

Stalemate for marketing firm's 'stolen' idea claim

A DAVID and Goliath court battle between oil giant Shell and a promotions expert who claimed they "pinched" his idea and turned it into a highly successful Smart Loyal Scheme has ended in stalemate.

Shell were sued by John Donovan, 52, from Bradfield Combust, near Bury St Edmunds, who claimed they misused confidential information relating to the scheme and refused to credit him as its creator.

Meanwhile, Shell had counter-claimed against Mr Donovan's marketing company, Don Marketing, alleging breach of a confidentiality agreement.

But after days of battling in London's High Court, both sides have agreed to dismiss their actions.

A joint statement issued

afterwards said Mr Donovan had abandoned his claim against Shell along with related libel proceedings.

"He acknowledged the claims are without foundation and should not have been brought," said the statement.

It added that he had also withdrawn all allegations of impropriety against Shell or its employees in connection with the proceedings and had agreed not to repeat them in any manner.

Shell acknowledged the proceedings were brought in good faith and they also withdrew allegations of impropriety made in the course of the proceedings.

Prior to the settlement, Geoffrey Cox, for Mr Donovan, told Mr Justice Laddie Shell approached Mr Donovan in 1989 and asked him for ideas to jazz up its

flagging Collect and Select free gift promotion.

In response Mr Donovan claimed he came up with a joint loyalty card scheme under which Shell would join forces with a select consortium of other major retailers so that customers could collect credit points and claim their free gifts far more quickly.

He claimed Shell took an option to develop the plan and in 1997 launched the Smart Loyalty Scheme which incorporated his ideas. However, he accused Shell of refusing to pay, even though the scheme was highly successful.

Mr Cox had accused Shell's witnesses of appearing to have "corporate amnesia", yet claimed Mr Donovan had a "trusted and successful" record with Shell.



STALEMATE: John Donovan, from Bradfield Combust, sued Shell over a promotion he said was his idea. But yesterday his claim, and the firm's counter suit, were dropped

Photograph: ANDY ABBOTT

SUFFOLK *Briefing*

Wetland tour for David Bellamy

CONSERVATIONIST and television presenter David Bellamy is in Suffolk today to see how an important wetland sites has been restored.

He will see the official closure of Essex and Suffolk Water Company's borehole at the Redgrave and Lopham Fen, near Diss, which marks the culmination of a successful project to restore the fen and encourage the return of a rich variety of wildlife.

The project has been a partnership between the the water company, Suffolk Wildlife Trust, English Nature, the Environment Agency and the European Union. Over the past 40 years abstraction from the borehole, deepening of the River Waveney for local drainage, and changing management of the fen have resulted in the loss of many species. Now a new borehole has been relocated several kilometres away making it the first time a licensed public water supply has been moved for wildlife. Dr Bellamy's presence is particularly appropriate as his association with the fen goes back 40 years when he studied at the site for his doctorate.