

Intellectual Property Rights (IPR)

Rogério de Lemos

- ◆ *Dr Marcus Goodall (KIE)*
- ◆ *A lot of lecturers before me...*

- ◆ Intellectual property (IP)
 - ◆ Ownership of IP at Kent
- ◆ Copyright
- ◆ Patents
- ◆ IPR in software development
- ◆ Open source

Intellectual Property

Intellectual property refers to creations of the mind used in commerce

- literary and artistic works
- designs
- symbols, names and images

(WIPO)



(allea)

Intellectual assets within business/industry

- New Inventions
- Research Tools, Materials & Services
- Industrial Designs
- Software
- Questionnaires & Methods
- Financial Tools & Algorithms
- Data & Experimental Results
- Creation, Restoration & Preservation
- Teaching Materials
- Marketing information

• *“Intellectual property (IP) deals with the formulation, usage and subsequent commercialisation of original, creative, work”*



Possible Intellectual Property Rights



COPYRIGHT - Artwork in Labels

TRADE MARKS - Shape of the Jar

Labels

Colours used

Brand names

PATENTS - Contents of the Jar

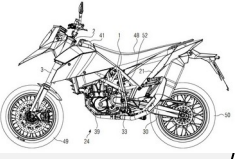
The lid and seal

DESIGN RIGHTS - The lid and shape of the Jar

Intellectual Property

refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

£

IP rights	Area of application	Legal protection		
<i>Know-how</i>	In-house info of how things are done. Best known as trade secrets	Confidentiality Agreements		'Free'
<i>Trademarks</i>	Are signs which distinguish goods and services (logos, brand names)	Registration at patent offices		£170 (UK)
<i>Industrial designs</i>	Protect the appearance of items	Registration at patent offices		£50 (UK)
<i>Copyright</i>	Artistic or literary work	Automatic (© University of Kent 2019)		Free
<i>Patents</i>	Products or processes which have functional or technical effect	Registration & examination at patent offices		£5K filing

The Value of Intellectual Property

Copyright value to the US economy in 2015:

- Copyright contributed \$2.1 trillion to US economy (11.69% of total US economy).
- Overseas sales of US copyright products totalled \$177 billion in 2015.
- Core copyright industries in US employed 5.5 million workers in 2015
- Average salary for these workers was \$93,221 against an average salary in the US of \$67,715.

(Copyright Industries in the US Economy 2016 –
International Intellectual Property Alliance)



Result list

☐ Select all (0/25) ☐ Compact

Approximately 8,711 results found in the Worldwide database for:
 coca-cola as the applicant
 Only the first 500 results are displayed.

Results are sorted by date of upload in database

1. SYSTEM AND METHOD TO PURCHASE FROM A VENDING MACHINE BY USING A MOBILE PHONE

★ Inventor: YAMAZAKI YASUHIRO [US] SUGAWARA TATSUYA [US]	Applicant: COCA COLA CO [US]	CPC: G06Q20/18 G06Q20/322 G06Q20/327 (+2)	IPC: G06Q20/18 G06Q20/32 G07F13/06 (+3)	Publication info: US2019108709 (A1) 2019-04-11	Priority date: 2016-03-25
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2. SHELF INVENTORY MANAGEMENT SYSTEM

★ Inventor: TRIPATHI PEEYUSH [US]	Applicant: COCA COLA CO [US]	CPC: G01B21/20 G01L1/205 G06K9/2009 (+2)	IPC: G01B21/20 G01L1/20 G01L1/22 (+3)	Publication info: US2019108474 (A1) 2019-04-11	Priority date: 2016-04-15
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3. SYSTEMS AND METHODS FOR COOLING ONE OR MORE BEVERAGE COMPONENTS WITH A PLATE FIN HEAT EXCHANGER

★ Inventor: GAN MINGFEI [US] WELCH DICK P [US] (+1)	Applicant: COCA COLA CO [US]	CPC: F25D2303/0844 F25D3/02 F25D31/002 (+6)	IPC: F25D31/00 F28D20/00 F28D21/00 (+2)	Publication info: CA3038301 (A1) 2018-04-05	Priority date: 2016-09-28
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4. SYSTEMS AND METHODS FOR RATIONALIZING INGREDIENTS

★ Inventor: RUDICK ARTHUR G [US]	Applicant: COCA COLA CO [US]	CPC: B67D1/00 B67D1/0021 B67D1/0034 (+2)	IPC: B67D1/00 B67D1/12	Publication info: CA3038309 (A1) 2018-04-05	Priority date: 2016-09-30
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5. BEVERAGE DISPENSING SYSTEMS

“University has responsibility to most efficiently protect and exploit its IP, maximise its value and fairly allocate benefits to its creators”

- **What does the Law say?**

“Inventions and various other forms of IP generated by an employee in the course of his or her normal duties belong to his or her employer”.

UK Patents law (1977/1988)

- **What is University policy?**

University owns all IP created by all staff; UoK does not claim ownership in scholarly work (copyright) in books, articles, academic publications.....(assuming ‘reviewed’ for possible invention/protection)

- **Funding/Partner/third-party T&Cs**

Contractual agreement regarding ownership of IP or funder obligation

Funder: Institution owns IP and should review results for potential invention/IP protection before publication



Who owns IP at the University of Kent?

