

# IPR WORKSHOP

## TECHFEST 2004, IIT BOMBAY

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### INTELLECTUAL PROPERTY

Intellectual property means the property of your mind or intellect. In business terms it also means your proprietary knowledge.

In today's world where legal and technological capabilities are constantly challenging each other and every outcome can directly affect the future, copyright issues seem to be the most hotly contested issues in the legal and legislative world. Issues related to intellectual property rights and copyrights and public access to information in the digital age are at the forefront of public debate in the 21<sup>st</sup> century.

Creating I.P. does not mean you own the right to it.

### TYPES OF INTELLECTUAL PROPERTIES

- 1) PATENTS
- 2) TRADEMARKS
- 3) DESIGN
- 4) COPYRIGHTS

#### Patent

A patent is a right granted for any device, substance, method or process, which is new, innovative and useful.

A patent is highly enforceable and gives the owner exclusive right to commercially exploit the invention for the life of the patent.

Patent gives effective protection if you have invented new technology that will lead to a product, composition with significant long term commercial gain.

Patent grants an inventor the rights to exclude others from producing or using the inventor's discovery or invention for a limited period of time.

In order to be patented the invention must be novel, useful and not of an obvious nature.

#### Trademark

A trademark can be a number ,word ,letter ,phase , logo ,picture ,sound ,smell ,shape ,aspect of packing , or any combination of these.

It's used to distinguish goods and services of one trade from those of another. This means you cannot register a trademark that directly describes your goods and services. A trademark can be a vulnerable market tool

The public identifies the qualities and image with goods and services bearing your trademark.

### Copyright

Copyright protects the original expression of ideas, not the ideas themselves.

It safeguards original work from copying and certain other uses.

Material is protected from the time it is first written down, painted or drawn, filmed or taped.

Copyright protection is provided under the Copyright Act 1968 and gives exclusive rights to license others in regard to copying the work, performing it in public, broadcasting it, publishing it and making an adaptation of the work. Rights vary according to the nature of the work.

### Design

Design refers to the features of shape, configuration, pattern or ornamentation which can be judged by the eye in finished articles.

Design registration is used to protect the visual appearance of manufactured products. To be registered, your design must be new or original.

A registered design gives you the exclusive and legally enforceable right to use, license or sell your design.

Design registration is intended to protect designs which have an industrial or commercial use. The protection you receive is only for the appearance of the article and not how it works.