

GRIT CASE STUDY:

JEREMIAH CHOY

A Freelancer's Journey with IP



The arts sector, traditionally reliant on live audiences and retail, has been significantly impacted by social distancing measures. In this case study, creative director, producer and curator Jeremiah Choy shares how artists can develop their freelance careers through better IP knowledge and management.

Volume or Value: A Freelancer's Brand
GRIT in the Arts Sector

Local creative director, producer and curator Jeremiah Choy faced unexpected challenges when safe distancing measures were introduced in April 2020. The artistic director for this year's *ChildAid* concert, Jeremiah had to switch to virtual platforms when it was clear that large-scale live performances were not likely to return in 2020. Over the next few months, Jeremiah worked with participating singers and musicians for the re-branded *ChildAid 2020: Virtually Yours* fundraiser to produce a virtual, 360-degree immersive visual and audio concert experience. The learning curve was steep, but par for the course for Jeremiah—a seasoned arts practitioner who has been directing, curating, writing, and choreographing productions since 1997.

“I registered Orangedot as a trade mark even though it was just a small company because I knew it would gain value over time.”

While passionate about arts since his secondary school days, Jeremiah's plans took an unexpected turn when he decided to pursue law at university.

As a lawyer, Jeremiah helped kickstart initiatives at the Law Society of Singapore, such as the Law Awareness Programme aimed at demystifying the law through the provision of legal primers and information on where to seek legal help. At the same time, he also deepened his understanding of intellectual property (IP) rights. This decade of legal experience proved invaluable when he transitioned fully to his arts career. After joining Ong Keng Sen (currently the artistic director for T:>Works) for his 1997 international tour of *Lear*, Jeremiah channelled his energies into a creative company called Orangedot, for which he filed a **registered trade mark**. “I registered Orangedot as a trade mark even though it was just a small company,” Jeremiah shares, “because I knew it would gain value over time.”



(Behind the scenes at *ChildAid 2020: Virtually Yours*. Credit: Noontalk Media.)



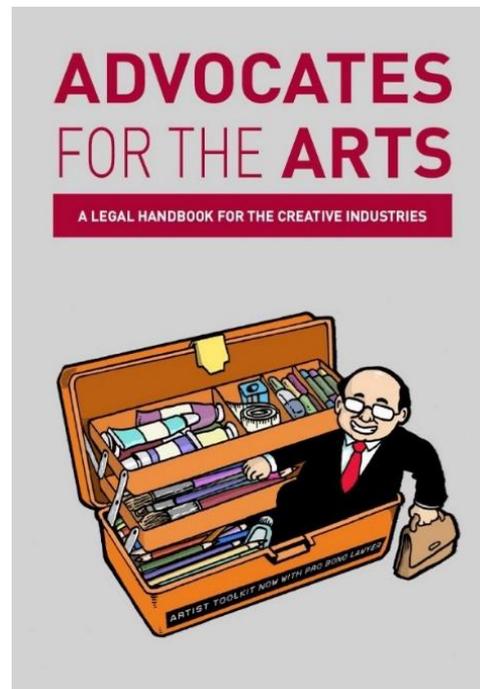
Registering a trade mark helps protect a brand from misuse by providing exclusive rights to businesses over a sign (for example, the logo “Orangedot”) in a particular territory. Before attaining a registration certificate, a trade mark undergoes formal examination and public inspection during the publication period, where it may be opposed by another party. In Jeremiah’s case, his application was challenged by a similar-sounding foreign company operating in the events management sphere. During the opposition process, Jeremiah highlighted the differences in the scope of his application vis-à-vis that company’s claims, and the matter was settled privately between the two parties. The now-registered “Orangedot” trade mark would come in handy years later when a company with a similar name containing “Orange Dot” appeared on the market. Jeremiah was able to persuade the company to change their name with proof of his trade mark, thus preserving the accumulated **goodwill and reputation** that consumers had begun to associate with his brand.

“Ask yourself: are you a volume or value person? Copyright is not just about protection, but also about how you are selling yourself. It is a brand issue.”

With COVID-19 safe distancing measures requiring artists and businesses to seek opportunities online, it is increasingly important to understand and navigate IP issues that arise in the digital realm. This includes obtaining the necessary registrations for trade marks and other types of IP in key foreign markets relevant for their customer base or operations. Jeremiah teaches a module on contracts and IP management at NTUC LearningHub, where he draws upon his experiences as a freelancer and lawyer to explain the importance of recognising and

understanding IP issues. For example, while companies may be tightening their belts due the economic downturn caused by COVID-19, Jeremiah emphasises that projects that require extra effort to create exclusive **copyrighted content** may continue to justify a premium. “Ask yourself: are you a volume or value person? Copyright is not just about protection, but also about how you sell yourself. It is a brand issue.” It is also vital to clarify IP ownership upfront when entering into a contract, to avoid misunderstandings down the road.

As an artist-turned-advocate, Jeremiah recommends fellow creatives to learn more about **IP management** to better protect and monetise their work. There are numerous resources available online including free / reimbursable IP business and legal clinics available through IPOS and the Law Society Pro Bono Services (LSPBS), dedicated community resources such as NAC’s Arts Resource Hub, and a legal handbook developed for the creative industry called *Advocates for the Arts*. Interested parties may find out [more](#) by visiting the GRIT webpage.



(Cover of ‘Advocates For The Arts’, taken from the [LSPBS website](#).)



About GRIT

Growing with Resilience through InTangibles (GRIT) is an inter-agency initiative to partner businesses and communities to better manage and monetise their intangible assets and IP in the COVID-19 environment and beyond.

The GRIT initiative is a joint initiative with the following agencies:



Please find out more information, resources, as well as access to various related grants at <https://www.ipos.gov.sg/resources/grit>.

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