

Subject: Notice to UK Versity Online Limited: Infringement of Scott M. Graffius' Intellectual Property and Damages

From: Scott M. Graffius

Via email from scott@scottgraffius.com

To: UK Versity Online Limited, Universal Square, Suite 2, 4th Floor, Building 3, Devonshire Street North, Manchester, M12 6JH, United Kingdom; via email to admin@ukversity.co.uk, legal@ukversity.co.uk, cs@ukversity.co.uk, hr@ukversity.co.uk, raman@ukversity.co.uk

UK Versity's infringing material holds their mark and the marks of other entities. For that reason, the additional entities may be involved or have an interest in this serious matter and are therefore included on this notice.

Awards for Training and Higher Education (ATHE) / ATHE Limited, Suite 4B, Rosebery Court, Central Avenue, St Andrews Business Park, Norwich, NR7 0HS, United Kingdom; via email to info@athe.co.uk, legal@athe.co.uk, progression@athe.co.uk, support@athe.co.uk, simon.r@athe.co.uk, enquiries@athe.co.uk, denise.w@athe.co.uk, christine.a@athe.co.uk

UK Register of Learning Providers (UKRLP), 40 Bloomsbury Way, London, WC1A 2SE, United Kingdom; via email at helpdesk@ukrlp.co.uk, legal@ukrlp.co.uk

Northern Council for Further Education (NCFE) / NCFE-Cache, Q6, Quorum Park, Benton Lane, Newcastle upon Tyne, NE12 8BT, United Kingdom; via email to customersupport@ncfe.org.uk, skillsassessments@ncfe.org.uk, lindsayplumpton@ncfe.org.uk, legal@ncfe.org.uk, international@ncfe.org.uk

British Accreditation Council (BAC), Wax Chandlers' Hall, 6 Gresham Street, London, EC2V 7AD, United Kingdom; via email to info@the-bac.org, legal@the-bac.org, consulting@the-bac.org

The Organisation for Tourism and Hospitality Management (OTHM), 8 Waterside Court, Galleon Boulevard, Dartford, DA2 6NX, United Kingdom; via email to info@othm.org.uk, legal@othm.org.uk

Pearson, 80 Strand, London, WC2R 0RL, United Kingdom; via email to help@pearson.com, legal@pearson.com, pqs.internationaleo@pearson.com, ethicsandcompliance@pearson.com

Date: 1 March 2025

NOTICE TO UK VERSITY ONLINE LIMITED: INFRINGEMENT OF SCOTT M. GRAFFIUS' INTELLECTUAL PROPERTY AND DAMAGES

UK Versity Online Limited:

As delineated with incontrovertible and unequivocal evidence in the Details section of this letter, UK Versity Online Limited ("UK Versity") is brazenly infringing on my copyright. UK Versity's violation constitutes a profound and disgraceful breach of professional ethics, moral standards, my intellectual property rights, and the law.

My copyrighted 'Phases of Team Development' asset explicitly includes my copyright information and permission request details, making it unequivocally clear that prior authorization is required. UK Versity failed to request or receive such authorization. Yet UK Versity is using my intellectual property. Further, as a for-profit business, UK Versity (company number 09591489; VAT Registration Number: GB302401766) is commercially exploiting my copyrighted work for its own financial gain. Any claim of educational use is negated by UK Versity's commercial exploitation of my intellectual property.

UK Versity's unauthorized use constitutes blatant copyright infringement in violation of the Copyright, Designs and Patents Act 1988, as well as applicable international copyright laws under the Berne Convention and other treaties to which the United Kingdom is a party. This is a flagrant violation of my intellectual property rights and a willful act of infringement that exposes UK Versity to substantial legal liability, including but not limited to:

- Statutory damages, or actual damages plus profits;
- Injunctive relief;
- Compensatory damages;
- Legal fees; and
- Criminal liability for distributing infringing material on a commercial scale.

To rectify your egregious violation, I demand that you:

1. **Cease Use and Distribution:** Remove all uses, reproductions, distributions, public performances, or displays of your materials in which my copyrighted property appears. This must be done within 10 (ten) calendar days from today. Confirm via email within 10 (ten) calendar days from today that you have complied with this demand. Failure to comply will prompt proceedings to enforce my rights and recover damages for your further ongoing knowing and willful infringement of my copyright.
2. **Remove All Instances:** Remove all electronic copies of your materials containing my copyrighted property from all platforms, including but not limited to websites, social media, and any commercial or promotional applications. If there are hard copies, securely destroy (e.g., by shredding and recycling) all of them. This must be done within 10 (ten) calendar days from today. Confirm via email within 10 (ten) calendar days from today that you have complied with this demand. Failure to comply will prompt proceedings to enforce my rights and recover damages for your further ongoing knowing and willful infringement of my copyright.
3. **Remit Compensation for Damages:** UK Versity is liable for all damages resulting from their unauthorized use of my copyrighted property. Such damages include, but are not limited to, loss of licensing revenue, diminution of market value, unauthorized commercial exploitation, and reputational harm. UK Versity must start good faith discussions via email within 10 (ten) calendar days from today to negotiate the nature and amount of compensation and deliver said compensation within 20 (twenty) calendar days from today. Failure to comply will prompt proceedings to enforce my rights and recover damages for UK Versity's blatant infringement of my copyright.

