

Date	What happened	Persons involved
2012 May 15th	Letter from Pau Herrera, President of BCD (Barcelona Centre de Disseny) to H.R.H Sheikha Mozah (see related document at next page)	Pau Herrera (President of BCD) H.R.H Sheikha Mozah bint Nasser Al Missned

H. R. H. Sheikha Mozah bint Nasser Al Missned
Chairperson of the Qatar Foundation

With copy:

H.E. Ambassador Carmen de la Peña
Spanish Embassy
Doha (Qatar)

Arch. Beth Galí
Author of the Latina streetlamp
Barcelona (Spain)



Barcelona, May 15th 2012

Your Highness,

We humbly dare to write You to express our firm support to the letter sent by Santa & Cole, in which this internationally renowned company exposes the serious case of public counterfeiting committed by Ashghal.

Let me first introduce you the institution which I represent; **Barcelona Design Centre (BCD)** promotes design as a strategic element for business excellence and as a key factor for innovation, and as a discipline that can improve people's quality of life.

Legally established as a private not-for-profit foundation in 1973, BCD is the first promotion centre of its kind to be set up in Spain, and has evolved in line with changes in the economy and society from the first, constantly adapting its philosophy and activities to the specific needs of the moment.

BCD holds the vice-presidency of **The Bureau of European Design Associations (BEDA)**, and is member of the **Design Management Institute (DMI)**; the **Spanish Association of Design Promotion Centres (FEEPD)**, and **International Council of Societies of Industrial Design (ICSID)**. We proudly count with the support of the **Barcelona Chamber of Commerce**, the **Catalan Government**, the **Barcelona City Council** and the **Ministry of Industry, Energy & Tourism**, as well as with our **Business Club**, composed by over 100 Spanish companies.

It is worth of mention that in 2011 BCD was invited by the **European Commission Vice-President Antonio Tajani** to be one of the 15 members of the European Design Leadership Board, which aims to set the priorities and actions to better integrate design into innovation policy and to improve the competitiveness of the European businesses.

As you may know, the EU recognises the particular importance of design as a key discipline and activity to bring ideas to the market, which has been recognised in the **Innovation Union, Europe's 2020 flagship initiative**. In line with the commitment taken in the Innovation Union, one of the goals of the entities within the design sector is to support, enhance and protect the creativity of European businesses, even when it comes to lead international commercial agreements with public or private entities abroad.



Regions and countries worldwide are working to position design as one of the strategic tools to increase its competitiveness. Qatar is not an exemption; it is well recognised the great effort undertaken in this way, which is providing the State with a renowned reputation related with concepts such as modernity, innovation, design, talent or knowledge.

Barcelona has long been committed to design as one of its strategic sectors. Public bodies, alongside with entities such as BCD, has co-worked to feed the **Barcelona brand** with values that represent and project our businesses worldwide: creativity and design are two of the top values linked to our products and services.

Santa & Cole is one the greatest examples of the **Barcelona Design brand**, a company that since 1985 exports its excellence in design and innovation throughout over fifty countries, having placed its products in cities such as London, Paris, New York and, of course, Barcelona. We do wish to include Doha amongst these design capitals.

However, the facts apparently committed by Ashgal against Santa & Cole and the architect Beth Galí are far from being considered a "best practice", and are unacceptable under any circumstance. A case of public counterfeiting is a serious breach, not only against the legally affected parts, but also against the design community and the professionals of Barcelona and Spain, which may lead to a remarkable erosion of Qatar's international reputation, especially in Europe.

With this letter I do want to express, on behalf of BCD, my concern about the situation, and my full support to You and to the well reputed Qatar Foundation, to find the friendliest way to solve this case. In this sense, maybe could You seriously consider to accept the invitation to arbitration formally sent by WIPO (Geneva).

Sincerely Yours,

A handwritten signature in blue ink, enclosed within a blue circular scribble. The signature is stylized and appears to read 'Pau Herrera i Fontanals'.

