



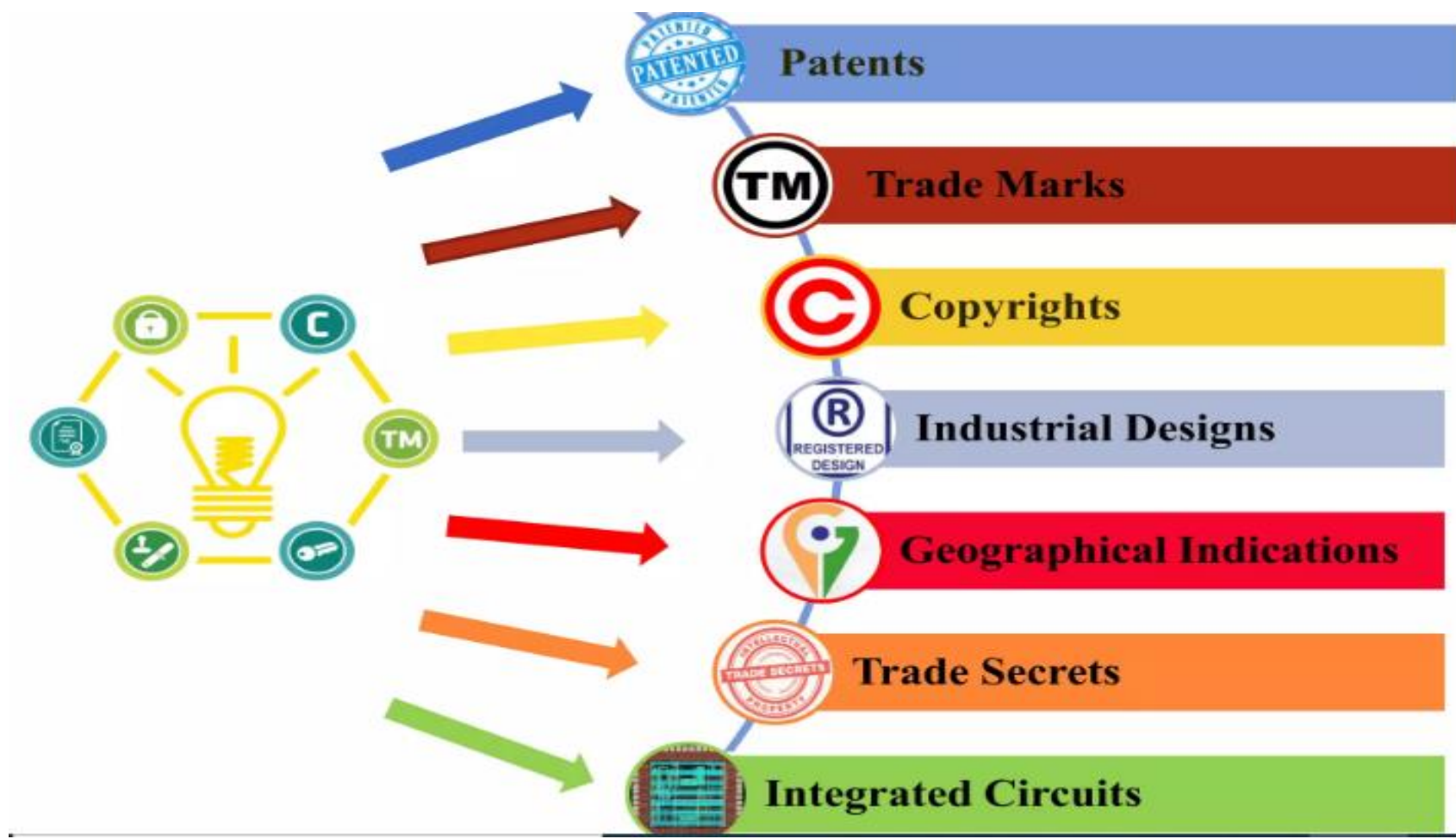
Intellectual property rights (IPR)

- As already defined, IP refers to creations of the mind or human intellect, for example, patents, copyright and trademarks....., it enable people to earn recognition or financial benefit from their own effort of what they invent or create. We have seen also that it cover a vast range of activities which have an impact on cultural and economic life. We will cover here the IPR which helps to protect information, ideas and applications of ideas that have a commercial/economique value.
- What these rights of intellectual property are for?
- To protect and facilitate the own, the sell, the lease or the license of the property.
- Optimize the investement in R&D by orienting inventions to new fields where there are low number of patent and design.
- Prevents competitors infringement on your own intellect effort.
- Improve licence agremment by a rigorous and consistant texts of laws.



Intellectual Property Rights (IPR)

Some Types of intellectual property



Source: R.Arun Kumar M.E, Webinar 2021



Types of intellectual property

Patents

A patent is an exclusive right granted for an invention, it gives the owner the monopoly of it. It can be either a product or a process that provides, in general, a discovery of doing something, or offers a new technical solution to a problem. It is a strong protection that satisfy specific standard such as novelty but not limited to this.

