



FACULTY OF JURIDICAL SCIENCES

COURSE: BALLB/BBALLB/LLB

SEMESTER SUBJECT:

INTELLECTUAL PROPERTY RIGHTS

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Lecture-3



LECTURE 3: INTELLECTUAL PROPERTY RIGHTS: KINDS AND CLASSIFICATION

❖ Intellectual property is divided into two major branches:-

A. Industrial Property: - A term of French origin, “Industrial property” encompasses patents, trademarks and industrial designs.

B. Copyright Law: - Copyright Law and neighbouring rights cover artistic, musical and literary works.

The term ‘Intellectual Property’ has been given official recognition by the International community with the establishment of WIPO, a specialized agency of the United Nations.

❖ **Types of Industrial property**

Patents

Trade Marks

Industrial designs

G.I

Trade secrets

- **Meaning of Patent**

A Patent is an exclusive right granted to a person who has invented a new or useful article, or a new process of making an article. Patenting is a simple arrangement by virtue of which you openly disclose your invention to the world... and in lieu of that the Sovereign allows you the exclusive rights to commercially exploit the invention for a limited period.

After the Expiry of the limited period the invention falls in public domain and anybody can make use of that invention.

- **Meaning of trademark**

A Trademark is a word, device, sign or symbol, capable of two dimensional graphic which indicates the origin of goods and distinguishes it from those of other manufacturers. Patents, Copyrights etc are protected for a limited period, but a registered Trademark can be protected for perpetuity, if it is renewed periodically and the registered proprietors take prompt action against infringers. First Trademark registered under in U.K in year 1876 consisting red equilateral triangle is still in force.

- **Meaning of Designs.**

Those who want to purchase the article may simply choose the article which catches their eye. One article with a particular design may sell better than one without it. It would therefore be more profitable to adopt that design which will attract the customers. Much thought, time and expense has been incurred in finding a design which will increase their sell.

- **Trade secrets**

Broadly speaking, any confidential business information which provides an enterprise a competitive edge may be considered a trade secret. Trade secrets encompass manufacturing or industrial secrets and commercial secrets. The unauthorized use of such information by persons other than the holder is regarded as an unfair practice and a violation of the trade secret.

- **Copyright**

Copyright is a branch of Intellectual property. Copyright means exclusive right to do or authorize others to do certain acts in relation to

1. Literary, artistic, dramatics,, and musical works
2. Cinematographic film
3. Sound recordings

- **Geographical Indications**

A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place. In addition, the qualities, characteristics or reputation of the product should be essentially due to the place of origin. Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production

- **Layout of Integrated Circuits**

Integrated circuit layout, also known IC layout, IC mask layout, or mask design, is the representation of an integrated circuits in terms of planar geometric shapes which correspond to the patterns of metal, oxide, or semiconductor layers that make up the components of the integrated circuit.