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CERTIFICATION COURSE

# Innovation, Business Models and Entrepreneurship

## Types of IPR

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# Types of IPR

- Industrial Property
- Copyrights



# The Big Three

- Patents
- Copyrights
- Trademarks



# The Supporting Players

- Trade secrets and Know How
- Industrial design
- Geographical Indicators
- Layout design of ICs
- Non competition
- Non disclosure agreements



# Patents

- Right to prevent others making, using, selling, offering for sale, or importing the patented invention.
- Valid within geographical boundary.



- What is patentable ?
  - Novel
  - Nonobvious
  - Useful



# Trademarks

- Perpetual Life
- Legally not required.
- It should encompass the distinctive appearance of the product and/or its packaging and may include the size shape colour and texture.
- Generic terms are not protectable.



# Registration of a Trademark

- First, an application for registration of a trademark must be filed with the appropriate national or regional trademark office. The application must contain a clear reproduction of the sign filed for registration, including any colors, forms or three-dimensional features. It must also contain a list of the goods or services to which the sign would apply. The sign must fulfill certain conditions in order to be protected as a trademark or other type of mark. It must be distinctive, so that consumers can distinguish it from trademarks identifying other products, as well as identify a particular product with it. It must neither mislead nor deceive customers nor violate public order or morality. Finally, the rights applied for cannot be the same as, or similar to, rights already granted to another trademark owner. This may be determined through search and examination by national offices, or by the opposition of third parties who claim to have similar or identical rights.





- Google
- IBM
- Apple
- Microsoft
- Coca-Cola



# Geographical Indicator

- Geographical Indications of Goods are defined as that aspect of industrial property which refer to the geographical indication referring to a country or to a place situated therein as being the country or place of origin of that product. Typically, such a name conveys an assurance of quality and distinctiveness which is essentially attributable to the fact of its origin in that defined geographical locality, region or country.

# How are geographical indications protected?

- Geographical indications are protected in accordance with national laws and under a wide range of concepts, such as laws against unfair competition, consumer protection laws, laws for the protection of certification marks or special laws for the protection of geographical indications or appellations of origin.
- In essence, unauthorized parties may not use geographical indications if such use is likely to mislead the public as to the true origin of the product. Applicable sanctions range from court injunctions preventing unauthorized use to the payment of damages and fines or, in serious case imprisonment.

# Copyright

- It protects the expression of an idea, not the idea itself.
- ©, 2017, Rajat Agrawal



# Trade Secret

- Chemical formula
- Manufacturing process
- Machine design
- Business model



# Thank You

