



VIT[®]
Vellore Institute of Technology
(Deemed to be University under section 3 of UGC Act, 1956)

Legal Aspects of Business

Dr. J Bhavani, Faculty,
Business School
Vellore Institute of Technology

Recapitulate

Consumer Protection Council

- Central Consumer Protection Council
- State Consumer Protection Council
- District Consumer Protection Council
- Non-Governmental Organizations

Intellectual Property Rights (IPR)

Objectives of Intellectual Property Rights

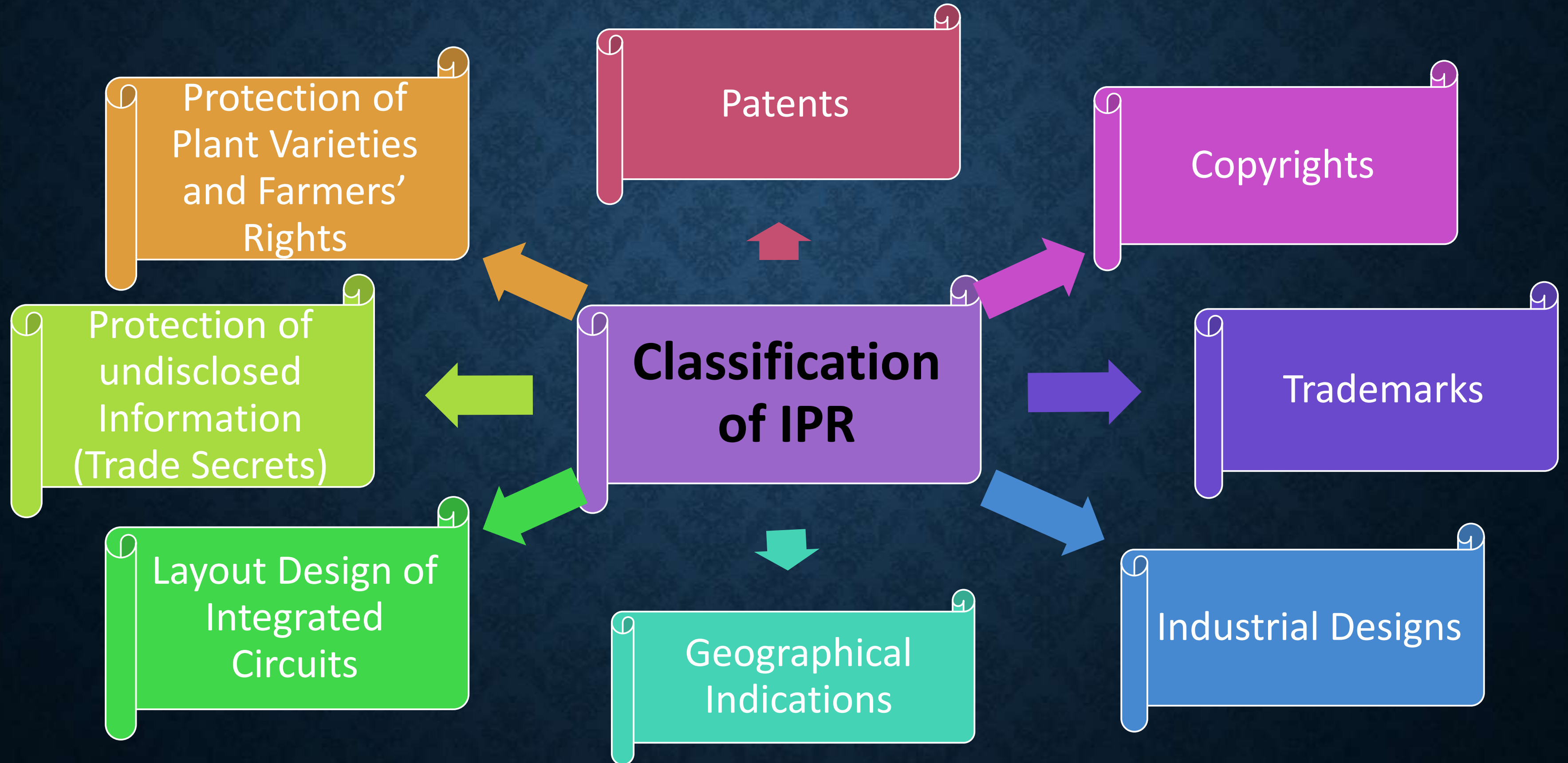
1. To recognize a creation of intellect or relates to intellect
2. To protect the intangible products of a human beings brain as valuable as their land, building, belonging, etc.,
3. To govern the use of creations of the human mind through legal rights
4. To regulate the exclusive rights and usage of intellectual property without any disturbance
5. To protect the interests of creators by giving them property rights over their creations
6. To prevent from the misuse