Pau Herrera i Fontanals
President
Barcelona Design Centre (BCD)

Date	What happened	Persons involved
2012 May 15th	Letter from Beth Galí, Architect and designer of the Latina streetlight, to H.R.H Sheikha Mozah (see related document at next page)	Ms. Beth Galí (Architect) H.R.H Sheikha Mozah bint Nasser Al Missned



Barcelona (Spain), 15th May 2012

H. R. H. Sheikha Mozah bint Nasser Al Missned
Chairperson of the Qatar Foundation

Your Highness,

I am writing You to beg for Your intervention in this case that really concerns me, because of its increasing international attention. It is related to the counterfeited copies of the streetlamp actually placed along Al Waab Street in Doha, since 2006, of which design I am its original author.

As a woman, architect, landscaper and industrial designer, it has been for me quite a winding road to gain a certain international visibility, being today some works of mine raised throughout the world. In this difficult moments that we are living in Spain there are twenty five people working at my studio; and our design department of urban elements (not only streetlamps) is precisely the one in which we focus our best efforts. The smart cities are coming and we want to be prepared.

I have been honoured with the Presidency of *Fomento de las Artes y el Diseño* (FAD) of Barcelona, a very estimated institution of some 110 years and great number of members, and so I have devoted years to spread the words of Design even internationally. And when in the FAD, we have always fought energetically against unauthorized copies of original products of small and medium Spanish companies, defending the companies committed with innovation and good design as Santa & Cole is. But thanks to the persistence in this fighting against copies we can say today that the quality of design in Spain, and particularly in Barcelona, is very satisfactory and joyful.

I feel very sorry for having to disturb You, but I honestly believe that Your Highness is the only person who can understand the seriousness of the case. Our common friend Mr Luis Monreal, from the Aga Khan Foundation, has taught me about Your personal talent and the spirit of modernity that You lead from Your chair at the Qatar Foundation. That is what moved me to write this letter.

If the responsables at Ashghal and the Ministry of Municipalities do not prefer a private agreement arbitrated by WIPO, then Santa & Cole and myself will be forced to act accordingly, entering into a situation of direct confrontation with the consequent media echoes. I have been in Doha, I admire its energy and dynamism as the ambitious city it is, and I do not want this scenario of confrontation. This is why I beg Your help in this global fight, aimed to promote respect for this venerable but always thrilling *metier* of being designer.

Unfortunately the damage happens to be on me this time, and on the shoulders of Santa & Cole. This situation is damaging seriously my reputation, because of the extremely poor quality of the copies that Ashghal produced for Al Waab Street. And my royalties, and the good name of one of the most known Spanish companies for its strict quality, Santa & Cole, have been brutally violated.

Please help me trying to convince Ashghal and the Ministry about the convenience of a serious and independent arbitration at WIPO, Geneva.

Very cordially Yours,



Beth Galí
Chief Architect

Date	What happened	Persons involved
2012 May 15th	Letter from Javier Nieto Santa, President of Santa & Cole, to H.R.H Sheikha Mozah (see related document at next page)	Javier Nieto Santa (S&C) H.R.H Sheikha Mozah bint Nasser Al Missned



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Respectfully submitted
PERSONAL LETTER

Barcelona (Spain), 15th May 2012

To:

H. R. H. Sheikha Mozah bint Nasser Al Missned
Chairperson of the Qatar Foundation

With copy:

H.E. Ambassador Carmen de la Peña
Spanish Embassy
Doha (Qatar)

Arch. Beth Galí
Author of the Latina streetlamp
Barcelona (Spain)

Your Highness,

We humbly dare writing You to put in Your acquaintance a case of public counterfeiting committed in 2006 by Ashghal (Public Works Authority of the State of Qatar) against Santa & Cole, our medium-sized internationally well-reputed company, and Arch. Beth Galí, both from Barcelona.

The sequence of hundreds of streetlamps may be the most monumental act of public counterfeiting of the modern era, and it is placed at the eyes of the world through the many kilometres of Al Waab Street, in Doha, precisely in an urban area where 2020 Summer Olympics could be involved.

Since 2006 we have been in close contact with the Authorities of Ashghal trying to find a proper settlement in order to avoid public concerns.

