adapted images of the famous Hermès Birkin bag into his own digital artwork; he is selling images of his 'MetaBirkin' online as NFTs, thus far making profits of over \$1million.