Intellectual Property Rights (IPR)

Introduction

IPR is the exclusive right that the owner has over their intellectual property, within the limits of the law, to use and enjoy it in the same way as the owner of other kinds of properties, movable or immovable. Nobody else can use intellectual property without the consent of the owner of the property.

Intellectual Property Rights (IPR)



Intellectual Property Rights (IPR)

Grouping of Intellectual Property

Industrial Property

- Patents
- Trademarks
- Industrial designs, and
- Geographic Indications of source

Copyright

- Performing artists,
- Producers,
- Broadcasters
- Literacy and
- Artistic works

Intellectual Property Rights (IPR)

The Convention Establishing the World Intellectual Property Organization (1967) gives the following list of subject matter protected by intellectual property rights;

- Literary, artistic and scientific works
- Performances of performing artists, phonograms, and broadcasts
- Inventions in all fields of human endeavor
- Scientific discoveries
- Industrial designs
- Trademarks, service marks, and commercial names and designations
- Protection against unfair competition and
- “all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields”.

Intellectual Property Rights (IPR)

World Intellectual Property Organizations (WIPO)

The importance of protecting intellectual property was first recognized in the Paris Convention for the Protection of Industrial Property in 1883 and the Berne Convention for the Protection of Literary and Artistic Works in 1886. Both treaties are administered by the World Intellectual Property Organization (WIPO).

It seeks to develop a balanced and accessible International Intellectual Property system, which rewards creativity, stimulates innovations, and contributes to economic development while safeguarding public interest.

As a specialized agency of the United Nations, WIPO exists as a forum for its Member States to create and harmonize rules and practices to protect intellectual property rights.

Intellectual Property Rights (IPR)

Role of WIPO

Most industrialized nations have protection systems that are centuries old. Many new and developing countries, however, are now building up their patent, trademark and copyright laws and systems. With the rapid globalization of trade during the last decade, **WIPO plays a key role in helping these new systems to evolve through treaty negotiation, legal and technical assistance, and training in various forms**, including in the area of enforcement of intellectual property rights.

The field of copyright and related rights has expanded dramatically as technological developments have brought new ways of disseminating creations worldwide through such forms of communication as satellite broadcasting, compact discs, DVDs and the Internet. WIPO is closely involved in the on-going international debate to shape new standards for copyright protection in cyberspace.

Intellectual Property Rights (IPR)

The legislations which cover IPR in India are;

- The Patents Act, 1970 (last amended in 2005)
- The Designs Act, 2000 which superseded the earlier Designs Act of 1911
- The Trademarks Act, 1999 which superseded the earlier Trade and Merchandise Marks Act, 1958
- The Copyright Act, 1957 (last amended in 1999)
- The Semiconductor Integrated Circuit layout Design Act, 2000
- The Geographical Indication of Goods (Registration and Protection) Act, 1999
- For 'Protection of Undisclosed Information' no specific legislation exists and the subject is generally covered under relevant national laws like the Indian Contract Act)
- The Protection of Plant varieties and Farmer's Rights, 2001

Review Questions

1. The Indian Patent Law was latest amended in ____
 - a. 1970
 - b. 2001
 - c. 2000
 - d. 2005
2. The world Intellectual Property Organization was established in ____
 - a. 1883
 - b. 1975
 - c. 1967
 - d. 1986
3. Anybody can use intellectual property without the consent of the owner of the property. **True or False**

Answer

1. The Indian Patent Law was latest amended in _____

Answer: d. 2005

2. The world Intellectual Property Organization was established in _____

Answer: c. 1967

3. Anybody can use intellectual property without the consent of the owner of the property.

Answer: False

Thank You