



What's going on this week?

The retailer Marks and Spencer (M&S) has begun legal action against supermarket Aldi, arguing the supermarket's Cuthbert the Caterpillar cake infringes its Colin the Caterpillar trademark. M&S claim that their similarity leads consumers to believe they are of the same standard and "rides on the coat-tails" of M&S's reputation. M&S wants Aldi to remove the product from sale and agree not to sell anything similar in the future.

Main question:

Is it always wrong to copy others?

Listen, think, share

- Look at this week's poster and ask if anyone recognises the cake. It's Colin the Caterpillar! Has anyone seen or had a caterpillar cake before? Did you enjoy it?
- Explain that the shop chain, Marks and Spencer, have asked the supermarket, Aldi, to stop producing a copy of their Colin the Caterpillar cake as it is too similar. Do you think it is fair that they have been asked to stop making it?
- Can you think of any other food items or products that are very similar to each other? Do you think they should be allowed to copy each other?
- Read through the information found on the assembly resource, which explains the story in more detail. Who do you think is right in this situation? Do you think Aldi should stop making Cuthbert or do you think M&S should change their mind and allow them to continue?
- Watch this week's useful video, which shows TV judge, Rob Rinder, deciding if he thinks that Colin the Caterpillar cake should be protected from being copied. Are you surprised by his verdict? Do you agree?
- Can you think of any times when copying something is a good thing? What about times when it isn't? Have you ever copied anyone or had someone copy you? What happened and how did it make you feel?

Reflection

There are times when copying is helpful, we copy to learn, to understand and to relate to those around us. Other times, copying may not be fair, for example copying someone else's work that they have spent time completing.



KS1 Focus

Question:

What is copying?

Listen, think, share

- Explain that you are going to share some actions with the children e.g. clap, touch your nose, hop and you would like them to copy you.
- What do you think we mean when we ask someone to copy our actions? Explain that we watched the action and then repeated it. We did the same thing.
- Can you think of any other examples of when we might copy something? We often copy things in school to help us learn but sometimes copying isn't the right thing to do.
- Look at resource 1, which shares some examples of when we might copy. Can you sort them into when copying is right and when copying is wrong? Do you think any of them might be both?
- Focus on the pencil case. If your best friend copied you and got the same pencil case as you, how would you feel? Does everyone feel the same? Explain that some people might get upset, whereas others might like it.
- Discuss why copying someone in a test might be wrong. Explain that we sometimes have tests so our teachers can see what we know. If we copy, then our teacher won't be able to help us properly with our learning.

Reflection

Sometimes copying is the right thing to do as it helps us learn, sometimes it is not and we need to create our own ideas or do something for ourselves.



KS2 Focus

Question:

What is copyright?

Listen, think, share

- Record a list of different examples of copying e.g. playing a game, copying in a test, copying to learn a language, copying a friend's haircut.
- Explain that we often copy things, especially as we are learning, but sometimes it is not the right thing to do. Why do you think it isn't always right to copy?
- Imagine you had created a piece of music, a picture or a story or poem. How would you feel if someone copied your work? How do you think you would stop other people from copying it?
- Look at resource 2, which explains more about copyright. Do you think copyright is important? How aware of it are you when sharing materials on the internet?
- Discuss when we might have used someone else's ideas at school e.g. magpieing to plan a story, using an artist's painting to inspire our own. Why might copying in this instance be okay?
- Often, we can use or share other people's work if we have permission. Can you think of examples of this, e.g. buying a licence to perform someone's play or music in public, asking a friend if we can share their picture on the internet?

Reflection

Copyright is a way of protecting someone's original work or ideas. Copyright applies to everyone, no matter what age you are.

KS2 Follow-up Ideas

Option 1: Explain to the children that they are going to play a game that involves listening carefully to instructions and copying! Draw your own caterpillar cake design on a piece of paper. Give the children verbal instructions so they can draw and hopefully copy your design. For example:

- The caterpillar has a cylindrical body.
- It has two green, circular eyes.
- It has two orange antennae.
- It has purple spots dotted down the centre of its back.

Once you have finished giving your instructions, see how accurate the copies are! You could repeat the activity with the children designing their own caterpillar for someone else to copy.

Option 2: Write the question 'Should Aldi have created Cuthbert the Caterpillar?'. Ask the children to think about the following:

- What is your viewpoint?
- Can you create a list of points for Aldi creating the cake?
- Can you create a list of points against Aldi creating the cake?

Share thoughts further before asking the children to write a discussion text, which presents both viewpoints. Use the following structure:

- The problem.
- Why Aldi should have created the cake.
- Why Aldi should not have created the cake.
- Any recommendations or ways the problem can be solved.

Perhaps you could share your discussion texts with both Aldi and Marks and Spencer!

KS1 Follow-up Ideas

Option 1: Look at the caterpillar cake on this week's resource.

- What shapes can you see?

Explain that the caterpillar is a cylinder shape.

- Can you think of anything else that is a cylinder shape? E.g. kitchen roll, pringles.

Ask the children to design and make their own caterpillar using a 3D cylinder and sticking on 2D shapes to decorate it. Encourage children to use shape vocabulary whilst working on their caterpillar. The following questions may help:

- What shape have you used for the eyes?
- How many sides does the triangle have?
- Can you show me a square on your caterpillar?

Option 2: Explain that you are going to clap a rhythm and you would like the children to listen then copy it. Repeat a few times.

- How else might we be able to make music or a sound using our bodies? Stamp our feet, tap our knees, rub our hands, click our fingers.

Ask the children to create a very short sequence of sounds using their bodies. Think about:

- How can we change the dynamics? Make it louder or softer?
- How can we change the tempo? Make it faster, slower?

Once they have completed their sequence, ask them to teach it to a small group. Explain, that the group is able to create sounds by copying. Copying can often help us learn!

This Week's Useful Websites

[This week's news story](#)

www.bbc.co.uk/news/business-56812445

This Week's Useful Videos

[Judge Rinder verdict on the cake battle](#)

www.bbc.co.uk/news/av/business-56768197

This Week's Virtual Assembly

www.picture-news.co.uk/discuss

This Week's Useful Vocabulary

Consumer – a person who buys goods or services.
M&S claim that their similarity leads **consumers** to believe they are of the same standard.

Infringes – actively breaks the terms of a law or agreement.

Cuthbert the Caterpillar cake **infringes** its Colin the Caterpillar trademark.

Reputation – the opinions or beliefs someone has about someone or something.

M&S's **reputation**.

Retailer – a person or business that sells goods to the public.

The **retailer** Marks and Spencer (M&S) has begun legal action.

Trademark – a name or symbol that a company uses on its products that cannot be legally used by another company.

Cuthbert the Caterpillar cake infringes its Colin the Caterpillar **trademark**.

Verdict – an opinion or judgement.

Are you surprised by his **verdict**?