

PR IP at risk of being used without payment

By [Michelle Cavé](#), issued by [Brandfundi](#) 1 Jul 2019

A [survey](#) carried out for the Holmes Report by the PRCA (Public Relations and Communications Association) recently indicated that almost 50% of public relations (PR) leaders both in-house and in agency consultancies claim that they experienced intellectual property (IP) rights infringement in the last year.



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While this is a UK-based study looking at the pitch process, I don't believe that this is exclusive to UK PR practitioners. IP is the foundation of our business, and it is also the biggest area of risk as we constantly pitch new strategies and creative solutions in the hope that our experience, insights and originality will win us new clients.

Last year I wrote an [article](#) about the value we need to place on creative ideas put forward in PR pitch proposals. The key takeout was that prospects should pay for the IP, specifically the creative ideas that go into developing strategic communication plans.

Prospect clients don't always play by these rules, as I came to learn through two recent pitch experiences.

In one instance, I collaborated with a multinational agency team to present tactical PR ideas to support their through-the-line campaign strategy. While the agency was awarded the pitch, the PR component which helped differentiate them, was farmed out to the client's newly appointed corporate PR agency partner. Without an assignment of copyright, I'll be interested to see how they intend to breathe life into the campaign ideas presented. And although there is some legal recourse, the estimated time, expenses and relationship damage caused through pursuing this, would put most small agencies quietly back in their box.

In another case, a prominent international brand called for a blind pitch. Apart from the one-line description of the overall task, i.e. to launch their e-commerce site, no other information was provided. Having spent hours reading up on the company before being put on the spot in a session with international executives, I was asked with pen in hand, to share my best ideas for them to consider.



Now for those who aren't au fait with PR, it is important to note that tactical ideas are informed by the brand's strategy, the background, objectives, target audience, and messages, and without this detail, the ideas presented are often irrelevant and non-aligned to the brand objectives or goals. Effective creative ideas develop from a strategic point.

I realised that this blind pitch was simply a fishing expedition to get as many free ideas as possible, when I was informed that there were scores of agencies invited to pitch across Johannesburg and Cape Town. Additionally, it was blindingly obvious that no research had been carried out on my agency to determine my experience and capabilities, and whether or not I was a suitable partner in the first place.

Now even if most of the ideas pitched weren't 100% strategically aligned, the prospect gained free access to tap into the minds of industry experts, and to brainstorm which would no doubt trigger other ideas or recommendations to build on. This cheeky approach affirms my thoughts, which is that they leveraged their renowned reputation to randomly select several agencies to participate, because few, if any, would turn down the opportunity to pitch on this acclaimed brand.

One of the surveyed Holmes Report respondents commented that PR is and should be treated as a 'professional service' and issues tend to creep in when clients treat PR practitioners merely as suppliers, rather than strategic partners.

It pleases me to learn that PRCA is addressing this IP issue calling for 'a renewed focus on the pitch process and client-consultancy relationships'. The South African industry could possibly look at adopting the PRCA's Ideas Bank concept, which allows members to make a permanent, third-party record of their pitch ahead of sharing it with a client, keeping everything above board.

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