

Help and advice



**Leo Aspden on marketing in a weak economy**

# Today's question: How fit is your business?

IN the current climate where many major brand names and businesses have had to cutback, sometimes involving redundancies, we may ask how we can survive? The same question however, can be a positive if it stimulates the drive to re-assess how our business operates and how we adapt to the changes in the market environment around us.

So where does marketing fit in? For those intending to tighten their belts one of the first areas to cut is often the marketing budget. Whether you have an in-house marketing team, even one or two people, or whether you outsource marketing when you need it, you should see it as a way to refine your business strategy.

Many may look for short term cost savings by reducing marketing activity, but others see it as an opportunity to move in where others withdraw and increase market share.

The fittest companies are those whose marketing ensures that their products or services best fit the market or customer needs. The fittest is not necessarily the largest, with large sales and marketing teams and large budgets to spend. Success in a tough market is about being more effective at what we do, not

stopping doing what we need to!

■ **Fit for our customers:** Marketing is about understanding our customers' wants and needs and thereby providing products and services which meet these requirements. That is no more essential than when the total business cake is smaller. Staying close to customers through effective and legally compliant database management, profiling and understanding our customers buying needs, processes and motivators is an invaluable part of any businesses armoury.

■ **Fit for our target market:** New business development is often key and identifying new markets may appear to be a life saver, but ensuring the right fit is crucial. I often see businesses where there is a serious lack of belief in the value of research and a feeling that a good brochure, direct mail, advert or website will attract those all-important new customers beating a path to their door. Whilst research does not have to always involve a major investment, it should be seen as the foundation to what business is about.

■ **Fit to survive:** Whilst businesses that continue to adopt marketing may be tempted to see it for its power of communication and

influence, and less of a process of understanding our business, customers, competitors and markets, this can be likened unto the desire to 'Advance to Go' and simply bypassing all else along the way. After all, many of us know our businesses so well and some may have been established for years so what do we need to learn?

Markets and customer needs don't change that much, do they?

Sadly, in many cases even in the natural world around us, we start to understand a little more how globalisation and climate change can lead to the extinction of some species of animals and indeed become a threat to our own selves, unless we change the way we live. In the business world, the environment is changing and those who learn to adapt through the effective use of marketing will ensure their survival. **CFJ**

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**Dids Macdonald on prevention is better than cure**



# Be prepared to deal with copycats

THE UK has some of the most talented flooring designers. Creative design doesn't miraculously happen, it involves talent as well as research, development and marketing, all requiring massive investment.

How do design led flooring companies protect their designs from being copied? What are the practical, proactive, low cost steps to take to ensure that, at the first point of market entry, most often the exhibition arena, you highlight your design ownership?

First take a proactive rather than reactive approach to intellectual property! Prevention is better than cure!

■ **Designers must pay attention to design drawing document management.**

Official design registration is the most obvious route with either UK or European design registration.

Relatively new European design legislation has created a design right which is valid in 27 member states and lasts for 25 years. [www.oami.europa.eu](http://www.oami.europa.eu).

Design registration gives the designer a piece of paper, a

certificate, which says he owns the design. If you discover an alleged copy in the marketplace it is an easier legal route to pursue as the registered Community design is a monopoly right so you don't have to prove copying.

If you have a design registration, publicise that on your website and marketing material, it clearly tells those who may copy that you have taken the time, effort and trouble to protect your new designs.

■ **You can rely on unregistered design right.** Keep a design audit trail from the seed of the idea, photographs of prototype stages through the development process and all the way to the finished product will provide compelling evidence should you need it.

The stronger this trail is, the more persuasive the argument becomes. Simple signed and dated drawings kept in an efficient system will be worth their weight in gold if you have to take legal action.

ACID members can send copies of designs free of charge to the ACID design register, providing valuable independent evidence of

date of design creation.

■ Some bespoke carpet designers like ACID member Brintons, for example, who produce works of artistic craftsmanship may be able to rely on copyright which is a much longer lasting right.

If it's a one-off piece then they will get life of author plus 70 years after, if it is commercially produced then it is 25 years from end of year first marketed. However, it is a non-registrable right, so document management and design audit trails are just as important.

Designers ask how to stop people copying? Tell them! There is no more effective way than an intellectual property statement on your website and marketing materials: 'All intellectual property rights in our designs belong to (insert your name here). Any infringement will be pursued vigorously.'

Better still, if you are a member of ACID, use the ACID logo. You can also make a sign and affix it on your exhibition stand – it sends a clear warning message that you know and understand your rights

and you value the IP in your designs.

■ In the era of mobile phone cameras new designs can be around the world in seconds and on the production line before you pack up your stand, so a no photography sign is a good idea.

Also control who takes photos of your product range and be vigilant about who visits your stand.

■ Despite the wide use of data capture tools at exhibitions, always take a business card (and on the back just jot down the time, date and exhibition and know exactly who you are dealing with).

If someone does not have a legitimate business card take their business details before giving out precious marketing literature. If someone who has visited your stand subsequently produces look alike designs, then you have evidence that they visited you on a particular day at a specific exhibition. **CFJ**

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