

Intellectual Property (IP) & Legal Workshop

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Memorial's Research Innovation Office (RIO)

Working with Memorial Faculty, Students, and Staff we help move ideas from the lab to the market.

Intellectual Property Support



Connect with Resources



Connect with Industry



What is IP?

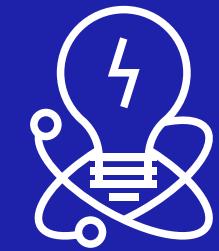
Includes all data, documents, reports, analyses, tests, specifications, charts, plans, drawings, ideas, inventions, discoveries, creations, schemes, correspondence, communications, lists, manuals, technology, techniques, methods, processes, services, routines, systems, procedures, practices, operations, modes of operations, know-how, trade or other secrets, contracts, financial information, engineering reports, environmental reports, field notes, sketches, photographs, computer programs, records or software, specifications, models, database rights, service marks, scientific or technical advancements, improvements, devices, products, concepts, designs, prototypes, samples, technical information, materials, works of authorship, patterns or other information, and includes the media on which such Intellectual Property is stored, obtained or received.



Put Simply

An intangible creation
of the mind, expressed
or translated into a
tangible form, that can
be legally protected.

Why learn about IP?



You can
create new
knowledge



You have
rights



IP has value
and can be
commercialized



Respect the
rights of others

Intellectual Property Types



Copyright

Protects the expression of ideas



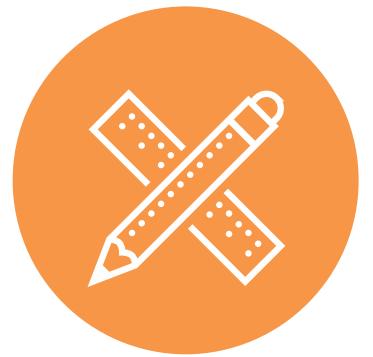
Trade Secrets

Keep information a secret



Patents

Protects novel, useful, & non-obvious inventions



Industrial Designs

Protects the design, features or look



Trademarks

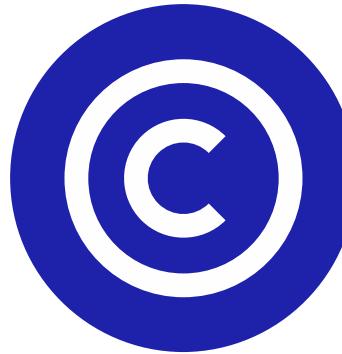
Protects corporate identity or brand

Copyright



- Protects works NOT ideas
- Writing, music, fine art, computer programs
- Protection is automatic but you can register
- Lasts for the life of the creator plus 70 years
- Worldwide protection

Copyright



- The functionality of computer programs is not protected by copyright
- Modifying “open source” code may have other copyright obligations
- Pay attention to terms in the license

Copyright



Taylor Swift's music



Mike Tyson's face tattoo



Trade Secrets



- Information that derives value from secrecy
- Used before applying for other protection, when an invention has a short lifespan, or you cannot protect through other rights
- Tools: Non-disclosure or confidentiality agreements, encryption, password, lock & key

Trade Secrets



- Coca Cola's formula
- Google's search algorithm
- Kentucky Fried Chicken recipe



