

Page No. Date:

CSL Assignment 2 Amit Luha

Intellectual property rights are customa rily divided into two main areas: (i) Copyright and rights related to co pyright back to top

The rights of authors of literary and artist lic works (such as books and other writings, musi cal compositions, paintings, sculpture, comput er programs and films) are protected by copyri 19ht, for a minimum period of 50 years after the death of the author.

Also protected through copyright and rel lated (sometimes referred to as "neighbouring ") rights are the rights of performer Is (e.g. actors, singers and musicians), produce Irs of phonograms (sound recordings) and broadc lasting organizations. The main social purpose of protection of copyright and related rights is to encourage and reward creative work.

(ii) Industrial property. back to top

Industrial property can usefully be divided i nto two main areas:

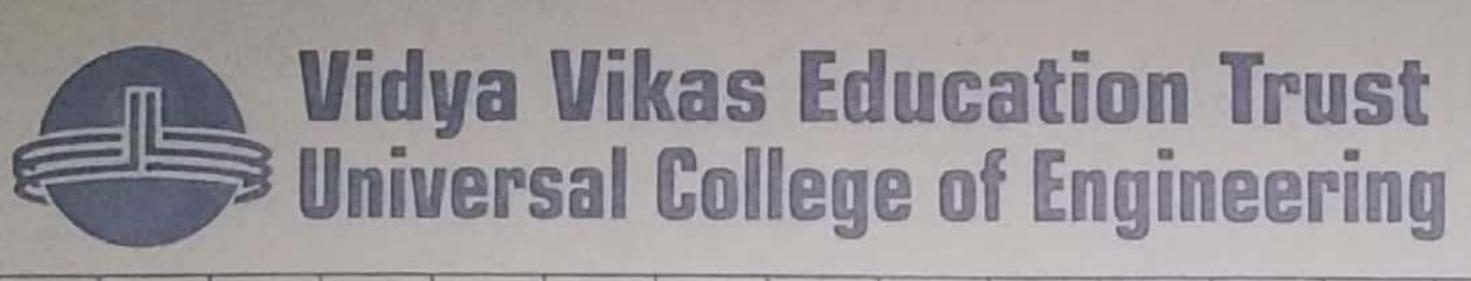
Page	No	
Date:		

One area can be characterized as the protection of distinctive signs, in particular trademarks (which distinguish the goods or services of one undertaking from those of other undertakings) and geographical indications (which identify a good as originating in a place where a given characteristic of the good is essentially attributable to its geographical origin).

The protection of such distinctive signs aims to stimulate and ensure fair competition and to protect consumers, by enabling them to make informed choices between various goods and ser vices. The protection may last indefinitely, provided the sign in question continues to be distinctive.

Other types of industrial property are protected primarily to stimulate innovation, design and the creation of technology. In this category fall inventions (protected by patents), industrial designs and trade secrets.

The social purpose is to provide protection for the results of investment in the development of new technology, thus giving the incentive and development ac



Page		
Date:		

tivities.

A functioning intellectual property regime should also facilitate the transfer of technology in the form of foreign direct investment, joint ventures and licensing.

The protection is usually given for a finite term (typically 20 years in the case of patent s).

while the basic social objectives of intellectual property protection are as outlined above, it should also be noted that the exclusive rights given are generally subject to a humber of limitations and exceptions, aimed at fine-tuning the balance that has to be found between the elegitimate interests of right holders and of users.