



# IP Briefing

## 28<sup>th</sup> January 2008

### How to turn plastic into gold

The humble plastic LEGO brick, which celebrates its 50<sup>th</sup> Anniversary today, is built on solid foundations and provides a great example of how important intellectual property rights are and how they can continue to be used to great advantage.

Ole Kirk Christiansen founded his company in 1932 and adopted the name “LEGO” two years later. The name is reputed to be derived from the Danish “LEg GOdt” meaning play well and also apparently means “I put together” in Latin. As a made up word the brand name itself is inherently distinctive and this has certainly helped in enhancing its worldwide reputation and enabled brand expansion into new areas and products.

LEGO began making plastic toys and play sets in the late 1940s and early 1950s and building upon its existing name (no pun intended) Lego launched the now famous LEGO brick in 1958.

By that time LEGO had already made sure that its brand name was protected by registering it as a trademark in various countries. The first LEGO trademark filed in the UK was registered as early as 1956 for toy models and sets of parts for constructing such toys, all made of rigid plastics.

### Key recommendations

- Identify potential IP rights at an early stage.
- Carry out searches to make sure that no-one else already has similar rights.
- Apply for patent protection or design registration before disclosing your new invention or making your new product available.
- Register all of your trademarks, trade names, brands and logos as soon as possible for the widest protection.
- Exploit your IP and continue to identify new areas and rights.

The next step in protecting its new idea was to file a patent on 28<sup>th</sup> January 1958 for its stud and tube coupling system. This effectively gave it a monopoly right for the next 20 years during which time Lego heavily developed and expanded its brand, launching new ranges such as Duplo in 1966 and breaking into the US market in 1973.

LEGO took full advantage of the protection available and has used the window of opportunity this afforded to develop a leading international brand and secure lucrative licensing contracts, merchandising deals and film and TV ties-ins, such as Star Wars and Harry Potter, as well as developing its own ranges, including LEGO Technic, LEGO Bionicles, LEGO Mindstorms and a wide range of LEGO Minifig characters and series.

Further brand expansion includes the Legoland theme parks in Windsor, Denmark, California and Germany. LEGO also continues to develop its core product and there are now around 2400 different LEGO brick shapes with registered designs becoming an increasingly important part of its IP portfolio, together with numerous trademark registrations.

LEGO is currently the fifth largest toy manufacturer in the world in terms of sales and besides the ubiquitous LEGO bricks, it offers 25 additional product lines which are sold in more than 130 countries.

Berg Legal provides a full range of intellectual property services including: licensing, enforcement of IP rights, trademark and design registrations and brand management.

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