

Copyright An Introduction

Intellectual Property Rights

Marketing Law
Reputation parasitism

Competition Law
Abuse of a dominant position

Domain name

Trademark
(Trade name)

PATENT
Inventions

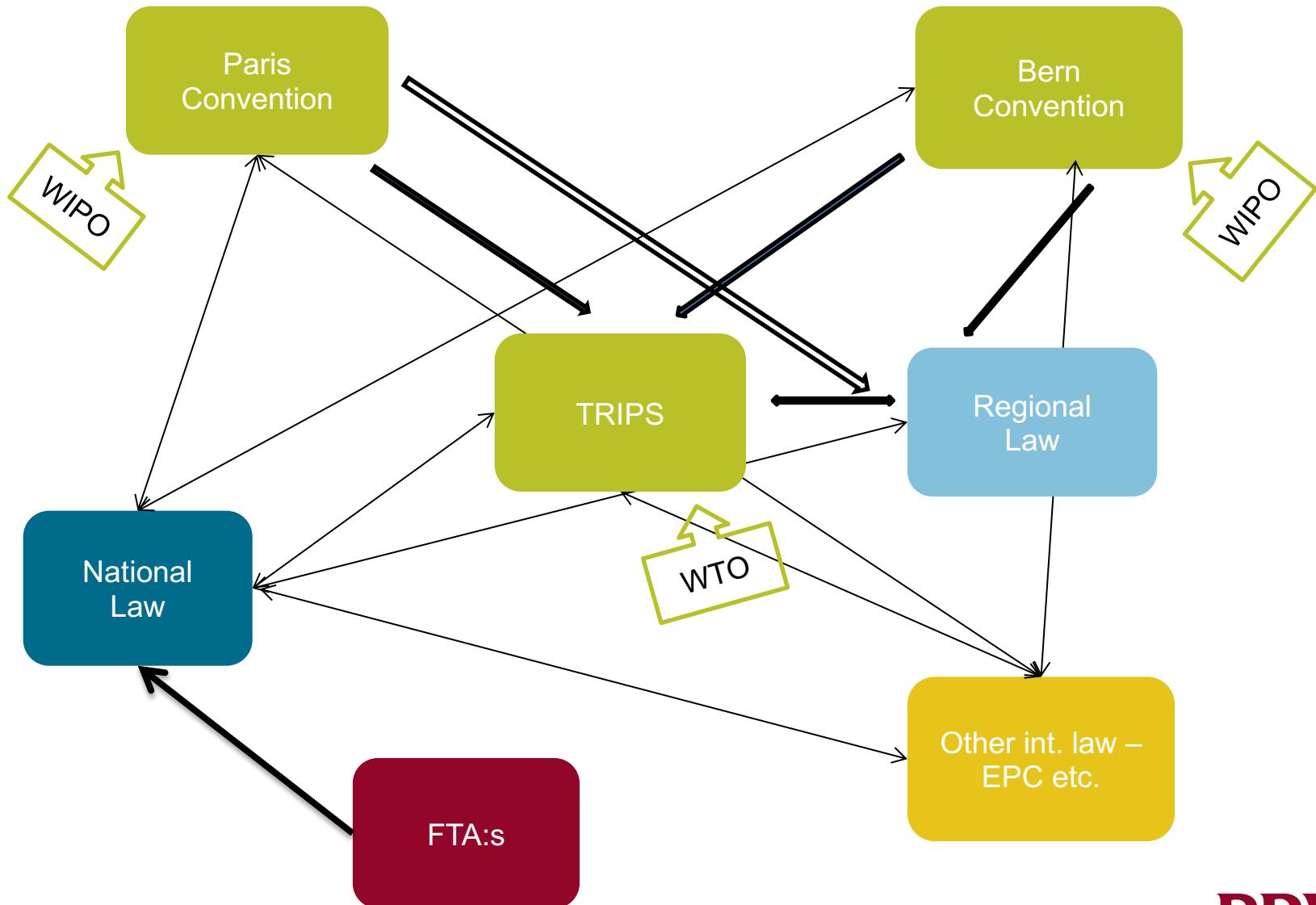
Trade secrets

Copyright
Texts, computer
programs ,databases,
photos, design

Plant breeding
Design

Contract Law
Licenses, transfer, non-disclosure agreement,
competition agreements with employees

