



# Intellectual Property Rights

## Copyright, Designs, and Patents

# Outline

- Copyright
- Designs
- Patents
- *Copyright, Designs and Patents Act 1988* of UK

# Introduction

- **Intellectual Property Rights (IPR)** are legal rights that protect *creative* and *innovative* works.
- Three key types of IPR:
  - **Copyright** – Protects creative expressions.
  - **Designs** – Protects the aesthetic appearance of products.
  - **Patents** – Protects new inventions and technologies.
- These rights help encourage innovation, protect ownership, and prevent unauthorized use.

# Copyright – Definition & Explanation

## Definition

- Copyright is a legal right granted to creators of original works in *literary*, *artistic*, *musical*, and *software* fields.
- Protects *expressions of ideas*, not the ideas themselves.

## Scope of Protection

- Books, articles, research papers
- Music compositions, films
- Paintings, photographs, digital art
- Software, websites, databases

# Copyright – Example and Significance

## Example

- A musician records an album and registers it under copyright.
- No one can copy, distribute, or modify the album without permission.

## Significance

- Encourages creative works by giving legal protection.
- Ensures financial benefits for artists, authors, and developers.
- Prevents plagiarism and unauthorized use.

# Designs – Definition & Explanation

## Definition

- A design refers to the *visual aesthetics* of a product, including shape, patterns, colors, and textures.
- Protects the appearance, not functionality of a product.

## Scope of Protection

- Product shapes (e.g., cars, smartphones, furniture).
- Patterns on textiles and wallpapers.
- Packaging designs and logos.

# Designs – Example & Significance

## Example

- Apple Inc. registered the iPhone design, preventing competitors from copying the unique shape.

## Significance

- Helps businesses create unique brand identities.
- Prevents unfair competition and imitation.
- Enhances product marketability.

# Patents – Definition & Explanation

## Definition

- A patent is an exclusive right granted for an *invention*, providing a legal monopoly for a *fixed period* (usually 20 years).
- Protects how an invention works, not just its appearance.

## Scope of Protection

- New machines (e.g., industrial robots)
- Pharmaceutical drugs (e.g., COVID-19 vaccines)
- Technological innovations (e.g., self-driving car systems)



# Patents – Example & Significance

## Example

- A pharmaceutical company patents a new cancer drug to prevent others from manufacturing it without permission.

## Significance

- Encourages technological advancement and innovation.
- Ensures inventors recover investment costs through exclusive sales.
- Prevents unauthorized duplication, fostering fair competition.

# Comparison – Copyright vs. Design vs. Patent

Feature	Copyright	Design	Patent
<b>Protects</b>	Creative works	Product appearance	New inventions
<b>Example</b>	Books, music, software	Smartphone design	New drug formula
<b>Duration</b>	Varies (50-100 years)	10-25 years	20 years
<b>Rights Given</b>	Reproduction, distribution	Exclusive design rights	Manufacture, use, sell
<b>Key Benefit</b>	Encourages creativity	Supports branding	Promotes technological advancement

# Copyright, Designs and Patents Act 1988

- The *Copyright, Designs and Patents Act 1988* (**CDPA 1988**) is the primary legislation governing copyright, designs, and patents in the United Kingdom.
- It was enacted on 15 November 1988
- It is one of the most comprehensive intellectual property (IP) laws globally and serves as a landmark act in the field.

# Key Features of the CDPA 1988

## 1. Copyright Protection

- Covers literary, artistic, musical, and dramatic works, as well as films, sound recordings, broadcasts, and software.
- Grants automatic copyright protection upon creation.

### Key Features

- 70 years after the author's death (literary, artistic, musical, and films).
- 50 years for sound recordings and broadcasts.

### Example

- A UK author writes a novel. The copyright lasts for 70 years after his/her death.

# Key Features of the CDPA 1988

## 2. Design Protection

- Covers registered and unregistered designs used in industrial and commercial products.
- Protects the appearance, shape, and configuration of products.

### Key Features

- Registered designs: Up to 25 years (renewable every 5 years).
- Unregistered designs: Up to 15 years from creation.

### Example

- A company designs a new furniture shape, which can be protected under design law.

# Key Features of the CDPA 1988

## 3. Patent Protection

- Covers new inventions that are novel, inventive, and industrially applicable.

### Key Features

- Grants exclusive rights for up to 20 years.
- Aligns UK patent law with the European Patent Convention (EPC).

### Example

- A British tech company patents a new AI-powered medical device.

# Significance of the CDPA 1988

- **Comprehensive:** Covers copyright, design, and patents in one act.
- **Supports Innovation:** Protects creators, designers, and inventors.
- **Enforcement and Remedies:** Allows legal action against infringement, including financial compensation (e.g., claim the profits made by the infringer from illegal use) and injunctions.
- **Adaptation for Digital Age:** This Act has been amended multiple times, including updates for digital content, online platforms, and software rights.

# Latest Amendments and Updates

- **2014 Amendment:** Allowed limited use of copyrighted works for text and data mining, parody, and personal copying.
- **2022 Updates:** Enhanced protection of online copyright, focusing on streaming, AI-generated content, and fair use.