

IS YOUR FORMAT A PAPER CONCEPT / PROMO?

If you are concerned about infringement of an idea that you have pitched, but have not yet produced then follow these steps

1. Put together your paper-trail in a clear, concise organized and chronological fashion. This is essential because proving infringement requires showing that the two works are remarkably similar and that the infringing party had access to your work. So, to the best of your ability you should...
 - Put together any written correspondences you have had about your format
 - Provide any proof of the date that your format concept was created

A proof of registration via the FRAPA Registration System (FRS) sure helps. The value is in the date; when did you register this format? In the FRS you are able to give an overview of all the adjustments you made to your format over time, including the dates those adjustments were made.

- any meetings you had to discuss it, including times, dates and places along with whomever was in attendance
- use the FRAPA brand, logo and name after registration

2. Reach out to the company that – in your opinion – infringed upon your format. Start with being firm but polite, letting them know why you are contacting them and listing your arguments. Propose a meeting.

If you are a FRAPA member we can help you with a draft for a format infringement claim first letter. Please send a mail to info@frapa.org.

No response. Invite them again

Yes a meeting

Still no response

Yes a meeting

At the meeting make sure to bring your documents and always make sure to bring someone else as well. It does not necessarily need to be a lawyer, the first meeting is always meant to be a meeting in which the arguments are on the table for the first time.

If this meeting does NOT work out for you

If this meeting does work out for you

3. If the company waves all the arguments and wishes not to have another meeting or if the company does not respond at all, ask FRAPA for help. Ask a FRAPA member you could ask for a one-to-one conversation with board-members to get specific business advice.
4. FRAPA can offer mediation. FRAPA will do a 'reality check' first and evaluate the situation and will ascertain if there is a substantial paper trail. There will be a rough check on whether the 'original' format is a format. In this mediation FRAPA will do its best to bring both parties to the table.
5. If mediation is not possible and FRAPA has ascertained that there is a substantial paper trail AND the original format is indeed a format, it will advise a specialized lawyer. See list of preferred law firms. [Click here.](#)

THE ISSUE HAS BEEN RESOLVED