

Technopreneurship

Prepared By: Prof. Samantha Siao, MSIT

Lesson 6

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Outline

- Introduction to Intellectual Property (IP)
- Types of Intellectual Property
- Cost of IP Protection
- Related Contracts and Agreements

Learning Objectives:

- Define Intellectual Property (IP)
- Explain why IP protection is necessary for innovation and economic growth.
- Identify and differentiate between the four main types of Intellectual Property: Patents, Trademarks, Copyrights, and Trade Secrets.
- Understand the function and purpose of key contractual agreements related to IP, such as Contracts, Non-Disclosure Agreements (NDAs), and Non-Compete Agreements (NCAs).

“Word Without Moving Your Tongue”

Objective: Have fun while reinforcing vocabulary related to Technopreneurship

How to play:

- **Set Up the Wheel:** Create a Wheel of Names with the words listed above. Make sure each word is clearly displayed.

Guessing Game:

- The student who spun the wheel will attempt to say the chosen word without moving their tongue.
- Their partner will listen and guess what word is being said.

What is Intellectual Property

Intellectual property (IP) refers to **creations of the mind**, such as **inventions**; **literary** and **artistic works**; designs; and symbols, names and images used in commerce.

IP is protected in law by, for example, **patents**, **copyright** and **trademarks**, which enable people to earn recognition or financial benefit from what they invent or create.

By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.



Why is it necessary to have IP Protections?

Intellectual Property protection matters because it encourages innovation **by safeguarding creators' rights**, ensuring they can profit from their work.

It promotes fair competition, prevents theft or misuse of ideas, and fosters economic growth.



What Are Some Examples of Violations of Intellectual Property?

The significant violations of intellectual property consist of infringement, counterfeiting, and misappropriation of trade secrets. Violations of intellectual property include:

- Creating a logo or name meant to confuse buyers into thinking they're buying the original brand
- Recording video or music without authorization or copying copyrighted materials (yes, even on a photocopier, for private use)
- Copying another person's patent and marketing it as a new patent
- Manufacturing patented goods without a license to do so

Since intellectual property can be bought, sold, or leased out, it offers many protections equal to real property ownership. Likewise, similar remedies exist. A dispute may end with property confiscation, an order of monetary damages, or cease and desist orders.

Intellectual Property Laws

IP rights are also **important for consumers**. By protecting creative works, intellectual property laws **help to ensure that consumers have access to a wide variety of products and services**.



Intellectual Property Laws

Without intellectual property protection, it would be much **more difficult for consumers to find new and innovative products and services**, and prices would likely be higher for this kind of material.



Intellectual Property Laws

1. Client Counseling

Lawyers who counsel clients find the best way **to guard intellectual property** and help their clients license and use it.

For example, executives enlist attorneys to research the availability of trademarks. If a similar mark already exists, lawyers help leaders determine whether to alter their design or drop it altogether.



Intellectual Property Laws

2. Intellectual Property Protection

Lawyers involved in the **protection of intellectual property complete the processes associated with securing the highest available rights.**

Attorneys will also respond to issues or requests by the agency until the patent or trademark clears and is issued



Intellectual Property Laws

3. Enforcement of Intellectual Property Rights

Lawyers who enforce intellectual property rights do so by **guarding the owner against infringement.**

Litigation against violators in federal court includes criminal prosecution and enforcement for intellectual property rights.



Types of Intellectual Property

Patents – offers **protection** for an **invention**, such as **product, process, or machine**.

Example:

The Coca-Cola bottle is an iconic example of how intellectual property can be used to protect both **design and brand identity**

Coca-Cola did secure design patents for the **contour bottle in 1915**. A design patent protects **the unique shape of the bottle**, preventing others from making bottles that look the same.



The Coca-Cola bottle

Types of Intellectual Property

Trademarks – protect **logos, sounds, works, colors or symbols** used by a company to distinguish its service or product.

Example:

McDonald's is a great example of how trademarks **can be used to protect a global brand.**

The word mark "**McDonald's**" is trademarked. This **protects the brand name itself**, ensuring no other food company can use the name "McDonald's" or **anything too similar in their marketing or products**



McDonald's Brand name

Types of Intellectual Property

Copyrights – are a form of intellectual property protection for **original works of authorship**, whether it be literally works, art, song, or books.

Example:

Shaira's song **Selos** constitutes **copyright infringement**.

It used the melody of another artist's song, *Trouble is a Friend* by Lenka, without first obtaining proper permission or a cover license.



Selos by Shaira

Types of Intellectual Property

Trade Secrets – Trade secrets refer to **confidential business information** that provides a competitive edge, **including recipes, formulas, processes, and techniques that are not publicly known.**

Example:

Goldilocks Bakeshop, a well-known bakery in the Philippines, likely protects its recipes as trade secrets.

Recipe Formulations: The specific ingredients and their proportions used in popular products like their cakes, pastries, and other baked goods.



Goldilocks recipe

Cost of Protection

Type of IP	Filing Fees	Legal Fees	Other Costs
Patents	PHP 3,600 - PHP 4,200	PHP 50,000 - PHP 100,000+	Maintenance: PHP 1,250+ per year
Trademarks	PHP 1,800 - PHP 3,600	PHP 10,000 - PHP 30,000	Renewal: PHP 2,000 - PHP 3,600 every 10 years
Copyrights	PHP 200 - PHP 500	PHP 5,000 - PHP 15,000	International protection (Berne Convention)
Trade secrets	None (No filing required)	PHP 10,000 - PHP 50,000 (for agreements)	Ongoing security and legal advice

Contracts, Non-Disclosure and Non-Compete Arguments

Contract - is a **legally binding agreement between two or more parties**. Contracts are used in various business transactions, partnerships, employment, and even IP protection.

Example:

A software development company hires a freelance developer to build a mobile app. The contract details the scope of the work, payment, deadlines, and rights to the app.



Contracts, Non-Disclosure and Non-Compete Arguments

Non – Disclosure Agreement – is a contract in which one or more parties agree to keep certain information confidential.

It is often used to protect trade secrets, proprietary information, or any sensitive business data.

Example:

A tech startup shares its product prototype with investors under an NDA to ensure the details remain confidential and are not leaked to competitors.



Contracts, Non-Disclosure and Non-Compete Arguments

Non – Compete Agreement – is a contract that **prevents an employee or contractor from working with competing businesses or starting a similar business for a certain period of time after leaving the company.**

Example

A web development company requires its developers to sign a non-compete agreement, ensuring they don't join a rival firm or start their own competing company within 2 years of leaving.



ANY
QUESTION



