



Guide to Trademarks

Trademarks protect a company's intellectual property rights, for example Disney has trademarks for the characters in their movies and J.K.Rowling and Warner Bros own all Harry Potter trademarks.

Trademarks protect a company's intellectual property rights of their brand names and logos used on their goods and services. Trademarks are words, phrases, or symbols which represent a company or product. They distinguish the products or services of one company or organization from those its competitors may provide. Some other examples of trademarks include acronyms (like NBC, IBM) and extend to slogans, stylized fonts, and even colors.



In order to sell or hire any product that includes trademarked designs or characters you need to obtain a licence from the trademark owner first.

Disney, in particular, takes copyright and trademark infringement very seriously and will potentially fine and force businesses to close.

Without a licence you:

1. Cannot market a party kit as a trademarked theme, i.e. a 'Frozen' party kit
2. Cannot include any equipment which has a trademarked design, i.e. 'Frozen' banner or bunting (both manufactured or handmade)

Using Themes

It is not always easy to identify when characters or themes are under copyright so it's worth doing some research if you do want to offer themed kits. Some stories are now out of copyright so you could market a kit with that name (i.e. Little Mermaid), but you still wouldn't be able to hire any items which have Disney imagery.

There is a good guide here: <https://marketingartfully.com/avoid-problems-with-disney-etsy-sellers/>

Obtaining a Licence

If you did want to investigate obtaining a licence for copyrighted content the following links may be useful:

In the UK:

- Guidelines from .Gov: <https://www.gov.uk/using-somebody-elses-intellectual-property>
- Search for registered trademark owners: <https://www.gov.uk/search-for-trademark>

In Australia:

- Guidelines from IP Australia:
<https://www.ipaustralia.gov.au/ip-infringement/infringing-others-ip>
- Search for registered trademark owners:
<https://search.ipaustralia.gov.au/trademarks/search/quick>

Other useful links:

- Applying to Disney: <https://www.disneystudiolicensing.com/>

Suggested Updates

If you have any suggested updates to this guide please email Isabel - hello@partykitnetwork.uk
Thank you.