

Intellectual Property

INFO 200

Part II



Joseph Janes
Associate Professor, Information School

Intellectual Property 2

agenda

- ♦ other protections:
- ♦ patents
- ♦ trademarks
- ♦ trade secrets
- ♦ the public domain

patents: utility & plant

protect useful and novel **ideas, processes, or plants**

must be usable, novel, non-obvious

grant 4 exclusive rights:

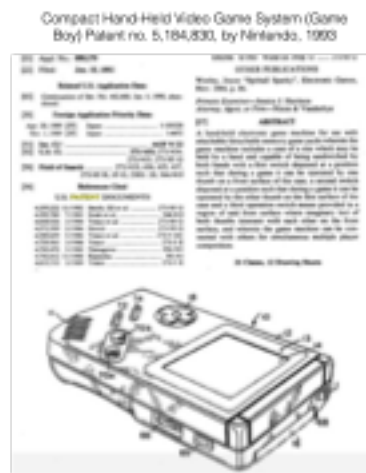
- making
- using
- selling
- authorizing others to sell

subject to restrictions (public disclosure)

limited duration **20 years**

may be denied (or revoked) by “prior art”

includes synthetic DNA (not human)



patents: design

protects the design of an industrial article; covers the aesthetic features

must be novel and not a contribution to function (not a new kind of jacket insulation, but a new kind of lapel, e.g.)

grant 4 exclusive rights:

- making
- using
- selling
- authorizing others to sell

subject to restrictions (public disclosure)

limited duration **14 years**

may be denied (or revoked) by “prior art”



trademarks™

protect **unique marks associated with particular goods**
to protect consumers from fakes, frauds; eliminate confusion
grants exclusive right to use the marks (can sue for infringement)
subject to certain restrictions, must be actively protected, can't be generic (cf. Aspirin, Thermos, escalator, granola, Pilates, bubble wrap, etc) - "genericide"



protecting trademarks/AMPAS

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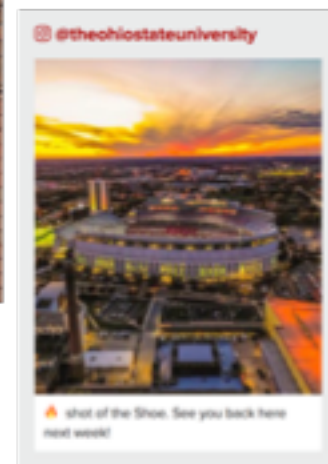
AMPAS (Motion Picture Academy)

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Ohio State's trademark request for 'The' denied

The Columbus Dispatch



UW does it too

What is considered a UW licensed mark?

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Hasbro Has Officially Trademarked the Smell of Your Childhood: Play-Doh

GIZMODO



Reg. No. 5,467,089

Registered May 15, 2018

Int. Cl.: 28

Trademark

Principal Register

Hasbro, Inc. (RHODE ISLAND CORPORATION)
1027 Newport Avenue
Pawtucket, RHODE ISLAND 02862

CLASS 28: Toy modeling compounds

FIRST USE 9-12-1955, IN COMMERCE 9-12-1955

The mark is a scent of a sweet, slightly musky, vanilla fragrance, with slight overtones of cherry, combined with the smell of a salted, wheat-based dough

SEC. 2(f)

SER. NO. 87-335,817, FILED 02-14-2017

trade secrets

protect **secrets** that give a competitive advantage
not an actual protection; no disclosure to government
once the secret is known...it's not a secret, but can sue for damages if leaked

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3. Big Mac Special Sauce Recipe
2. KFC recipe
1. Coca-Cola Recipe



Former Star Google and Uber Engineer Charged With Theft of Trade Secrets



According to the indictment, Mr. Levandowski downloaded more than 14,000 files containing critical information about Google's autonomous-vehicle research before leaving the company in 2016. He then made an unauthorized transfer of the files to his personal laptop, the indictment said. Mr. Levandowski joined Uber later that year when the ride-hailing firm bought his new self-driving trucking start-up, which was called Otto.

Some of the files that Mr. Levandowski took from Google included private schematics for proprietary circuit boards and designs for light sensor technology, known as Lidar, which are used in self-driving cars, according to the indictment.

the public domain

everything else

things not protected by copyright, patent, trademark, trade secret;

freely available to use, adapt/reuse, distribute, etc

including things intentionally put into public domain

all unpublished works created before 1883

all published works created before 1924

works entering the public domain

1st trove since 1998

2019 *The Ten Commandments* (1923 film), *The Prophet*

2020 *Rhapsody in Blue*

2021 *The Great Gatsby*

2022 *The Sun Also Rises*

2024 *Steamboat Willie*

2031-35 Superman, Batman, Snow White

SORRY DISNEY —

Mickey Mouse will be public domain soon —here's what that means

The Internet stopped another copyright extension without firing a shot.

TIMOTHY B. LEE - 5/11/2019, 9:10 AM

ars TECHNICA

