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- Q1) What are different kinds of IPR? (10M)
- Q2) What are elements of patentability? (10M)

1) IPR are legal rights that provide protection to creators, inventors and owners of various intangible assets, such as creative works, inventions, and other unique intangible assets. IPR allow creators & owners to control the use and exploitation of their IP, providing them with the exclusive rights to use, license, or sell their Intellectual Property for a certain period of time.

1) Copyrights: Copyrights protect original literary, dramatic, musical and artistic works, cinematography films and sound recordings. Copyright protection is granted to the author of the original work for a specific period of time during which they have the exclusive right to reproduce, distribute, and display the copyrighted work.

2) Trademarks: Trademarks are distinctive signs, symbols, or expressions that identify and distinguish the goods & services of one entity from those of others. Trademark protection is granted to the owner of the mark for a specific period, during which they have the exclusive right to use the mark in relation to the goods & services for which it is registered.

3) Patents: Patents protect new inventions that are novel, non-obvious and useful. Patent protection is granted to the inventor for a specific period, during which they have the exclusive right to make use and sell the patented invention.

5) **Geographical Indications**: GI identify goods as originating from a specific region or territory, and possessing qualities, reputation, or characteristics that are essentially attributable to that region or territory. GI protection is granted to the registered proprietor for a specific period during which they have the exclusive right to use the GI in relation to the goods for which it is registered.

5) **Design**: Designs protect the visual appearance of a product, including its shape, configuration, pattern, ornamentation. Design protection is granted to the registered proprietor for a specific period during which they have the exclusive right to use the design in relation to the product for which it is registered.

6) **Semiconductor Integrated Circuits Layout-Designs**: SILD protect the original layout design of semiconductor integrated circuits. Layout-design protection is granted for a specific period, during which they retain the rights to utilize the design.

#### Rights

7) **Plant Varieties**: Plant Varieties & Protection of Farmers' Act, 2001, protects new plant varieties that are novel, distinct, uniform and stable. Plant variety protection is granted to the breeder for a specific period, during which they have the exclusive right to produce, sell and market the protected variety.



2) The elements of patentability refer to the criterion that an invention must meet in order to be eligible for a patent.

① Novelty or Newness: The invention must be a new and distinct product or technology that is not currently known or used by others. It must be different from anything that has been made, used or sold before.

② Non Obviousness or Inventive Step: The invention must not be an obvious development or improvement of existing knowledge. It must be something special that would not be obvious to a person having ordinary skill in the relevant field.

③ Industrial Application: The invention must have a practical use and be capable of being made or used in an industrial setting.

④ Usefulness: The invention must have a useful purpose and provide some kind of benefit to society.

⑤ Compliance with Patentability Exclusions: The invention must not fall under Section 3 and 4 of the Indian Patents Act, 1970.

The act defines an innovation as "a novel product or technology incorporating an innovative step and capable of industrial application."

Mathematical methods, business methods, computer programs are not patentable in India. Additionally, inventions that are fraudulent, or against public morality are not patentable.