Patents



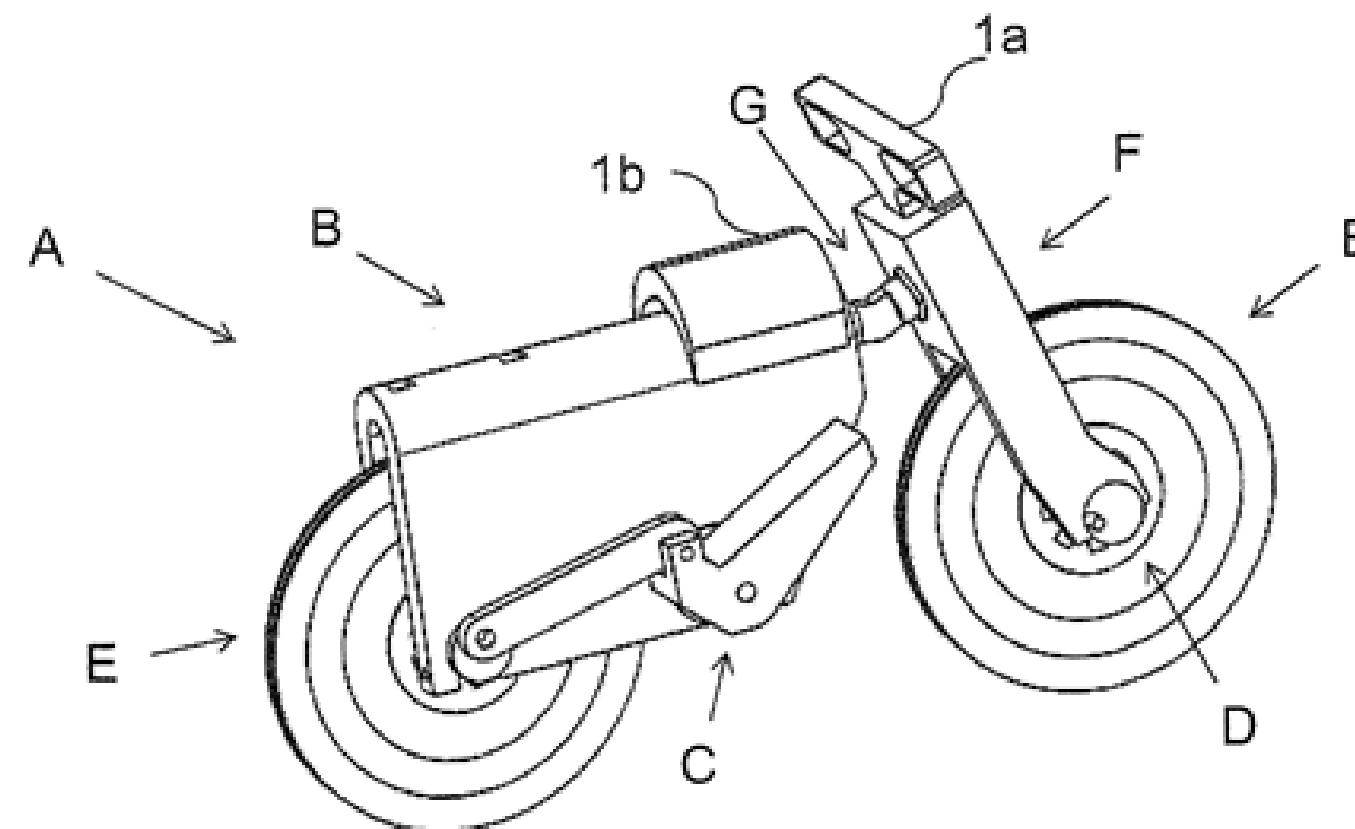
- Incentive to create and to share inventions to advance society
- Prevents others from making, using, selling, or importing an invention
- Protection must be secured in each jurisdiction and lasts 20 years