I expressly reserve all rights in this disturbing, damaging, and consequential matter.

Sincerely,

Scott M. Graffius

scott@scottgraffius.com

Details

Informed by the research of Bruce W. Tuckman, Ph.D. and Mary Ann C. Jensen, over 100 subsequent studies, and Mr. Graffius' first-hand professional experience with, and analysis of, team leadership and performance, Mr. Graffius created his 'Phases of Team Development.' It presents a unique perspective on the five phases of team development—Forming, Storming, Norming, Performing, and Adjourning—and it's inclusive of the characteristics/features/traits and strategies for each phase. First introduced in 2008 and periodically updated, his work provides a diagnostic and strategic guide for navigating team dynamics. It provides actionable insights for leaders across industries to develop high performance teams. Its adoption by esteemed organizations such as Yale University, IEEE, Cisco, Microsoft, Ford, Oracle, Broadcom, the U.S. National Park Service, and the *Journal of Neurosurgery*, among others, highlights its exceptional utility and value, solidifying its status as an indispensable resource for elevating team performance and driving organizational excellence.

Conference organizers, businesses, professional associations, government agencies, and universities around the world retain Mr. Graffius to deliver compelling talks and workshops. He's presented sessions at 91 conferences and other events across 25 countries, including:

- Armenia,
- Australia,
- Brazil,
- Canada,
- Czech Republic,
- Finland,
- France,
- Germany,
- Greece,
- Hong Kong,
- Hungary,
- India,
- Ireland,
- Lithuania,
- Luxembourg,
- Nepal,
- Netherlands,
- New Zealand,
- Norway,
- Romania,
- Sweden,
- Switzerland,
- United Arab Emirates,
- United Kingdom,
- and the United States.

Mr. Graffius' 'Phases of Team Development' intellectual property is central and key to many of those sessions. His rate card and a listing of his engagements are at <https://scottgraffius.com/resources/Exceptional-PPM-and-PMO-Solutions-Rate-Card-for-2024-2025-v24071607.pdf> and <https://scottgraffius.com/publicspeaker.html>, respectively.

With authorization/license from Mr. Graffius, many organizations around the world have featured and used his copyrighted 'Phases of Team Development' work. Select examples include:

- Adobe,
- American Management Association,
- Amsterdam Public Health Research Institute,
- Bayer,
- Boston University,
- Broadcom,
- Cisco,
- Deimos Aerospace,
- DevOps Institute,
- Erste Group Bank AG,
- FINAT,
- Ford Motor Company,
- FSU College of Medicine,
- Hasso Plattner Institute (Hasso-Plattner-Institut für Digital Engineering GmbH),
- IEEE,
- Johns Hopkins University,
- *Journal of Neurosurgery*,
- LeadingEng,

- Life Sciences Trainers & Educators Network,
- London South Bank University,
- Manufacturers Alliance,
- Mary Raum (Professor of National Security Affairs, United States Naval War College),
- Microsoft,
- New Zealand Government,
- Oracle,
- Prima Resource,
- Royal Australasian College of Physicians,
- Singapore University of Social Sciences,
- TBS Switzerland,
- Technical University of Munich,
- Tufts University,
- U.S. National Park Service,
- U.S. Tennis Association,
- UC San Diego,
- University of Galway,
- University of Graz,
- University of Waterloo,
- Virginia Tech,
- Warsaw University of Technology,
- Yale University,
- and many others.

Mr. Graffius initially developed his 'Phases of Team Development' intellectual property in 2008, and he periodically refreshes it.

For this case, the applicable version (the version misused by UK Versity) is the 2019 edition. It's available at: <https://x.com/ScottGraffius/status/1127615738930290689>, <https://www.facebook.com/ScottMGraffius/posts/pfbid0yeEShL5n93pke2VFBswr5V2hik9NU9bABG6Q6QFpt99myFeRBbukg2EX9yVdeiqfl>, https://www.linkedin.com/posts/scottgraffius_ideacon2023-forming-storming-activity-7036179826533175296-kkO4/, and additional accounts/locations. The respective visual from Mr. Graffius is shown next.

