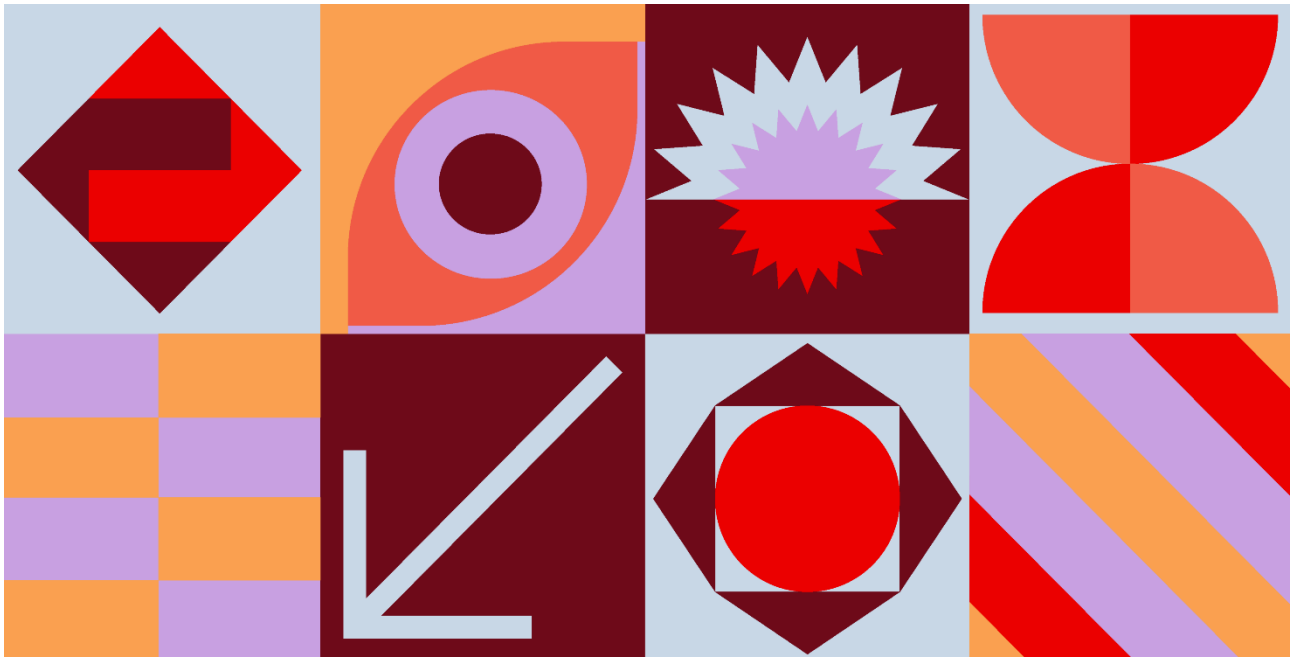
Report on the 2nd Swiss Design Forum on 5 November 2026 | Protection and Licensing of Fonts and Typefaces



On 5 November 2026, the 2nd Swiss Design Forum was held at the office of MLL Legal AG in Zurich. After the inaugural forum on valuing and protecting product design, this edition was devoted to typography. The event offered a first-hand look at the complex world of typefaces and fonts: how they are created, how they build brands, how far the law protects them, and how the respective rights are enforced in practice.

Introduction: Typeface or Font?

Michael Ritscher opened the forum by pointing out how often we encounter typefaces every day, and how little we think about what lies behind them. His example was "Helvetica", created by Max Miedinger and thus an original Swiss design. He closed with the distinction that ran through the entire afternoon: although most people use the terms synonymously, a typeface and a font differ both technically and legally.

From Idea to Typeface

Emmanuel Rey and Océane Torti of the type-design studio Swiss Typefaces expanded on this distinction. The *typeface* is the visual design of the characters, while the *font* is the computer program behind it: the lines of code that enable different systems to display the characters.

They showed the creative process behind a typeface, which involves working on several levels, from a single letter to individual words up to whole blocks of text.