Patents

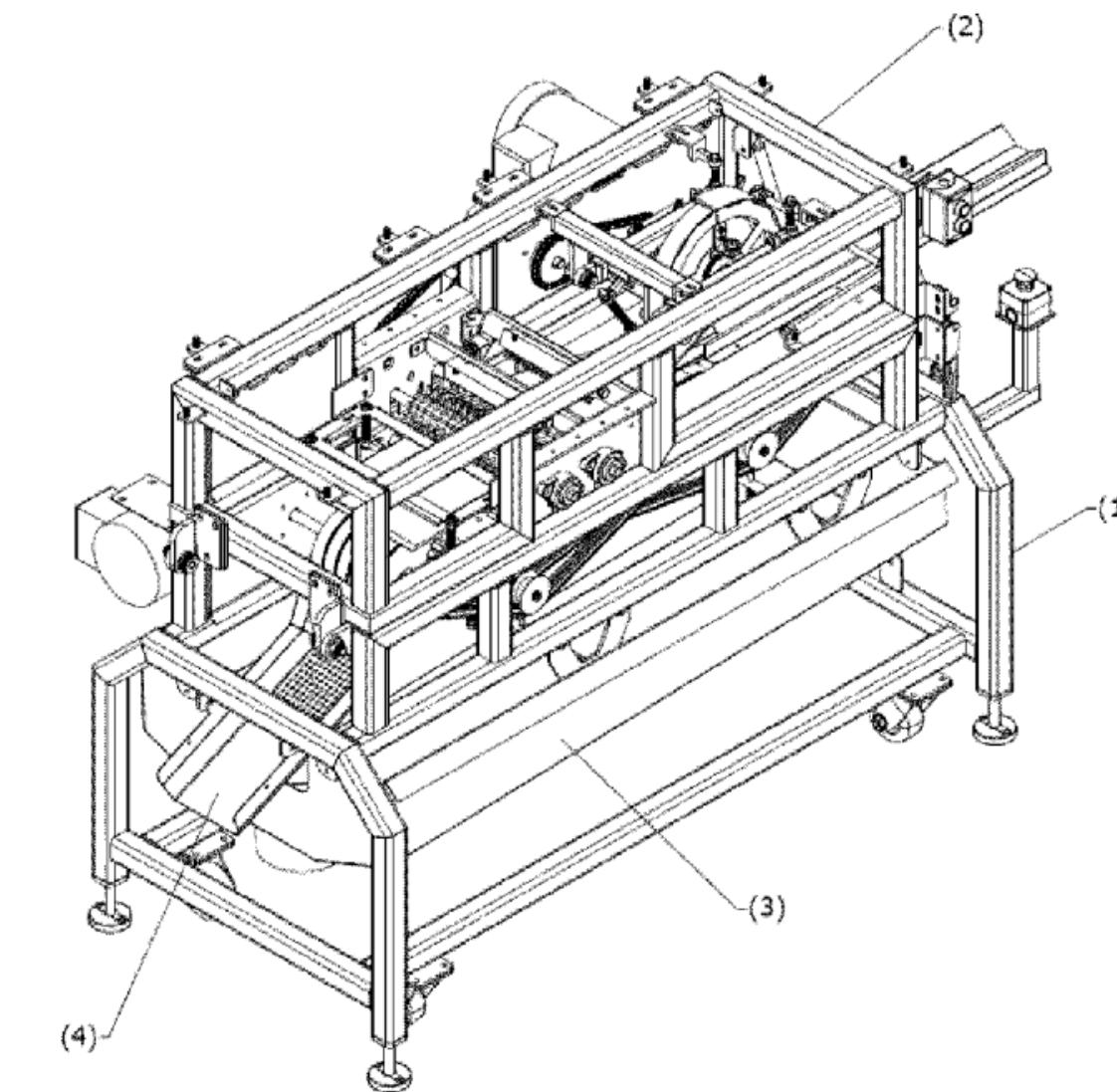


- To patent an invention, it must be **novel, useful & non-obvious**
- Patentable inventions include: products (devices), compositions (materials), machines, processes (methods), improvements
- Patent process: how/when to start?

Patents



Recyclable cardboard
bicycle (Abandoned)



Sea Cucumber Processing
Apparatus (Active)

