

Property rights

Patents:

- Patentable inventions are New and Not obvious and solve a technical problem
- With patents, you can exclude other from making, using, selling or importing your invention
- The Intellectual property office (IPO) grants rights (patents) for novel inventions
- 20 years legal protection
- Expensive/complicated to obtain

You can use patents to:

- Add value to your business
- Enhance your brand image
- Negotiate financing

Examples: Apple vs Samsung, Dyson vs Hoover

Copyrights:

- Copyright is a legal right that protects the use of your work once your idea has been physically expressed
- The current copyright legislation in the UK is the Copyright, Designs and Patents Act 1988, provides cover for most works 70 years after the death of the creator
- Copyright law lays out a framework of rules around how work can be used
- It sets out the rights of the owner, as well as the responsibilities of other people who want to use the work
- It allows management of permission for others to use work

For your work to be protected by copyright law it needs to be original and tangible:

- Original: The work must be a product of your own skill or intellectual creation, should not replicate someone else's work
- Tangible: This means it can't be an idea you had, it needs to be expressed in a physical form

Examples of copyright items: Books, photos, drama, music, film, TV, software

Design rights:

- Design rights provide legal protection for designers to stop unauthorised copying for ten years
- They cover appearance, not how the product works
- Design rights exist independently of copyright
- Registration is not required, but ownership is hard to prove in a dispute
- Automatic protection for 15 years from the date of creation, even when a **registered design** is not applied for
- To prove you own design rights it's a good idea to keep original designs and modifications to prove you were the original designer of the design
- Using copyright, watermarks make it easier to assert ownership

Examples of design rights items: Drawings, CAD designs, 2D designs

- There are two types of **design protection** that exist.
- These are: **Registered Design Protection** and **Design Right Protection**.
- A **registered design right** gives you complete control over the **design**, whereas an unregistered **right** only gives you the ability to prevent others from copying your **design**.

Trademarks:

- Trademarks give legal protection for brand identity and facilitate marketing
- A recognisable combination of words, sounds, colours and logos is important for companies
- A logo is a graphical symbol; it needs to be instantly identifiable and unique in order to stand out
- A trademark may incorporate graphics, but can be a word or phrase such as 'dual cyclone'
- Trademarks are registered by making an application and paying a fee to the IPO

- Trademarks need to be renewed every ten years
- The ® symbol is used to warn others that it is protected by trademark

*Logos are covered by Trademark