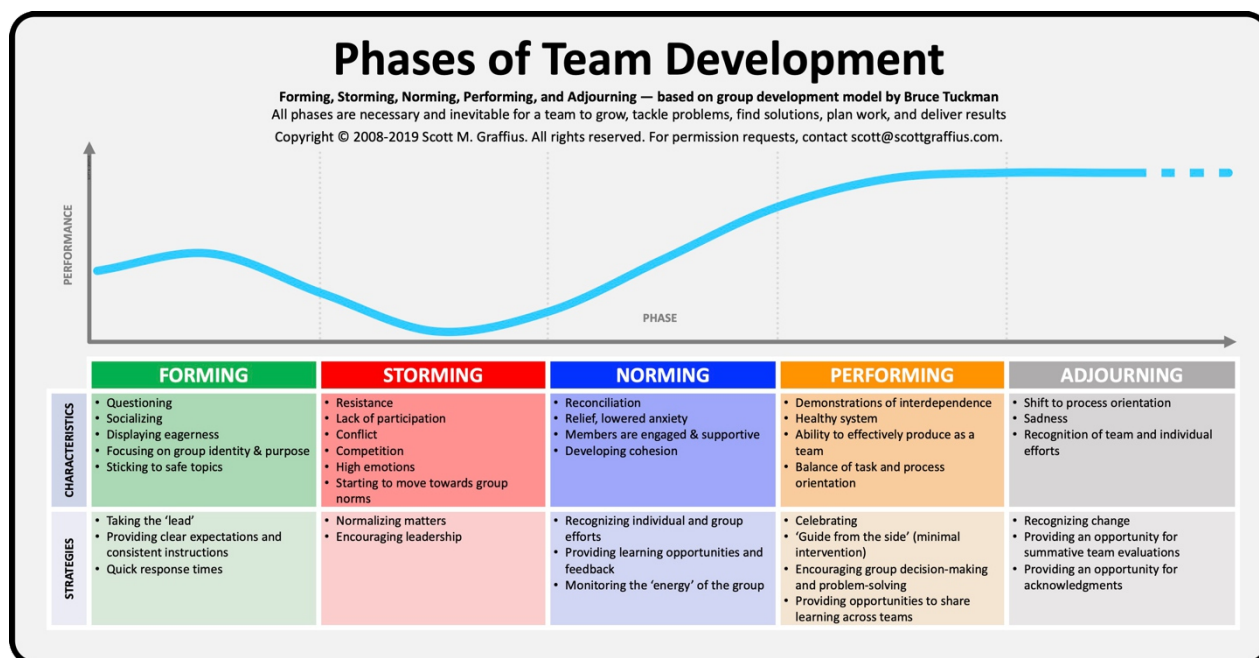


Exhibit 1. The above image shows the visual of the respective 2019 edition of Mr. Graffius' 'Phases of Team Development' intellectual property.

Mr. Graffius' copyright ownership details are integrated into and appear on his copyrighted property. Specifically, it reads:

"Copyright © 2008-2019 Scott M. Graffius. All rights reserved. For permission requests, contact scott@scottgraffius.com."

Again, Mr. Graffius' asset explicitly includes his copyright information and permission request details, making it unequivocally clear that prior authorization is required. UK Versity neither requested nor received permission to use Mr. Graffius' intellectual property (IP). Yet, in a brazen act of copyright infringement, UK Versity used of Mr. Graffius' IP.

Information including indisputable proof of the violation by UK Versity follows. Evidence of this infringement has been preserved as of 1 March 2025.

Here's information on UK Versity's infringing publication.

- Title of infringing publication: "THE L4 DiBM - Communication Skills for Business - LO3"
- Name of publisher of infringing publication: "UK Versity Online"
- Date of infringing publication: 12 November 2024
- Known location(s) of infringing publication: <https://youtu.be/L3qTJrNMZaI?t=325>

Indisputable proof of the violation by UK Versity follows.

The screenshot shows a YouTube video player displaying a slide titled "Tuckman's Model of Team Building". The slide features a line graph showing team performance over time, with a dip during the "Storming" phase. Below the graph is a table with five columns representing the phases: Forming, Storming, Norming, Performing, and Adjourning. Each column lists characteristics and behaviors. The video player interface includes the YouTube logo, search bar, and video controls. The video title is "ATHE L4 DiBM - Communication Skills for Business - LO3" and the channel is "UK Versity Online" with 4.06K subscribers.