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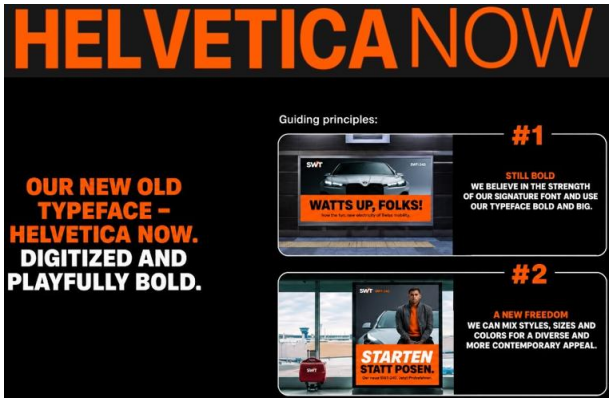
A professional typeface including Latin, Cyrillic and Arabic can contain more than 1,500 characters.

Fonts as Brand Assets

Thomas Deigendesch highlighted the importance of professional font management in protecting and maximising the value of corporate typography as a strategic brand asset. This requires clear accountability and cross-functional governance, led by Brand Management in collaboration with Design, Marketing, IT, Procurement and Legal.
Key management responsibilities include securing usage rights, maintaining a complete licence inventory, defining binding standards and establishing a central brand portal for approved fonts. Consistent implementation, compliance monitoring and proactive cost management are essential to preserving brand equity, reducing legal and financial risks, improving operational efficiency and safeguarding long-term brand value.



Thomas' conclusion was that you can license a font, but its recognition must be earned.

Protecting a Typeface

After a short coffee break, Rhea Specogna turned to the central legal question: to what extent can a typeface be protected by intellectual property law? Drawing on the distinction between typeface and font, she pointed out that while typefaces are used online across the globe, IP protection is territorial, so the decisive factor is the domestic law of each country for which protection is sought.

By way of introduction, Rhea explained that a typeface can enjoy copyright protection only if its design displays individual character. She then reviewed case law from several jurisdictions, starting with the United States, where copyright protection for typefaces was refused as early as 1978 in *Eltra v. Ringer*. The German Federal Court of Justice (BGH) had taken a different view in its 1958 "Candida" decision, holding that even ordinary text typefaces, so-called bread-and-butter typefaces, may qualify for protection as works of art; at the same time, it noted that their intended use, which calls for simple, clear and legible lines, leaves little room for artistic design, and accordingly denied protection to "Candida". More recently, the Tribunal judiciaire de Paris (2023) recognised the typeface "Le Monde Journal" as an original work protected by copyright, while finding that it had not been infringed by the typeface "Spectral". Finally, she discussed the Zurich High Court's 2009 decision on Robert Indiana's artwork "LOVE", in which the court granted the artwork copyright protection and, notably for typefaces, observed in a single sentence that the *Clarendon* typeface it uses is in the public domain.

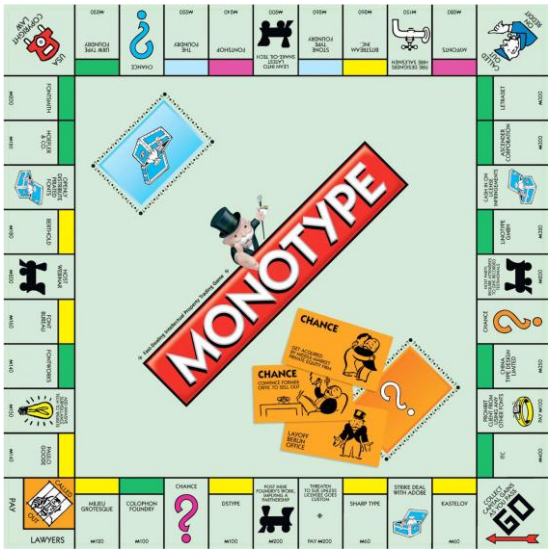


Design rights offer a more promising alternative: individual character is required as well, but the threshold is lower than under copyright law. Rhea presented various registered typeface designs and considered whether such design rights are actually enforceable, how a typeface should be filed so that it can be enforced, and what costs to expect. Further, Rhea explained why trademark law can protect a name such as "Helvetica" or, with acquired distinctiveness, a single letter such as the Migros "M", but not the typeface as such.

