

Members of the GCA have recently noticed a number of their greeting card designs popping up on the online marketplace Temu, which sells heavily discounted goods directly from China. GCA Supplier Member [McDaniels Law](#) have written this guide which is designed to help you successfully report infringements of your work direct to Temu.

Your intellectual property (IP) rights

Copyright

If you are designing greeting cards, it is highly likely that you will own **copyright** in those designs. The copyright may subsist as an artistic (graphic) or literary work in the text used in your design, the image or the combination of both.

The owner of a copyright work will be the person who created it (the ‘author’). However, if it was designed by the employee of a limited company, the owner will be the company. It is important to note that all artistic and literary copyright works are protected for the lifetime of the author plus 70 years. Therefore, assuming the author is still alive, your copyright work will currently still be within its period of protection.

If you are the owner of a copyright work, you are given the exclusive right to copy the work, issue copies of the work to the public, and make adaptations of the work. Copyright infringement therefore arises where someone performs these exclusive rights without your permission.

Reporting intellectual property infringement on Temu

If you notice that your copyright work has appeared on Temu without your permission, you can report it direct to Temu. To do this, you will need to access the ‘online intellectual property infringement report portal’. If you are viewing this guide online, you can access this [here](#).

If you have noticed products that infringe several of your copyright works, you will have to report the links relating to each individual work in separate reports.

Step 1: Basic info

The screenshot shows a web form titled "Report Infringement" with a progress bar at the top indicating four steps: 1. Basic info (active), 2. Detailed info, 3. Verification, and 4. Completed. The form fields include:

- * Location of Infringement: A dropdown menu with "United Kingdom X" selected.
- * Type of user complaint: Radio buttons for Patent, Copyright (selected), Trademark, and Design.
- * URL(s) of each infringement that is to be removed or access to which is to be disabled, and reasonably sufficient information to permit us to locate each one: A text area with a red warning message: "(Please enter a URL link that meets the format specifications. The link must contain 'http' or 'https' at the beginning, and the length of each link cannot exceed 300 characters. Multiple links need to be separated by line or spaces, and a maximum of 200 URLs can be submitted.)". To the right of the text area is a larger instruction: "Please enter a URL link that meets the format specifications. The link must contain 'http' or 'https' at the beginning, and each link cannot be longer than 300 characters. Multiple links are separated by carriage returns or spaces, and a maximum of 200 can be uploaded."
- * What is the type of copyright infringement on Temu?: Radio buttons for "The allegedly infringing product or its packaging contains copyrighted content" (selected) and "Copyrighted images/videos are used without authorisation on the product detail page. But not on the physical product or its packaging".

At the bottom of the form is an orange "Next" button.

The first thing you will need to fill out in the report is the basic info. This includes the location of infringement, the type of user complaint, the URLs of each infringement that is to be removed, and the type of copyright infringement that is on Temu.

- **Location of infringement.** This will be the country that you have accessed the infringing material from. Likely, this will be the United Kingdom.
- **Type of user complaint.** Select 'copyright'. If you own other rights, such as a patent, trade mark or design, you can also include these here.
- **URLs of each infringement that is to be removed.** In this section, include links to all of the products that infringe your copyright work. You can include up to 200 links.
- **Type of copyright infringement that is on Temu.** The two options that will come up are (1) 'the allegedly infringing product or its packaging contains copyrighted content' and (2) 'copyrighted images/videos are used without authorisation on the product detail page, but not on the physical product or its packaging'. Because the entire product that is being sold will generally be infringing your copyright work, you should choose option 1.

Step 2: Detailed info

[×](#)

Report Infringement

1 Basic info ————— 2 **Detailed info** ————— 3 Verification ————— 4 Completed

Infringement Product Information

*Please provide more information to help us understand your issues:

Example: The image used on the product description is nearly identical to my original photograph. The image located in the first paragraph of the product description infringes on my copyright. My original photograph can be seen in our official website

0 / 2000

Additional documents (pictures/files):

Supports .pdf and .jpg, the individual size limit is 5 MB

Copyright information

*Intellectual property right designation location:

*Copyright ownership: Public Link Registration number

*Public Link:

Please enter a URL link that meets the format specifications. The link must contain "http" or "https" at the beginning, and each link cannot be longer than 300 characters. Multiple links are separated by carriage returns or spaces, and a maximum of 20 can be uploaded.

