



RAMA
UNIVERSITY

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FACULTY OF ENGINEERING &
TECHNOLOGY

WHAT IS INTELLECTUAL PROPERTY RIGHTS

INTELLECTUAL PROPERTY

Intellectual property is the product or creation of the mind. It is different from other properties in term that

it is “intangible”. Hence it needs some different way for its protection.

INTELLECTUAL PROPERTY RIGHTS

IPR is the body of law developed to protect the creative people who have disclosed their invention for the benefit of mankind. This protects their invention from being copied or imitated without their consent.

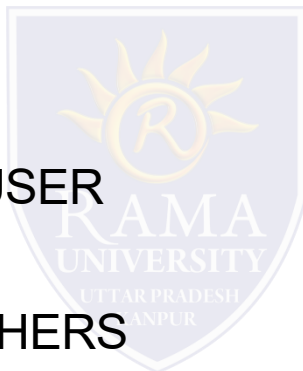
Basic Form :

- ✓ Intangible
- ✓ Territorial
- ✓ Statutory/Common law Provisions

IP IS AN INTANGIBLE PROPERTY

➤ SET OF RIGHTS:

- ✓ Right to EXCLUSIVE USER
- ✓ Right to PREVENT OTHERS
- ✓ Right to ASSIGN, TO LICENSE
- ✓ INHERITABLE Right



COPYRIGHT

MEANING OF COPYRIGHT :

➤ Right To

- ✓ reproduce the work (including Storing)
- ✓ issue copies of the work
- ✓ perform work in public
- ✓ communicate the work to the public
- ✓ make translation
- ✓ make adaptation
- ✓ sell or give on hire



➤ Copyright subsists in original-

- ✓ literary, dramatic, musical & artistic works
- ✓ cinematographic films
- ✓ sound recordings
- ✓ which are either first published in India



Range Of Copyright Protection:

Product Packaging

Scenic Arrangement

Paintings

Sculpture

Drawings (maps,..)

Engravings

Photographs

Architectural Works

Computer Software

Research Papers

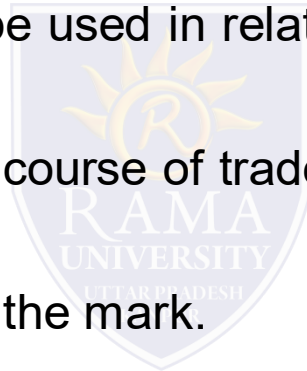
Computer databases

Choreographic work



WHAT IS A TRADE MARK ?

A mark used or proposed to be used in relation to goods for the purpose of indicating a connection in the course of trade between the goods and some person having the right to use the mark.



What is a MARK ?

1. It includes a device, brand, heading ,label, ticket, name, signature, word, letter, numeral or any combination thereof.
2. Shape of goods, packaging, colour
3. Sound, Smell – are also marks – but recognised in India



Traditional Role:

distinguish the products of one manufacturer from those of another
indicate the source or origin of the goods represent the goodwill of the
manufacturer

TM as a part of the marketing mix:

- ✓ Guarantee of QUALITY
- ✓ Guarantee of AUTHENTICITY
- ✓ Create a feeling of TRUST
- ✓ Aid to Branding



PATENT

- A patent is a grant from the government which confers on the guarantee for a limited period of time the exclusive privilege of making, selling and using the invention for which a patent has been granted.



- Purpose of getting a patent
 - ✓ To enjoy the exclusive rights over the invention.
 - ✓ The patent is to ensure commercial returns to the inventor for the time and money spend in generating a new product.

Patent Law - Salient Features

- Both product and process patent provided
- Term of patent – 20 years
- Examination on request
- Both pre-grant and post-grant opposition
- Fast track mechanism for disposal of appeals
- Provision for protection of bio-diversity and traditional knowledge
- Publication of applications after 18 months with facility for early publication
- Substantially reduced time-lines



TYPES OF PATENTS

Utility Patent:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title. E.g: (functional) toys, coatings, tools, machines, good for 20 years

Plant Patent:

Whoever invents or discovers and asexually reproduces any distinct and new variety of plant, including cultivated spores, mutants, hybrids, and newly found seedlings, other than a tuber propagated plant or a plant found in an uncultivated state.

Design Patent:

Whoever invents any new, original, and ornamental design for an article of manufacture may obtain a patent. E. g: (non-functional) a decoration, apparel, jewellery