	FORMING	STORMING	NORMING	PERFORMING	ADJOURNING
CHARACTERISTICS	• Questioning • Shyness • Seeking group norms & purpose • Sticking to safe topics	• Polarization • Lack of participation • Conflict • Competition • High emotions • Testing to prove trustworthiness	• Reconciliation • Social desirability • Members are engaged & supportive • Developing cohesion	• Demoralization of interdependence • Healthy speech • Ability to effectively produce as a team • Balance of task and process orientation	• Shift to process orientation • Selfless • Recognition of team and individual efforts
BEHAVIORS	• Taking the "lead" • Providing clear expectations and structured conversations • Quick response times	• Reconciling matters • Encouraging leadership	• Recognizing individual and group efforts • Providing training opportunities and feedback • Monitoring the "energy" of the group	• Celebrating • "Walk from the side" (personal observations) • Encouraging group decision-making and problem-solving • Providing opportunities to share learning across teams	• Recognizing change • Providing an opportunity for a completed team evaluation • Providing an opportunity for encouragement

Exhibit 2. The above exhibit shows UK Versity's use Mr. Graffius' copyrighted 'Phases of Team Development' property. The exhibit is included here under the principles of fair use, fair dealing, and fair practice for purposes of reporting, analyzing, and documenting the violation by UK Versity.

A zoomed-in view follows.

Tuckman' Model of Team Building



4

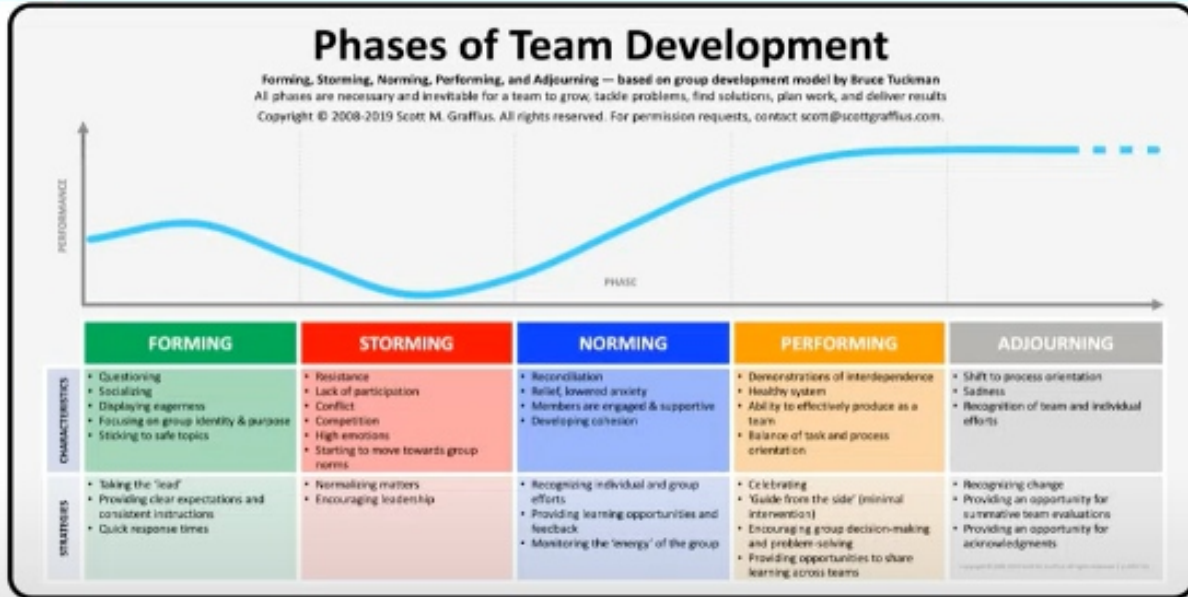


Exhibit 3. The above exhibit provides a zoomed-in view UK Versity's use Mr. Graffius' copyrighted 'Phases of Team Development' property. The exhibit is included here under the principles of fair use, fair dealing, and fair practice for purposes of reporting, analyzing, and documenting the violation by UK Versity.

Mr. Graffius' copyright ownership details and permission request information are explicitly included in and appear on his 'Phases of Team Development' intellectual property (IP). UK Versity neither requested nor received permission to use Mr. Graffius' IP. Yet, in blatant copyright infringement, UK Versity has unlawfully reproduced, distributed, and/or displayed Mr. Graffius' IP without authorization. Furthermore, as a for-profit institution, UK Versity is commercially exploiting Mr. Graffius' copyrighted work for UK Versity's own financial gain. For these reasons, UK Versity's unauthorized use of Mr. Graffius' IP was absolutely not "fair dealing" nor otherwise permissible under copyright law. Any claim of educational use is negated by UK Versity's commercial exploitation of the material. UK Versity's egregious violation of Mr. Graffius' intellectual property rights constitutes a willful act of infringement and exposes UK Versity to substantial legal liability under the Copyright, Designs and Patents Act 1988, the Berne Convention, and other applicable international copyright laws.

UK Versity's violation negatively affected the potential market and value of Mr. Graffius' 'Phases of Team Development' IP and related work.

Intellectual property is a strategic asset that provides significant value. Mr. Graffius rigorously maintains, enforces, and protects his IP rights.

UK Versity is expected to rectify their egregious violation. Any failure to comply with the demands conveyed in this notice will be considered further evidence of UK Versity's willful infringement and bad-faith conduct, warranting swift and aggressive enforcement action.