ⓘ Public Link is required

*Name of Rights' Holder:

What brand owns the intellectual property in this report:

This section asks you to provide information to help understand the issues, add additional documents, and provide information about your copyright.

- **Providing more information to help understand the issues.** In this section, you should clearly explain which part of the product/product listing infringes your work, how it is similar/identical to your work, and where an example of your original work can be found (i.e., on your website/your storefront on another website or in the screenshot provided in the additional documents section).

As an example, you may want to write something along the lines of “The product being sold is identical to my original work. The product advertised in the images

on the carousel and product description infringes on my copyright. Representations of my original copyright work can be found on my official website which can be accessed at [insert website URL].”

- **Additional documents.** You may want to upload photos that you have taken of your original works or screenshots of your original work as shown on your website/storefront on another website here. This is optional, so if you do decide to upload documents, make sure that they match up with any information you have provided in the first section.
- **Copyright information.** This section asks you to provide the intellectual property right designation location, the type of ownership, a public link to the work, the name of the rights holder and what brand owns the intellectual property in this report.
 - **Intellectual property right designation location.** This will be where the work was created. In most cases, this will be the United Kingdom.
 - **Copyright ownership.** The two options in this section are ‘public link’ and ‘registration number’. In the United Kingdom, copyright is not registerable. Therefore, you will need to select ‘public link’.
 - **Public link.** Here, you will need to provide a link to your copyright work. This can be a link to the work’s product page on your website or your storefront on another website.
 - **Name of rights holder.** As explained above, the owner of a copyright work is the person who created the work or, in the case of a limited company where an employee is the creator, the company.
 - **What brand owns the intellectual property in this report.** This section is optional. However, you can include your brand name here if you would like to.

Step 3: Verification

[×](#)

Report Infringement

✓ Basic info — ✓ Detailed info — **3 Verification** — 4 Completed

Identity Information

*Your Identity: Rights owner Agent

Contact Information

By submitting a notice of infringement you acknowledge and accept that the information you have provided will be processed by us and our subsidiaries and affiliates for the purposes of assessing and responding to your request. We may also provide a copy of your infringement report, which includes the name and email address you have provided, to the alleged infringer.

* Name of complainant:

* Phone number of complainant:

* Address of complainant:

* Email address of complainant:

The aim of this step is to verify that you are either the rights owner or a verified agent of the rights owner, and gather your contact information. In this section, try to use information that matches with your business' contact information. For example, if you are a limited company, try to use the information that is listed on your Companies House page. This will make it easier to verify that you are, in fact, the rights owner.

- **Identity information.** Either select 'rights owner' or 'agent'. In the case of an individual/sole trader, select 'rights owner' if you personally are submitting the report. If someone is submitting the report on your behalf, choose 'agent'. In the case of a limited company, any employee can select 'rights owner'. Only select the 'agent' option if the person submitting the report is not an employee.
- **Contact information.** Here, you will need to provide the name, phone number, address and email address of the complainant.

- **Name of complainant.** If you are an individual/sole trader, enter your name (not your trading name). If you work for a limited company, enter the name of the company.
- **Phone number, address and email address of complainant.** As mentioned above, try to use information here that is already publicly linked to your business. If you are an individual/sole trader, use a phone number, address and email address that you generally use to carry out your business functions from. If you are a limited company, use a phone number, address and email address that is linked to your company through your companies house page/company website.

Further support from McDaniels Law

If you have submitted an infringement report to Temu and you can still see infringing products listed, there are still steps that you can take. Generally, Temu will take a letter from a lawyer more seriously. Therefore, if you are having trouble getting infringing products taken down, please get in touch with McDaniels Law.

The GCA and McDaniels Law have teamed up to offer a discounted letter to Temu reporting copyright infringement and requesting that infringing products are taken down immediately. McDaniels Law have already had success with this approach!

For the above, McDaniels Law would charge **£360 plus VAT**. All you would need to provide is:

- Your full name, if you are an individual/sole trade, or your company name, if you are a limited company;
- The full name of the person who designed the product and their position (in the case of a company);
- When the product was first created and first published;
- A link to the infringing product as listed on Temu;
- A screenshot of the infringing product as listed on Temu;
- A link to your product as listed on your website/your storefront on another website that corresponds to the infringing product;
- A screenshot of your product as listed on your website/your storefront on another website that corresponds to the infringing product.

Please email legal@mcdanielslaw.com or call 0191 281 4000 if you would like to instruct McDaniels Law to draft and send a letter to Temu on your behalf.