



Designs, Trade Marks and Copyright

By Peter Schramm

Abstract

The European furniture manufacturers are worldwide leading in promoting young designers and furniture design innovations. Besides the design innovations, the furniture design classics designed between the 1920ies and the 1960ies, such as the works of Charles & Ray Eames or Le Corbusier, are of utmost economic importance. According to the business model of many European furniture manufacturers the revenues from the sales of design classics ensure the investments in the promotion of young designers and design innovations.

The presentation deals with the needs of design protection of the furniture design industry. The European design law is perfectly suited to protect furniture design innovations. However, the most heavily copied products are the design classics for which the cumulative design protection by copyright and/or trademark law is essential. The presentation shows the disadvantages caused by the lack of harmonization of copyright protection for works of applied art in the EU and takes a critical view on the Tripp Trapp decision of the CJEU.