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Barrier to entry

Most marketing ideas can be copied in a flash. Not Nicholas Miller's

On usual marketing promotions, you expect a response rate of between one and three per cent. Nicholas Miller has found a technique for pushing it up to 12 per cent.

After producing baseball caps for Planet Hollywood and uniforms for McDonalds, he was looking at ways to give customers a more lasting experience.

His answer was a paper-based information tool: the [iKyp](#). About the size of a credit card, it uses wheels and windows on a fine tolerance to convey a broad range of information.



'Instead of giving someone a mug with a logo to put on their desk, you encourage people to spend time with your product and concentrate on your message,' says Miller.

Since 2004, he has raised £7m in backing for the iKyp and now has Offices in London, New York, Philadelphia and Dubai. Initial orders from brand owners and advertising agencies were in the low thousands. They are now in their millions and sales could quadruple this year.

Right from the start, Miller saw the value of IP in creating a barrier to entry to anyone else and he has spent over £250,000 on building a portfolio of patents and trademarks.

'It isn't a case of registering everything. All our ideas go through a hopper. We review new products every other week and evaluate whether it is worth registering the IP.'

'How many of these do we think we can sell? If it is only a few, then there is no point applying for a patent. If we can put through a large volume, then our IP allows us to defend the commercial value.'

'But you have to get to the essence of what makes you unique,' warns Miller. 'If your application is too broad, it is always going to be pending.'

In a single afternoon earlier this year, Miller discovered the value of having a competitively focused IP strategy. One of the major utility companies had lifted his idea. After a brief session with the lawyers, they agreed to pay damages and destroy all their stock. They also placed an order for the iKyp.

Because he has secured the rights to the medium, Miller's second line of defence is that he can operate on a much larger scale than anyone else. So far he has produced 120 variations of the iKyp, which is produced by one of China's leading paper engineers.

Even if someone does have a go at copying him, they would struggle to match his unit costs. For those determined to try, when they take an iKyp to pieces, they will find a message printed on the inside: 'Save our lawyers time and trouble: contact patentINFRINGEMENT@ikyp.com'.