Industrial Designs

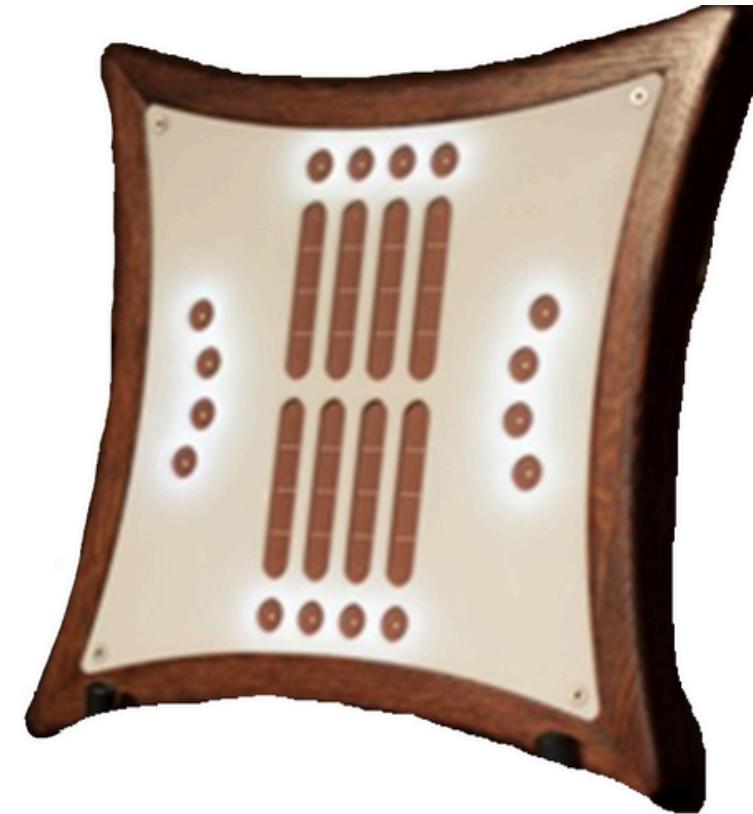


- An industrial design protects the design, features, and look of a product
- Has to provide a competitive edge
- Includes shapes, patterns, layouts
- Jurisdiction specific - 15 years protection in Canada

Industrial Designs



MUNE musical
instrument
Canadian Industrial
design: 148812



iPhone icon
jiggle mode
US Patent:
8423911



Dyson handheld
vacuum
Canadian Industrial
Design: 138957



Coca Cola bottle
design patent
Serial Number:
D819444



Trademarks



- Words, sounds, or designs that distinguish a product or service from another
- Can be legally registered to protect corporate identity
- Jurisdiction specific - 10 years protection in Canada and can be renewed

Trademarks



- Distinctive and arbitrary (e.g., Kodak)
- Not deceptive (e.g., Real Leather, sells fake leather)
- Not a surname (e.g., Smith, Baker)
- Not a place name (e.g., St. John's Furniture)
- Not descriptive (e.g., Apple Farm, sells apples)
- Not similar (eg., Starbux vs. Starbucks)
- Not already in use (jurisdiction specific)

