



Bell chair by Alvin Tjotrewirjo of the Melbourne Movement

PHOTO: JAMES LAYTON

Copyright involves no formal registration, no examination, incurs no cost and lasts for 70 years after the artist's death. But copyright places the onus on the designer to prove that copying has taken place, considering an infringement to have occurred only when a 'substantial part' of the work has been copied. Furthermore, copyright is lost when more than 50 pieces are manufactured and offered for sale.

This means it is possible to knock off just about anything as long as a little curlicue is added or shape slightly changed. The designer of the original can kick and scream, but they can't touch the copycat in court. The law as it stands now is fraught with semantic and evidential inconsistencies, but how will it deal with the ever-increasing application of new technologies?

"The problem of plagiarism and the inadequacy of protection against it isn't just a local concern, it's a global one," says Caitlin Nation, Melbourne Manager of DeDeCe, a high-end furniture retailer that is also the exclusive Australian agent for some of the world's most knocked-off brands.

"If you've ever been to the Milan Furniture Fair, you see the output of those companies that spend unimaginable amounts of money on research and development. Their stands look beautiful, are exquisitely styled and always reflective of the

forecasted trends. Then you come back the next year and see the B-grade stands where other Italian manufacturers have done their darndest to produce what the innovators did the year before."

She adds that companies such as Minotti are curbing the copycats by increasingly designing details – "piping, elaborate metal brackets" – that are too complex to knock-off. "All these details add value to the product and make the difference between that out of Europe and that out of China. This year Minotti is also naming its products after Italian places to remind people of the origin of the product."

This pandemic practice of robbing from the talented to give profit to the morally poor hasn't simply gone global – it's gone back in time. Indeed, if you run through the roll-call of 20th-century design masters – Charles Rennie Macintosh, Alvar Aalto, Marcel Breuer, Frank Lloyd Wright, Arne Jacobsen, Ray and Charles Eames, Isamu Noguchi – be assured someone, somewhere is robbing their graves to satiate a design-conscious market which wants to

be seen to be investing in originality without paying for it. So they settle for the 'look' that will pass long-distance viewing, but not close scrutiny.

"When you take shipping, margins, tax and packing out of the \$1900 knock-off and look at what is left in raw materials, you see the chroming that is microscopically thin, leather hides that aren't a single piece, details that are wrong and a completely different scale," Nation says. Nation must regularly point out these differences to potential purchasers of the perennially pillaged Barcelona chair, designed by Mies van der Rohe in 1927 and manufactured under license by Knoll since 1948.

"But it's not just a quality and resale value issue, it's an understanding issue. Most people don't even know that the chair was designed for the King of Spain to sit in when he visited the German Pavilion at the Barcelona International Exhibition in 1929 – it was a throne."

The US Patent and Trademark Office recently granted trademark protection to Knoll for four famous designs in Mies van der Rohe's Barcelona collection. Nation says the decision allowed the company to take action against the many retailers who sell knock-offs of the furniture that typically comes from Vietnam, China and Italy. It also allowed US customs to stop unauthorised products from reaching the country.