



# COPYRIGHT & IP

## Affecting Logo Design

There are several issues that may affect the design of a new logo for Bridgewater. It may be affected firstly by the type of logo that is chosen for development. A typographical logo may be affected by copyright based on the font and typeface used. As the name Bridgewater will be included in the logo this must be considered.

If a purely typographical logo is created then there may be restrictions on copyright if the logo is created using an existing font, say for example from Adobe Illustrator, where the font has previously been designed and copyrighted by a typographer. Other types of logo, such as illustrated, pictorial or graphical may be affected in a similar way, however it can be a lot easier to realise copyright infringement than in a typographical logo.

According to the UK Copyright Service (UKCS), to copyright a new design:

*The overall impression should be different from any existing design.*

So, if one is created using an existing font then it may not be copyrighted as it is not a new design in the sense that it is just the letterforms that already exist. Further to this, if the font used is already copyrighted, there may be an infringement if it is used for a new logo design and then sold on by the designer. Permission to use any font may be gained if permitted by the designer or licensor of the font.

An example of using a program such as Adobe Illustrator is a situation in which copyright infringement may occur without realising it. These programs often have end user agreements included in them where it defines the use of fonts as being only for the computer that the program is licensed for. This may not apply on all programs however.

All these factors will have to be considered if a typographical logo is created for the client and if an existing font is used then permission to use it must be gained. The end user agreements of any software used must always be checked prior to design.

A font as defined by the Oxford English Dictionary (OED) is:

*a set of type of one particular face and size.*

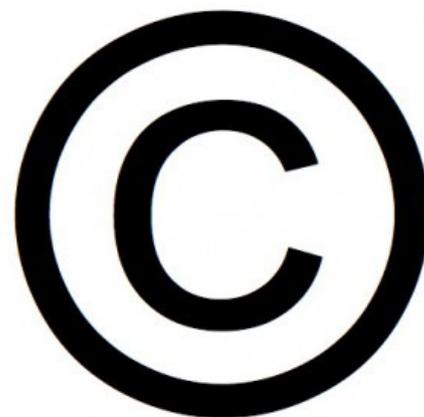
typeface:

*a particular design of type.*

type:

*printed characters of letters*

The copyright symbol.





There are several situations in which a font may be used in a logo. These include when a copyright on a font has run out and if a font or typeface is different enough for it to create a new design and not infringe an existing copyright. According to the UKCS there are different copyright lengths for different pieces of work. Logo design comes under the bracket for artistic works which have the following duration:

*70 years from the end of the calendar year in which the last remaining author of the work dies.*

*If the author is unknown, copyright will last for 70 years from end of the calendar year in which the work was created, although if it is made available to the public during that time, (by publication, authorised performance, broadcast, exhibition, etc.), then the duration will be 70 years from the end of the year that the work was first made available.*

As far as adapting a font is concerned it is generally still considered a copyright infringement if an existing font is used but slightly adapted without permission. It is better practice to use an existing font as inspiration if really wanted for use in a logo, but to use a blank canvas or recreate a font in a new or different style so it can be considered as a new design. An effective technique is to try and re-create a font from memory as it is extremely difficult to re-create it exactly, therefore copyright will not be infringed and it can often yield effective and completely different results.