Trademarks



Memorial University
Design Mark
Serial Number:
0917612



Google Logo
Serial Number:
86912587

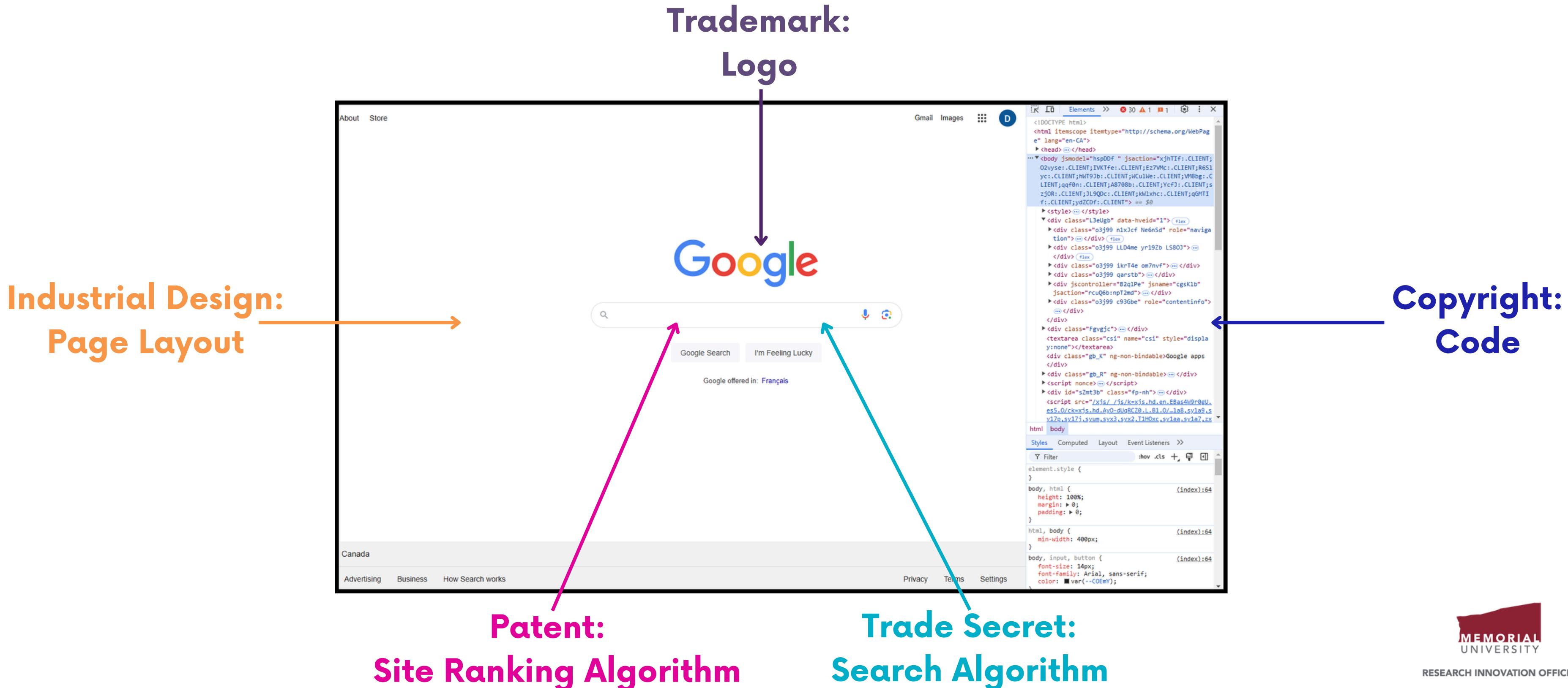


Apple Logo
Serial Number:
3064984



Star Wars Light-
saber Sound Effect
Serial Number:
77419246

IP Review

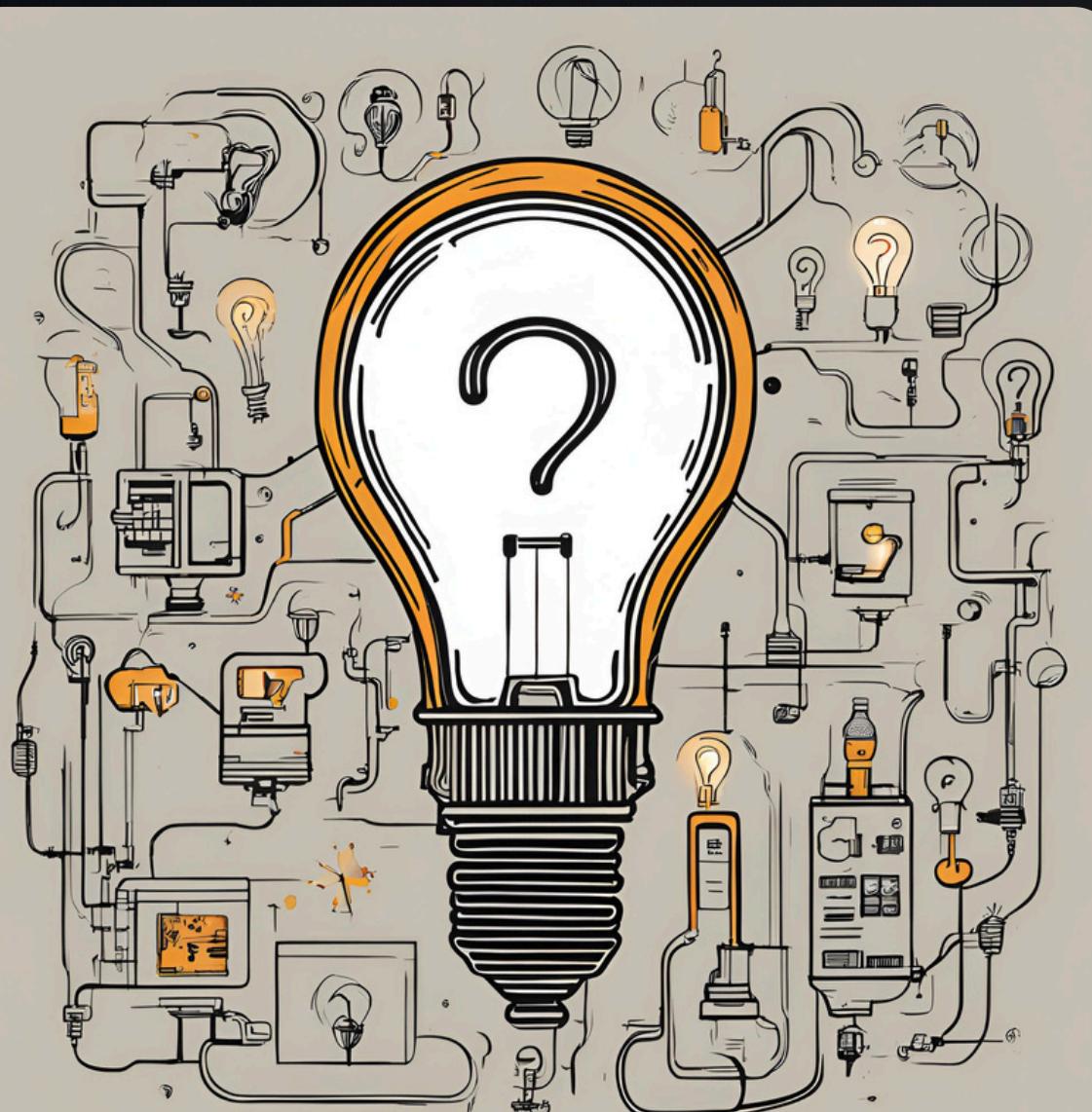


IP and AI

- IP rights are determined by data
 - Need ownership/permission to use data
- AI cannot be an inventor
 - An inventor must be a natural person
- New laws are being developed
 - Jurisdiction specific



How can you utilize your IP?



\$



Exploit:

- Sell
- Create/manufacture
- Brand

Assign:

- Transfer ownership
- Allow others to exploit

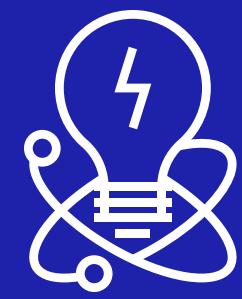
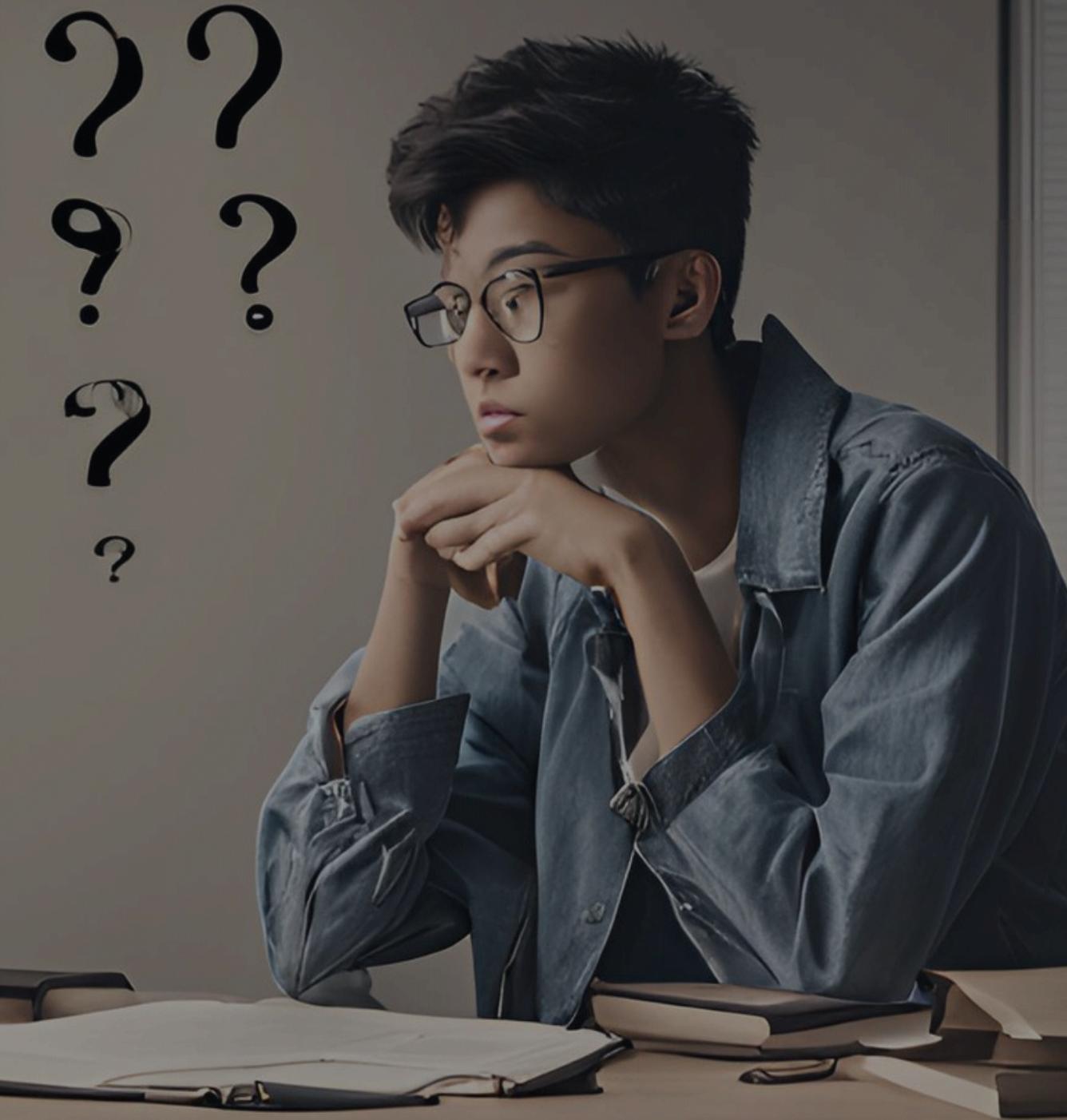
License:

- Retain ownership
- Licensee can exploit

Develop an **IP** Strategy

- Identifies long-term commercialization pathway
- Boosts funding and partnership opportunities
- Helps prevent public disclosures
- Determines freedom to operate
- Guides research direction
- Avoids costly rework

Student IP Considerations



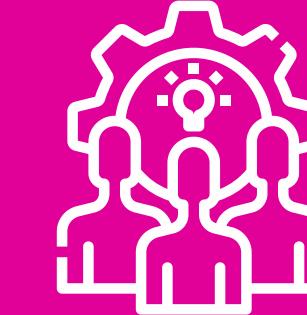
Institution's IP
policy



Who created
the IP?



How was the
research funded?