In conclusion, she pointed out that fonts, by contrast, can enjoy copyright protection as computer programs. Since many font files contain sufficient control commands and individuality, fonts are likely to benefit from such protection in many cases. Companies should therefore carefully consider how and for what purposes they use fonts and ensure that they comply with the applicable licence terms.

Monotype Enforcement

Stefan Schröter then demonstrated what this protection can mean in practice. His focus was Monotype, the world's largest font provider, whose portfolio includes Helvetica, Times New Roman, Futura, Frutiger and Gotham and has grown through acquisitions such as Linotype (2006), FontShop (2014) and Hoefler (2021). Acquired by the private-equity investor HGGC in 2019, Monotype relies on term-based, renewable licences combined with systematic "compliance" enforcement.



Modern licences are split into many categories, such as desktop, web fonts, apps, electronic documents and digital ads, each with its own metrics, such as users, page views or titles.
This maze of licences makes unintentional infringements likely, for example when a desktop font is embedded on a website, or when a font appears as a fallback option in the website's code. To make this more tangible, Stefan showed how fonts are declared and rendered on websites and how anyone can check this. He continued by showing an example of an automated analysis report. These so-called "Font Use Documents" are used by Monotype to show and log alleged infringements of its copyright. These reports then typically serve as the basis for requests to settle past use and/or to enter into a new licence agreement.

His advice when confronted with alleged font infringements was to be very cautious about signing licence agreements for future use, as these may perpetuate the problem. Likewise, claims for past use should not be accepted without questioning the claimed rights, the alleged acts of infringement, and the chain of title.
Since copyright cannot be acquired in good faith from a non-entitled party, a licensee must satisfy itself as to the existence and scope of its rights of use, which includes examining the entire chain of title from which the licensor derives its claimed position.
A licensor's mere assurances regarding the existence and scope of the rights and its authority to

grant them are generally not enough.
This applies all the more to fonts, as the design of a typeface and its later digitisation usually have separate creation histories, and the resulting legal questions are highly complex. To avoid such discussions, companies might use their own or open-source fonts, clean up their websites, educate marketing and IT teams and check regularly that their website stays clean. The website of the Swiss Federal Council was cited as a positive example, as it uses open-source fonts and ensures that no licensing issues arise in the website's code.

Font Licensing in Practice

In the final presentation, Emmanuel Rey and Océane Torti picked up the licensing issues raised by Stefan and explained industry practices on licensing and pricing. One key takeaway was that there are no uniform rules, which makes comparison nearly impossible. They closed by presenting Swiss Typefaces' own All-in-One licensing model. Instead of requiring customers to obtain and keep track of separate licences for desktop, web, apps or other forms of use, the model brings these uses together under a single licence. Pricing is based on the size of the company. This makes licensing considerably simpler and more transparent for customers and reduces the risk of inadvertently exceeding the scope of a licence as the use of a font develops across different media and channels.

Conclusion and Outlook

The event showed that typography is at the same time a creative work, a piece of software, a brand asset and a legal topic. While copyright protection for the look of a typeface is often hard to obtain, the font software and the licence terms can create considerable risks for companies. Three questions should therefore always be kept apart: Is there a right? Who owns it? And does the licence cover the intended use? Companies confronted with substantial claims from font foundries such as Monotype should therefore seek specialised legal advice at an early stage, before making payments or signing new licence agreements. MLL Legal regularly advises clients on font licensing and on defending against questionable claims.

The discussions, which continued over an apéro riche, gave participants the opportunity to exchange experiences with experts and creative professionals. MLL Legal thanks all speakers and participants and looks forward to the next Swiss Design Forum.