To get a patent, technical information about the invention must be disclosed to the public in a patent application.

It gives a monopoly right for up to 20 years and 25 years for some medicinal product (David. Bainbridge, 2012).

- Patents are formal rights, and are subject to a formal registration system.
- For Patents the monopoly rights do not last as long as some informal rights (Copyright 70 year and more).
- Patents application fees vary not only based on the location (country), but also on the complexity of the invention it can be \$2000 for design patent to + \$100000 for international patent.



Types of intellectual property

Patents

- Generally employee are the inventor but the employer is the proprietor, the employee can ask for a compensation award if the patent gives a high return (money income).
- As it concerns product or process (RNA based vaccine for Covid 19)
- The first recorded patent for an industrial invention was granted in 1421 in Florence to the architect and engineer Filippo Brunelleschi. The patent gave him a three-year monopoly on the manufacture of a barge with hoisting gear used to transport marble.
- Must be inventive and show the ingenuity comparing to peers working in the same field.
- Must have industrial applicability.
- It can be a useful improvement of an existing invention e.g: cars were driven from rear wheel drive until 1930 that [Barnhart Robert Marshall](#) registered the front wheel drive (direct transmission of movement from motor to the front wheel).



Types of intellectual property



Gem Clip

Source:

[https://commons.wikimedia.org/wiki/
File:Clip.jpg](https://commons.wikimedia.org/wiki/File:Clip.jpg)



Binder Clip

Source:

[https://www.ontimesupplies.com/nsn285
5995-nsn2855995-binder-clip-large-
black-silver-dozen.html](https://www.ontimesupplies.com/nsn2855995-nsn2855995-binder-clip-large-black-silver-dozen.html)

According to the Canadian office of intellectual property around 90% of patent are improvement of existing patented invention.

Non Patentable inventions:

- Inventions that harm public order, morality, public health, the environment, etc.
- Scientific discoveries (Gravity law, method for treatment of Cancer).



Types of intellectual property

- **Trade mark TM or registered mark [®]:**

Generally it is a sign, word, or symbol or a combination that denotes a product or service and legally distinguished it from all others of its kind. It is registered for 10 years and can be renewed.

Trade mark are for:

- Reflecting the fact that a registered trade mark is an item of property, to protect business reputation.
- To protect consumers from counterfeit (contrefaçon), that is to prevent the buying public from purchasing inferior quality goods or services

Remark:

[®] has much greater legal protections compared to an unregistered trademark (TM).



Types of intellectual property

- Trade mark TM or registered mark [®] :

- Smell, Sound 
- Brand 
- Signature 
- Label 
- Name 

- Words 
- Letter 
- Slogans 
- Combination of Letter and Design 
- Logo 

Source
<https://www.googleimages.com>

Example for TM



Example for [®]



Source
<https://www.earnieland.com/en-BE/shop/nike>



Types of intellectual property

- **Copyright:**

Already covered but we can added the following:

- Rights derived from any original literary, artistic or musical work can be registered from the moment this work is created.
- It is a protection of unauthorized use of other works.
- It is recommended to register your copyright by using the proper marking for your copyright © especially for softwares.



Types of intellectual property

- **Industrial design:**

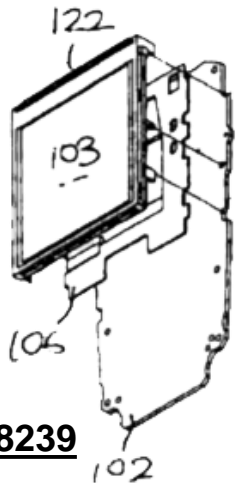
- The visual features of shape, configuration, pattern or decoration (or any combination of these features) applied to a finished good/article made by hand, tool or machine.
- The design must be original and can be showed in 2 or 3 dimension (Car design, piece/part design)
- Because of complexity in this field the **Hague agreement** 1925 stipulate the laws that allows industrial designs to be protected in multiple countries or regions with minimal formalities.



Types of intellectual property

- Difference between **Patent** , **Trade mark** and **Industrial design**

- Patent



- Patent CA 2508239
- A display for a handheld computing device includes a display panel; a circuit board carrying display electronics for the display panel; a cover assembly securing the display panel to the circuit board; and a resilient layer adhered to the circuit board for securing the display to the computing device.
- Inventors: HOLMES, CHEN, SIMOES
- Owner: RESEARCH IN MOTION LIMITED

- Trade-mark



Trade-mark Registration
TMA 659946

Wares/Services: **Electronic handheld units**

Registrant: **BlackBerry Limited**

- Industrial Design



Industrial Design
Registration 125919

Title: **Handheld Electronic Device**

Registrant: **RESEARCH IN MOTION LIMITED**

Source: Canadian intellectual property