Connect with
your Tech
Transfer office

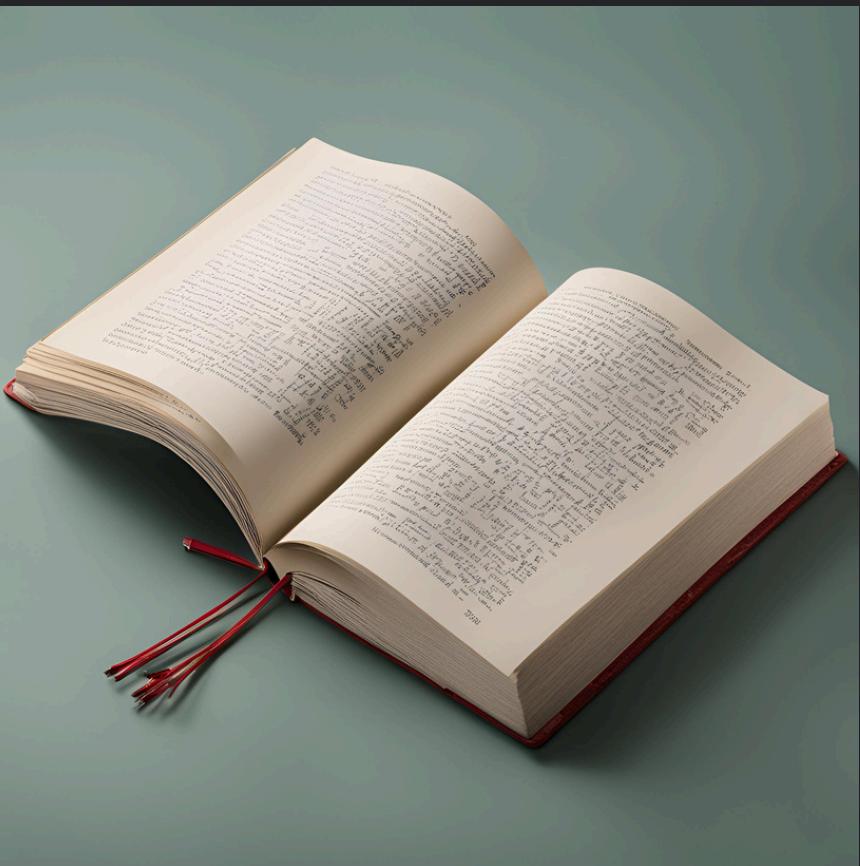
Inventorship vs Authorship



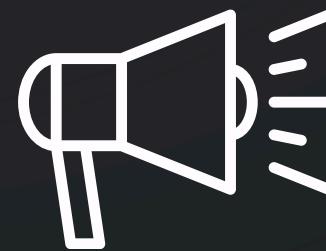
Who discovered the invention?

What were your contributions?

Performing experiments is not inventorship.



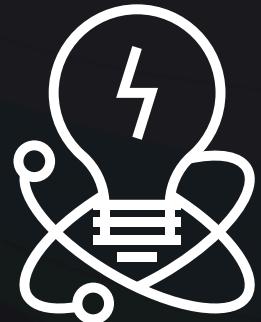
Pitching without Disclosing



Avoid discussing enabling information



Maintain confidentiality until protected



What it does, not how it does it

IP Supports



Memorial University

www.mun.ca/rio



Canadian Intellectual Property Office

www.cipo.ic.gc.ca



WIPO Global Brand Database

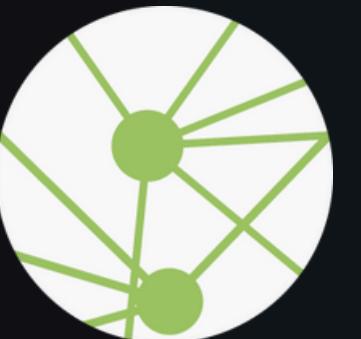
www3.wipo.int/branddb/en/



Google Patents/Scholar

<https://patents.google.com/>

<https://scholar.google.com/>



Elevate IP

<https://ised-isde.canada.ca/site/ised/en/programs-and-initiatives/elevateip>



IP Village

Search: "CIPO IP Village"

Thank you!

Contact us if there are any questions.

 www.mun.ca/rio

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Springboard

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