

Intellectual Property

Presented by MW Law Services

Intellectual property deals with artwork, inventions, names, symbols... all things that are very important to designers. This interactive PDF will cover copyrights, trademarks and patents under intellectual property. This PDF will not give you all the details and consulting with a intellectual property attorney is highly recommended. Contact us at MW Law Services if you are interested in learning more.



Copyright

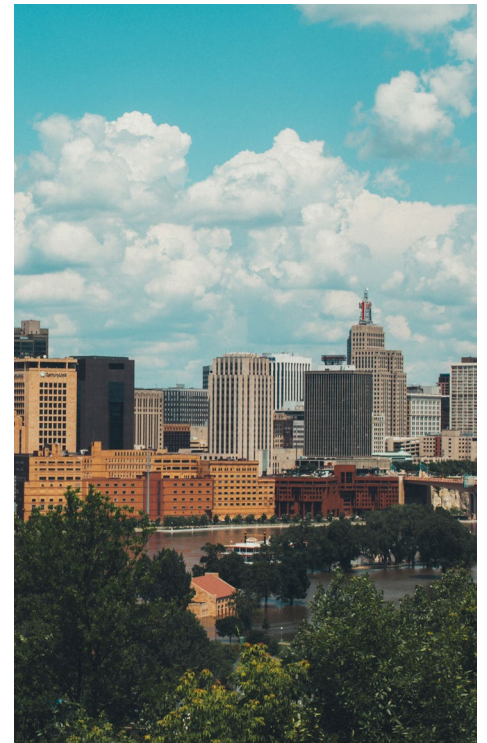


A copyright is protection given to original works, such as artwork, designs, and books, anything created. A copyright covers an expression fixed in a tangible form (something you can hold or touch). The creator then has the right to reproduce their work or transfer rights to a client or purchaser. There is a difference between ownership of the tangible work versus ownership of the copyright. You can buy a print of art from an artist, but that does not mean you have the right to sell and distribute that print without owning the copyright.

Copyright protection starts as soon as you create a piece of work, the duration of the copyright depends on when the piece of work was created. Even though it is not required, you can register your copyright so there are legal documents of when the work was completed and the original owner.

Trademarks

A trademark is used by a business to set apart their products from another business. There are traditional trademarks and nontraditional. A traditional trademark can be a name, letter, number (such as like 7-Up), phrase, a shape (like the Apple logo), and combinations of any of these elements. Nontraditional trademarks can be a color (like Victoria Secrets pink), smells, sounds, motion designs (animated logos for example), and holograms. A trademark must be registered, but there are some limitations. You cannot register something that is very similar to another trademark, a generic term (like window cleaner), is immoral deceptive or scandalous, containing a flag, includes the face, and the name or signature of a person not giving consent. Trademarks last for the first 5 years, then renewed after every 10 years.



A close-up photograph of a person's hands. The right hand is holding a black pen and is in the process of writing on a white sheet of paper. The left hand is resting on the paper, with fingers slightly spread. The background is a soft, out-of-focus light blue.

Patents

A patent is a legal monopoly over a particular invention for a limited amount of time. You cannot patent an idea or suggestion. You must be able to do one of the following, build and test your invention to prove that it works as suggested, or prepare a detailed document that explains clearly exactly how to build and use the invention.

You may license your invention to others while holding a patent and make a profit. It can take up to 2 years to have the patent become approved and completed. When applying for a patent, it is best to go through an experienced intellectual property attorney. For help with patents, or anything else mentioned throughout this PDF please contact us at MW Law Services, we will be happy to serve you.





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