



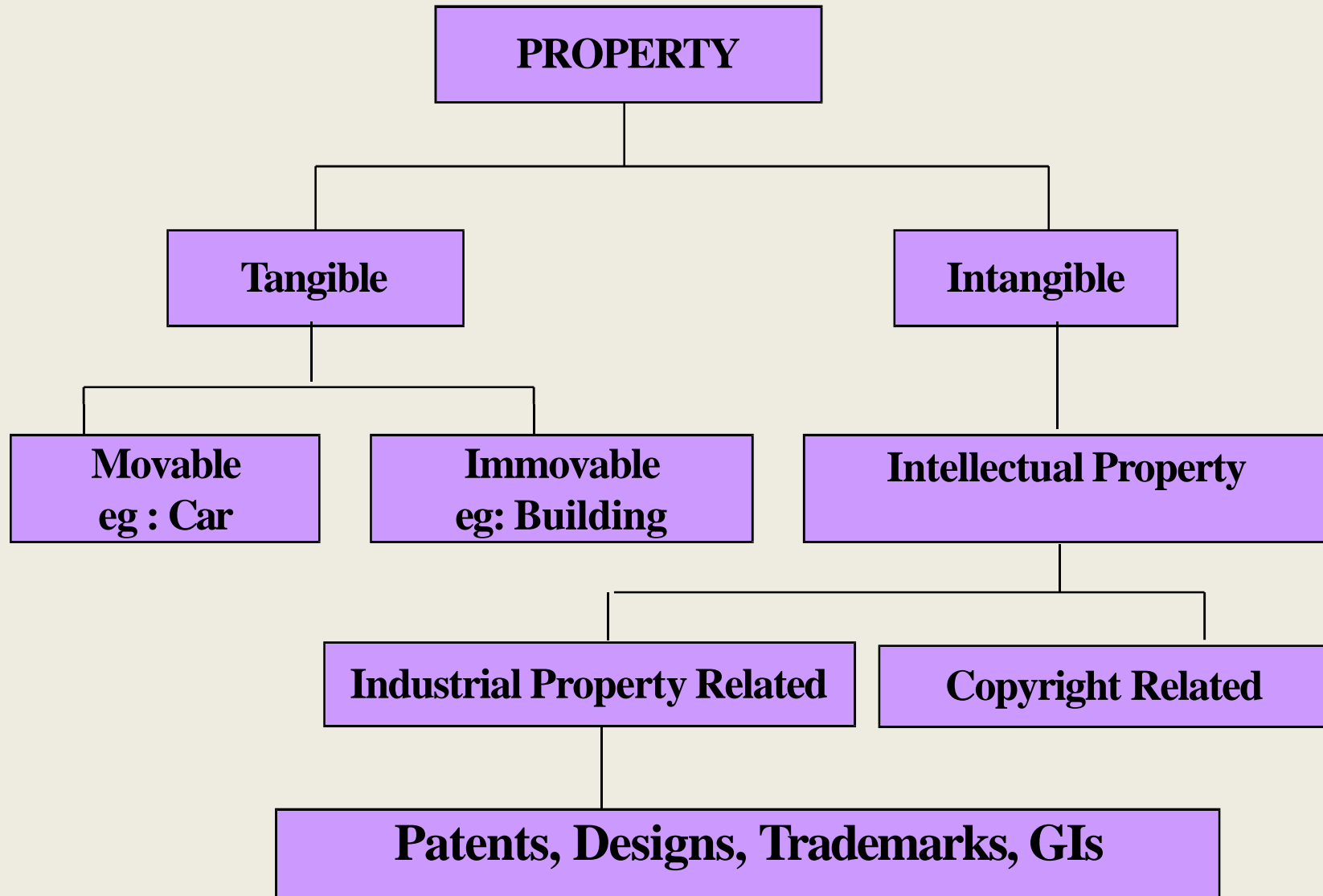
PRESENTATION

ON

INTELLECTUAL PROPERTY RIGHTS (IPR)