- **Undergraduate Students:**

Upon registration, students assign the ownership of any IP rights generated whilst a student at the University, over to the University

-students' work is usually connected with that of their supervisor (shared IP ownership can be an impediment to effective exploitation)

- pragmatic view and in many cases assign all IP back to the student

- Students recognised in revenue share based on inventive contribution

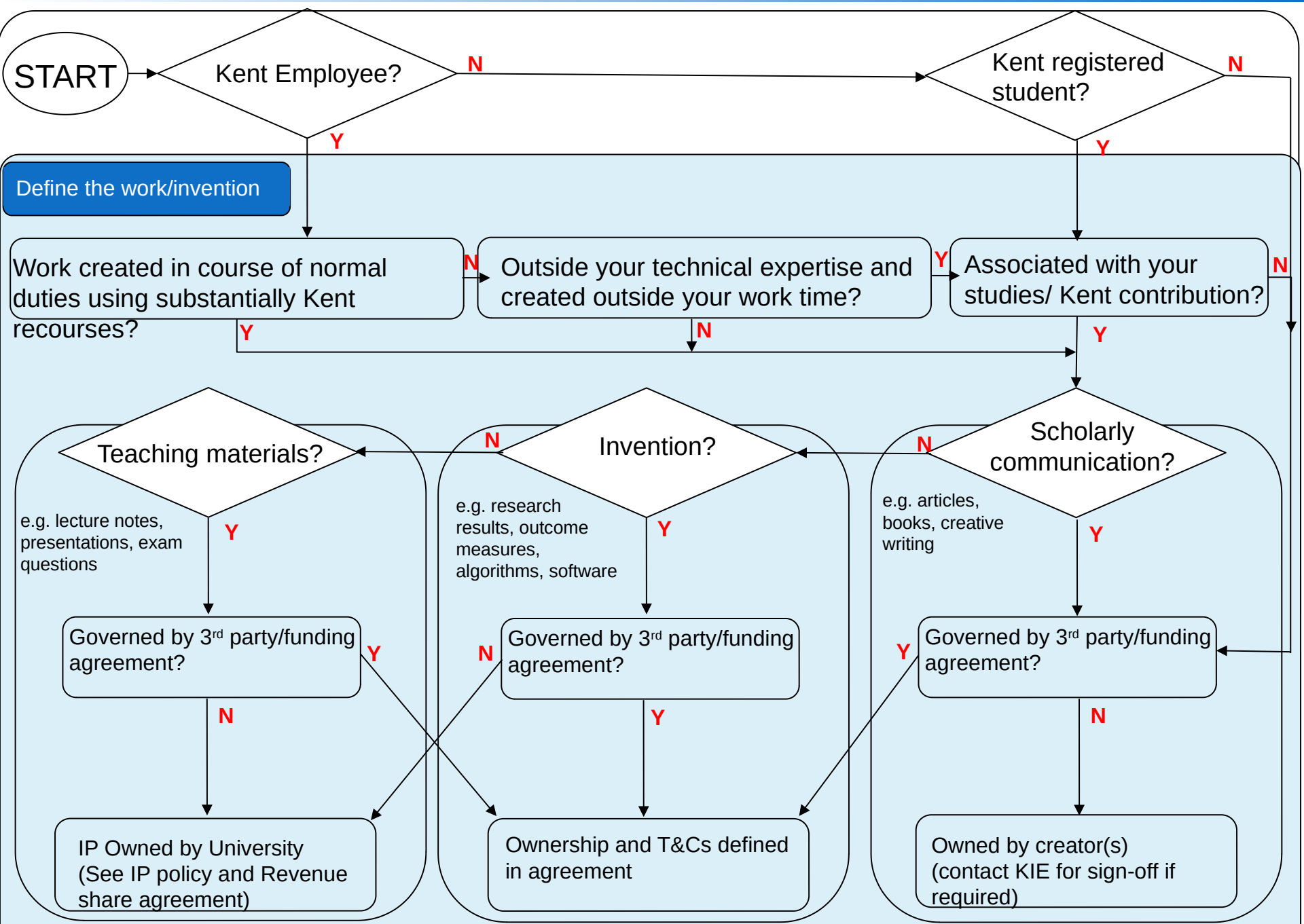
- **Postgraduate Students**

When undertaking a research project (e.g. Masters' or PhD project) leading to the completion of a dissertation or thesis, the university owns the IP.

-UoK does not claim ownership in scholarly work of Staff



Ownership of Intellectual Property



	Web links
Copyright	http://www.kent.ac.uk/is/copyright/ https://www.gov.uk/intellectual-property/copyright http://www.wipo.int/copyright/en/ http://www.copyrightservice.co.uk/
Patents	https://www.gov.uk/intellectual-property/patents http://www.wipo.int/patents/en/ http://crackingideas.com/ http://www.teentech.com/ https://www.bl.uk/business-and-ip-centre https://worldwide.espacenet.com http://www.ipwatchdog.com/2017/05/27/invention-to-patent-101-everything-know-get
Trademarks	https://www.gov.uk/intellectual-property/trade-marks https://oami.europa.eu/ohimportal/en/trade-marks http://www.wipo.int/trademarks/en/
Industrial designs	https://www.gov.uk/intellectual-property/designs https://oami.europa.eu/ohimportal/en/designs http://www.wipo.int/designs/en/



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KIE Resources

- **Agreements**
 - Non-Disclosure Agreements (NDA)
 - Material Transfer Agreements (MTA)
 - Collaboration Agreements
 - *but often collaborators / externals will want to use their own....*
 - **Invention Disclosures** – internal to enable evaluation (and ownership!) of any invention
 - **Support letters and inputs** (visits and meetings if required)
 - **Budgets – for IP protection (often patents)**
 - *Will always work with other institutions*
- **Exploitation agreements** – licensing and spin-out

Background IP: that which already exists
Foreground IP: that which will be developed