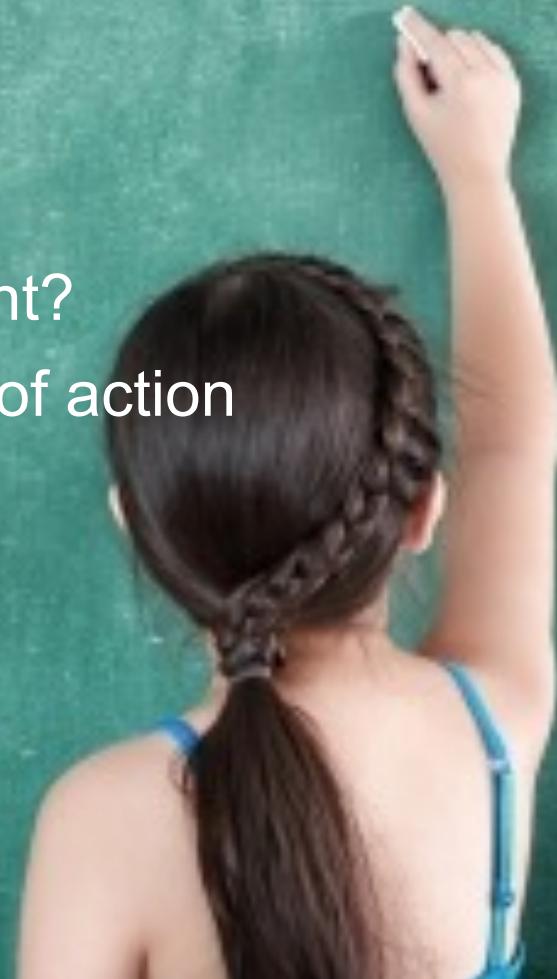
PRV



PRV

Method

1. Is there IPR? How to create IPR?
2. Who is protected by IPR?
3. Duration of protection?
4. What is the meaning of the exclusive right?
 - The right to prohibit various forms of action
 - Copy or similar enough?
5. Restrictions of the rights?
6. Sanctions?
7. Strategies? What to do?



Copyright

Texts

Computer programs

Music

Film

Photo

Design

Neighbouring rights

Performing artists

Photographic picture

Databases

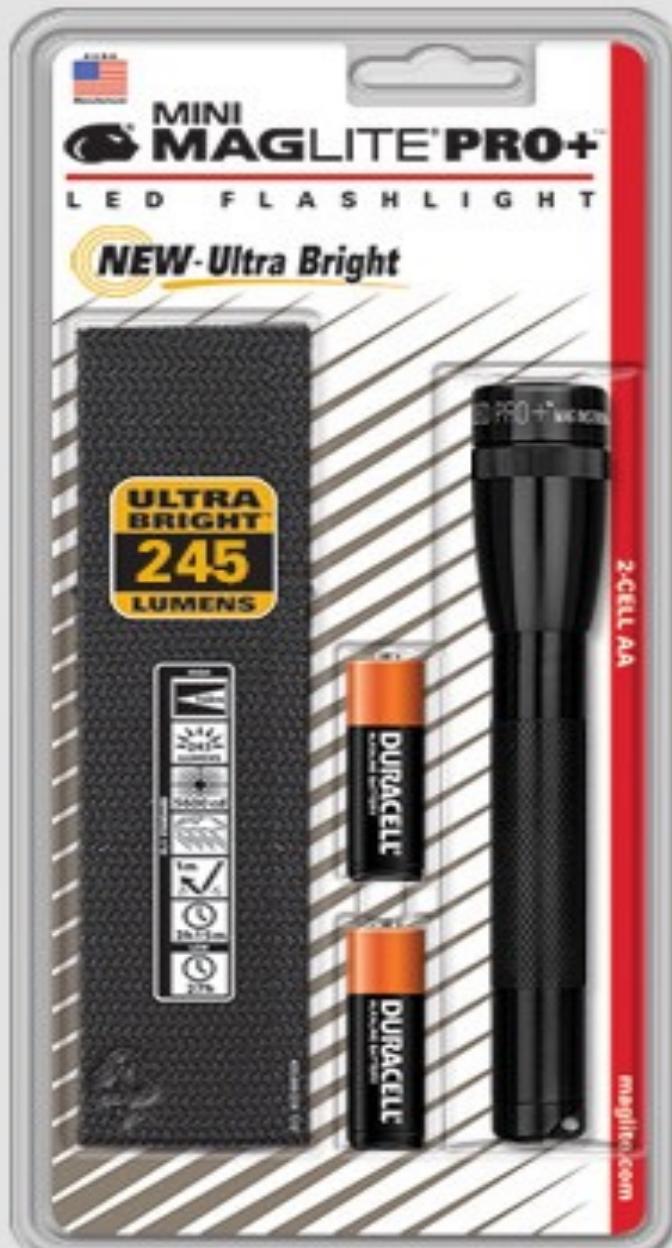


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1.2 Is there copyright protection?