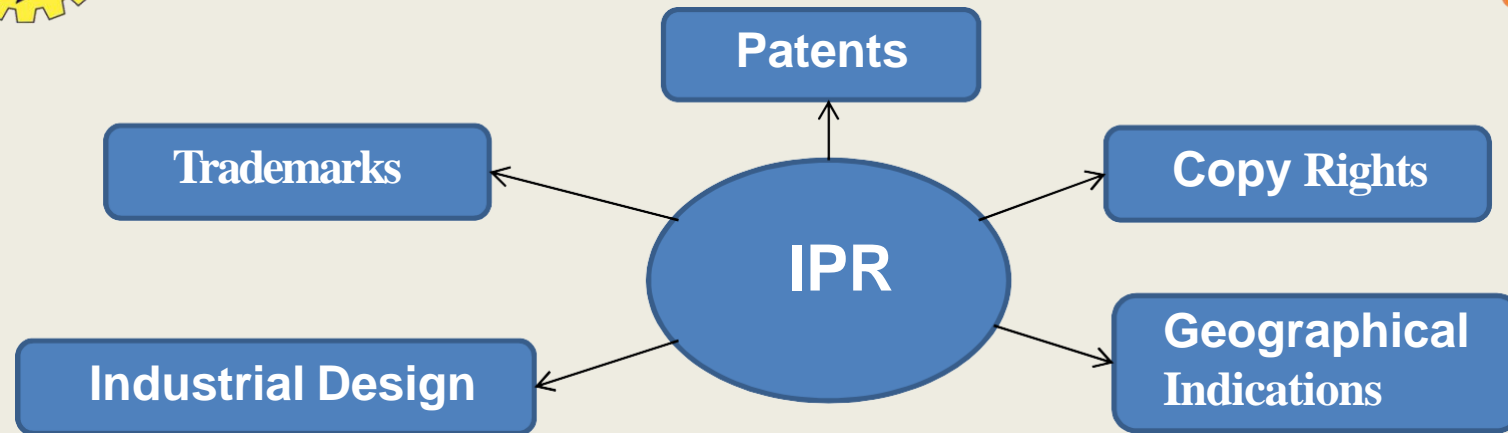


INTELLECTUAL PROPERTY RIGHTS (IPRs)





INTELLECTUAL PROPERTY RIGHTS (IPRs)



- **Exclusive rights given to person over the creation of their minds for certain periods of time**
- **Legal right**
- **Intangible potential asset**
- **Monopoly**
- **Negative rights i.e., it prevents others to use his/her creation for a definite time**



INTELLECTUAL PROPERTY RIGHTS (IPRs)



The intellectual property rights were essentially recognized and accepted all over the world due to some very important reasons.

- To provide an incentive to individuals for new creations**
- To accord due recognition to the creators and inventors**
- To ensure material reward for intellectual property**
- To make available genuine and original products.**



VARIOUS KINDS OF IPRS



Patents:

- Inventions (Products, Processes, Materials, Compositions)
- Technical Solution to a Technical problem

Industrial Designs:

- External features appealing to the eye
- New Shape, Pattern or Configuration

Trade Marks:

- A visual symbol such as a Word, Name, Logo, Label, Monogram, Slogan etc.
- Applied on Article of Manufacture or Service
- Indicates the origin of goods and services



VARIOUS KINDS OF IPRS



Copyrights:

- Artistic, literary, musical and dramatic creations
- Proprietary right
- Comes into existence as soon as the work is created

Geographical Indications (GIs):

- Identifies agricultural, natural or manufactured goods originating from a definite territory in India
- Possessing special quality or reputation based upon unique characteristics of the geographical location



ORGANIZATION STRUCTURE



Ministry of Commerce & Industry
Dept. Of Industrial Policy & Promotion

Controller General of Patents, Designs & Trade Marks

Patent & Design
Office

Kolkata

Delhi

Mumbai

Chennai

Trade Marks
Registry

Mumbai

Kolkata

Delhi

Chennai

Ahmadabad

Geographical
Indications
Registry

Chennai

Patent
Information
System

RGNIIPM

NAGPUR



VALIDITY OF IPR



SI No.	IPR	Maximum Protection	Renewal	Act/Rule
1	Patent	20 Yrs	*Every year (mandatory)	The Patents Act, 1970 Amended in 2005
2	Trade Mark	Life long	After 10yrs	The Trade Marks Act, 1999 Amended in 2010
3	Design	15 Yrs	After 10	The Designs Act, 2000 & Designs

***Patents will cease and be transferred to public domain if Patents are not renewed within 6 month of expiry of concerned year by paying renewal fee.**



