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Patent:

Definition: A patent is a type of intellectual property right that gives the inventor the exclusive right to make, use, sell, offer for sale, or import an invention for a limited period of time (usually 20 years in most countries). This means that nobody else can commercially exploit the invention without the patent holder's permission.

Aspects of Patent:

Here are some key aspects of patents to understand what they are all about:

Exclusivity: This is the main benefit of a patent. It grants you the sole right to control how your invention is used and commercialized for a limited period. Others cannot make, use, sell, or import your invention without your permission or a licensing agreement.

Novelty and Non-obviousness: For an invention to be patentable, it must be both **new** and **non-obvious**. This means it cannot have been previously disclosed to the public or made available in any way (novelty), and it cannot be something that would be obvious to someone skilled in the field based on existing knowledge (non-obviousness).

Industrial applicability: The invention must also have a practical application in industry or commerce. It's not enough for it to be a clever idea; it needs to have a real-world use case.

Filing and prosecution: Obtaining a patent involves filing a detailed application with a patent office, describing the invention and how it works. The patent office will then examine the application to ensure it meets the patentability requirements. If granted, the patent protects your invention for the set period.

Enforcement: If someone infringes your patent, you can take legal action to stop them and potentially receive compensation for the damages they cause. However, enforcing a patent can be complex and expensive.

Types of patents: There are different types of patents available, each with its own criteria and scope of protection. Common types include:

- **Utility patents:** For inventions with a practical function or use.
- **Design patents:** For the ornamental appearance of an object.
- **Plant patents:** For new and distinct varieties of plants.

While patents offer considerable advantages for protecting inventions and reaping their commercial benefits, there are also certain limitations:

- **Limited duration:** After the patent expires, anyone can freely use the invention.
- **Territorial limitations:** A patent only applies in the country or region where it is granted.
- **Costs and complexity:** Obtaining and enforcing patents can be expensive and time-consuming.

Overall, patents are valuable tools for innovators and businesses, but it's crucial to understand their full scope, requirements, and limitations before making decisions about patenting your inventions

Trademark



Definition: A trademark is a type of intellectual property that consists of a recognizable sign, design, or expression that identifies a product or service from a particular source and distinguishes it from others. Trademarks are used by businesses to protect their brands and to prevent consumers from being confused about the source of a product or service.

Aspects of Trademark:

Trademark: A identifiable symbol, design, or expression that identifies a good or service as coming from a specific source and sets it apart from others is called a trademark. A person, company, or other legal body may be the owner of a trademark.

Key characteristics of trademarks include:

- Trademark distinctiveness
- Rights conferred by a registered trademark
- Source identification
- Fanciful
- Distinctiveness
- Trademark should be legally mandatory
- Arbitrary
- Generic
- Legality

Trademarks have a major role in consumer trust, brand awareness, and economic success in general. They act as important assets that help businesses establish and maintain their reputation in the marketplace. To optimize their benefits, organizations must comprehend and properly manage their trademarks.

Aspects of trademark for commercial organization:

For organizations to protect their brand identification and stop others from utilizing marks that are confusing to customers, trademark protection is essential. The following are important trademark considerations for businesses:

Selecting a Distinctive Mark:

- Pick a mark that is both distinctive and unique, which will help your brand stand out from the competition.
- Avert using terminology that is too general or descriptive that can be hard to defend.

Trademark Search:

- To make sure the selected mark is not already in use or registered by another party, perform a thorough trademark search.
- This aids in averting possible disputes and violations.

Registration:

- Register your trademark with the appropriate government agency (in the U.S., this is the United States Patent and Trademark Office).
- Enrollment yields legal advantages and safeguards, thereby simplifying the process of asserting your entitlements.

Classification of goods and Services:

- During the trademark registration process, specify the items and services that are connected to the brand.
- This guarantees accurate categorization and safeguarding within designated groups.

Renewal:

- To keep your trademark protected, make sure to renew it on a regular basis. Usually, trademarks need to be renewed every ten years.

Enforcement:

- Keep an eye out for possible trademark infringements and unlawful uses in the market.
- To preserve the integrity of your brand, pursue legal action against anyone who violates it.

Use in Commerce:

- Consistently use the trademark in relation to the products or services for which it has been registered.
- A trademark's registration may be canceled for non-use.

Assignment and Licensing:

- If necessary, take into account assigning the trademark to third parties while keeping control over its usage.
- Licensing agreements should specify terms and conditions in detail.
- Any assignment or transfer of the trademark needs to be properly recorded.

Protection Across National Boundaries:

- To provide protection across national boundaries, multinational companies should think about registering trademarks in important markets.

Defensive Measures:

- Take steps to protect your brand by keeping an eye on newly submitted trademark applications and contesting any that might be in conflict with it.

Brand standards:

- To preserve the coherence and potency of your trademark, create and implement explicit brand standards.

Training Employees:

- Make certain that staff members are educated to recognize and report possible problems, as well as the significance of using trademarks appropriately.

Constantly Developing Your Brand:

- Take part in brand-building initiatives to increase your trademark's value and recognition.

Commercial organizations can build and protect their trademarks by taking care of these details, which will help ensure the long-term prosperity and good name of their businesses. It is advised to seek legal counsel from trademark experts to manage the complexities of trademark law.

Registration process of Copyright**• Identify the Work:**

First of all, we need to identify which work want to copyright.

• Prepare Necessary Materials:

Prepare copies of a work. In the case of written works, we may want to have a printed or electronic copy.

• Copyright Office in Bangladesh:

In Bangladesh, copyright registration is handled by the Copyright Office under the Ministry of Cultural Affairs.

• Application Form:

Collect the relevant application form for copyright registration from the Copyright Office or their website.

• Submit the Application:

Fill out the application form completely and accurately.

Apply along with the required documents to the Copyright Office.

- **Pay the Fee:**

Pay the applicable fee for copyright registration. Fees may vary depending on the type of work.

- **Wait for Processing:**

The Copyright Office will process the application, and once approved, they will issue a copyright certificate.

- **Copyright Certificate:**

Once receive the copyright certificate, we should keep it in a safe place. This certificate serves as evidence of your copyright ownership.

- **Enforce Our Rights:**

In case of copyright infringement, having a registered copyright makes it easier to take legal action