- Protection by creation
- Work
 - Originality
 - Quality irrelevant
 - Importance of ©?
- No registration needed!
- Worldwide! (almost)

MINI MAGLITE





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2. Who is protected?

- *The creator/author (copyright)*
- The applicant (registered TM/Design)
- Patents. The inventor or his successor.

Complicated if the inventor/creator is:

- An employee or a team
- Contract Law and Labor Law (very important!)
- Sell or license?

3. Duration of IPR?

Patent 20 years (shorter)



Trademark Renewable every 10 years, forever.....



Copyright 70 (shorter) years after the death of the author



Designs 5 x 5 (shorter) years



Application

Creation 0 yrs

10 yrs

20 yrs

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4.2 Copyright – exclusive right

Making copies

- Temporary or permanent
- Regardless of form
- Whole or in part

Made available to the public

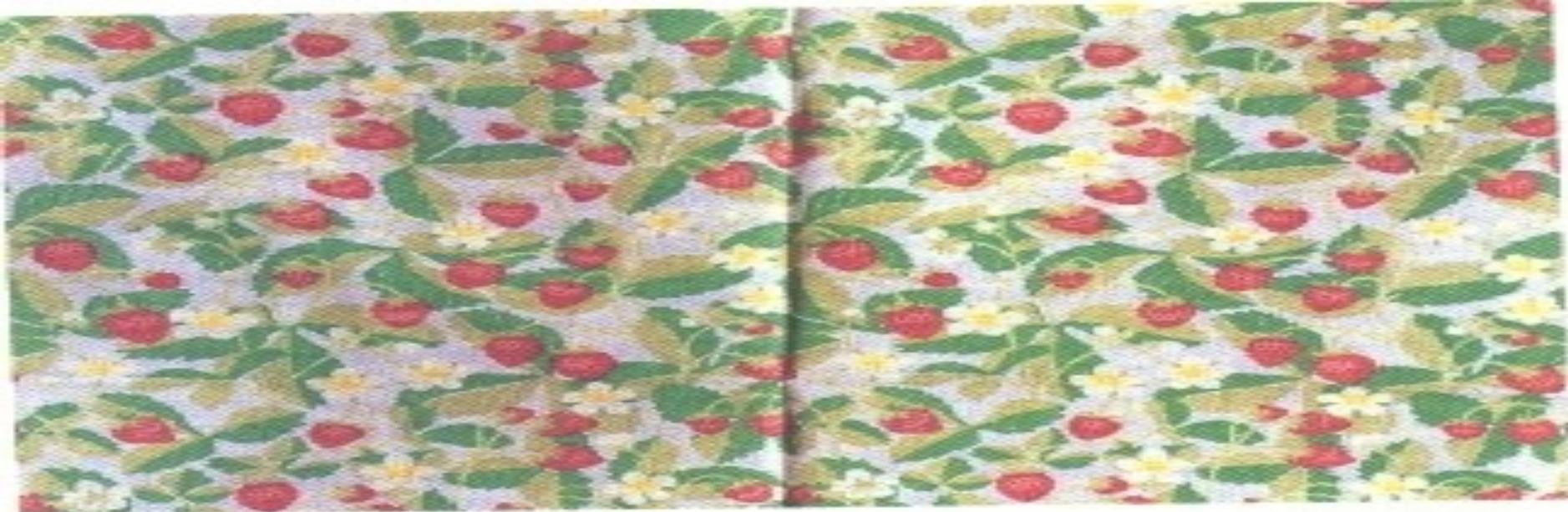
- Communicate to the public (Television, Radio, IT)
- Publicly performe
- Publicly exhibit
- Distribute copies to the public

4.2.1 Copyright – similar enough?

- Protection of form!
- Not the idea!
- The same work?
 - Not an independent work?
 - Hard judgements
 - Computer programs complicated



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Lena Boijes mönster "Smultron"
(Borås Wäfveriets mönster "Smultron".)

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Modegrossistens jordgubbsmönster

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⁵ Limitations on copyright

Balance of rights

- Private use
- Freedom of expression
- Quotation
- Libraries
- Education
- To help disabled persons
- Etc...