The former CEO **H.E. Eng. Zayed Mansour Al-Khayareen** understood the case and in 2007 wrote to me: *"We would also like to assure you of our desire to settle the issue amicably and fairly"*, paving the way *"for a real solid professional and transparent future relationship"*.

Unfortunately, since 2009, the actual Ashghal CEO **H.E. Eng. Nasser Ali Al-Mawlawi** has not followed this perspective, but submitted the case to the higher responsibility of the Minister for Municipality & Urban Planning **H.E. Sheikh Abdul Rahman Bin Khalifa Bin Abdul Azziz Al-Thani**, in which name in 2010 the proposal of settlement was refused by writing.

Defendemos la propiedad intelectual. *We protect intellectual property.*

Santa & Cole Neoseries, S.L. N.I.F. ES-B-63879597 Inscrita en el registro mercantil de Barcelona, al tomo 37662, folio 190 Hoja B-307.793, Inscripción 1ª.



SANTA & COLE

Since then, we have been quietly defending our rights in front of International Institutions, the Barcelona, Catalan and Spanish Government, the European Commission, the most representatives defenders of European design (BEDA, BCD), other civil Institutions (like FC Barcelona and others) and quite a number of attorneys, up to arrive to this date, in which we have a formal invitation for mediation and arbitration sent by the World Intellectual Property Organization (WIPO, United Nations, Geneva), placed in October 2011 and unfortunately declined by the State of Qatar in November 2011.

Curiously, the Minister **H.E. Sheikh Abdul Rahman Bin Khalifa Bin Abdul Azziz Al-Thani** has repeatedly declared to the Spanish diplomacy in Doha that it will be no need for such arbitration at WIPO in Geneva, because the case is under ways of definitive direct solution. But it is not.

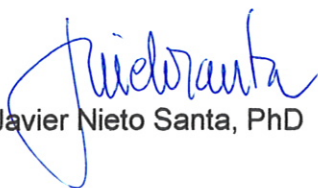
Before entering internationally into a deep controversial situation, Your possible intermediation is our last hope for a pacific, discrete and final settlement of the case, just by convincing Ashghal and the State of Qatar to [accept the invitation extended by the WIPO](#).

I am a personal admirer of Your talent and strength, and the vigorous impulse of modernity and honesty that You lead from the Chair of Qatar Foundation. And I have stated personally the relevance You give at Design and its possible contribution to the excellency of Qatar. The design community of Barcelona, to where we proudly belong, and the coming design community of Doha, both merit a better relationship than the one expressed today by Al Waab Str.

I believe that I am addressing to the Highest responsible of a Foundation with interest in an university degree in Design. And we celebrate very much that the Qatar Foundation is spreading the culture of good design from Doha.

With this letter I am sending you a brief explanation of our case, composed in three levels: (1) a graphical *Overview* (5 pages) with (2) an *Executive Summary* (20 pages); and separately (3) some relevant *Annexes* (99 pages). Obviously the whole case fills today several hundred pages of documentation.

Very sincerely Yours,



Javier Nieto Santa, PhD

Date	What happened	Persons involved
2012 May 27th	<p>Santa & Cole sends digitally and physically the complete set of documentation to the Spanish Embassy in Qatar</p> <p>The Ambassador confirms that the documentation has been handed out to H.R.H Sheikha Mozah</p> <p>(see related document at next page)</p>	<p>Javier Nieto Santa (S&C) Luis Pinto (Secretary of the Spanish Embassy in Qatar)</p> <p>Ms. Carmen de la Peña (Spanish Ambassador in Qatar) Javier Nieto Santa (S&C)</p>



Doha, 27 de mayo de 2012

La Embajadora de España

Sr. D. Javier Nieto Santa
Santa & Cole
President
Belloch - Barcelona

Estimado Sr. Nieto:

En relación con su correo de fecha 16 de mayo y tras la conversación mantenida el día de hoy con esta Embajada, le informo que se ha procedido a remitir a Su Alteza la Jequesa Mozah Bint Nasser Al Missned, la documentación recibida en esta Embajada sobre el contencioso entre Santa & Cole y ASHGHAL, Autoridad de Obras Públicas.

Mu cordial saludo,

Carmen de la Peña Corcuera

Carmen de la Peña Corcuera