RELATION BETWEEN IPRs

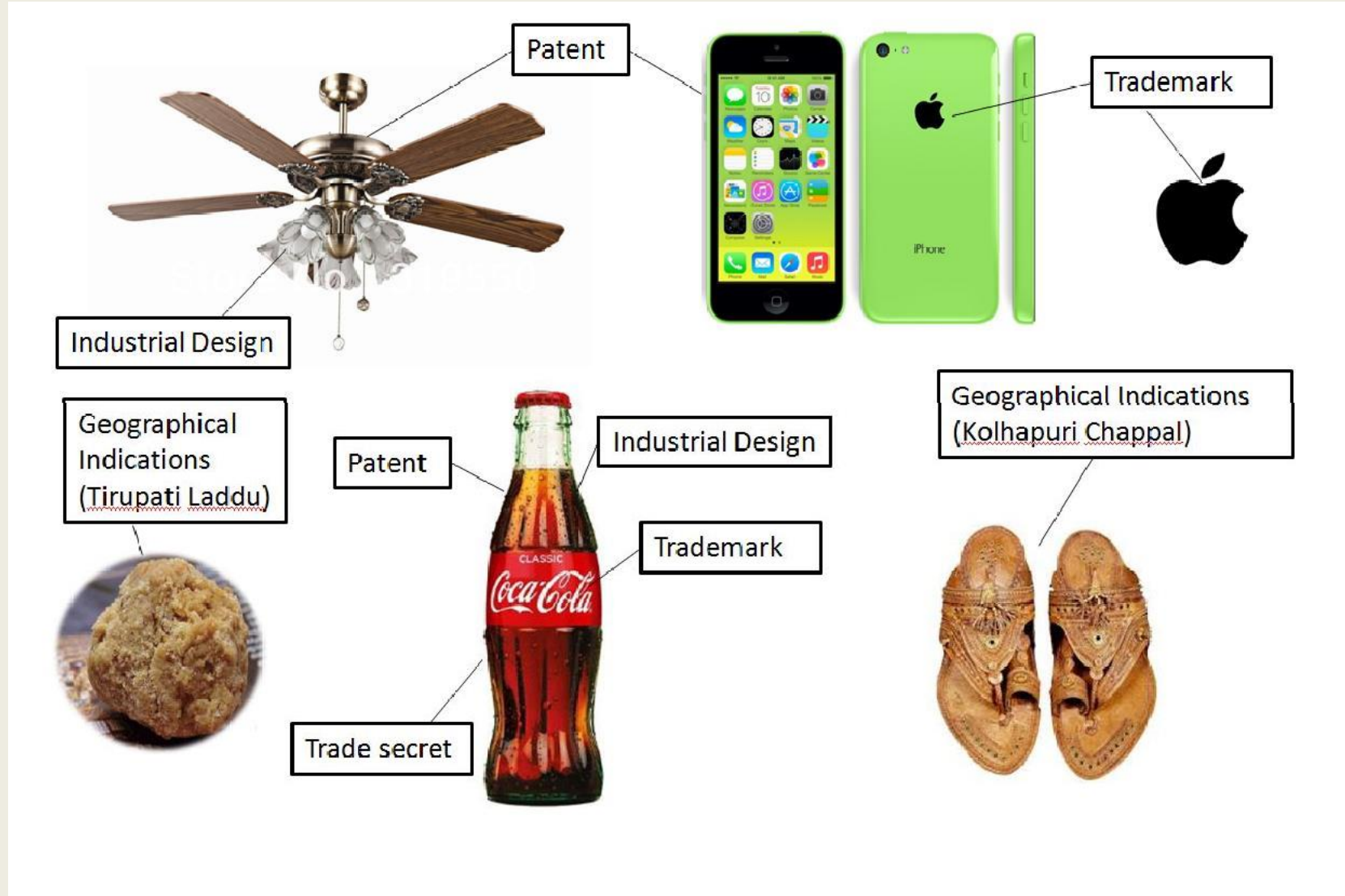


- The logo Coca-Cola is an example for **TRADE MARK**.
 - Shape of the bottle – an **INDUSTRIAL DESIGN**.
 - **PATENT** may have been obtained in respect of bottling equipment.
 - **COPYRIGHT** – in respect of the text, database or artistic work appearing on its website.
- i.e., A single product can be protected by more than one IPR.





INTRODUCTION TO IPR





INDUSTRIAL DESIGN



Ornamental or aesthetic aspect of a useful article of industry.

- **Aspect that gives special appearance**
- **Aspect which differentiates from current products**

Only the aesthetic/visual form of a product

- **not the Technical (Patents)**
- **nor Distinguishing Features (Trade Marks)**

The ornamental or aesthetic aspects of an article consist of:

- **Three dimensional features, such as the shape, surface or texture of an article or**
- **Two dimensional features, such as patterns, lines or colours.**

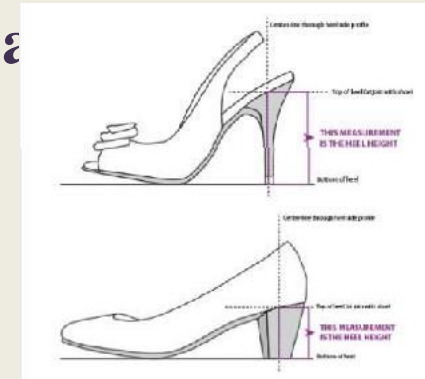
Design makes the product attractive and appealing to the consumers and adds to its commercial value for that reason.



INDUSTRIAL DESIGN



- Exclusive right against unauthorized copying
- Protection normally lasts for an initial ten years, after which it can usually be renewed for, in most cases, up to 15 years.



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TRADEMARKS



- **Generally “Brand” or “Logo”**
- **A visual symbol which may be word signature, name, device, label, numerals or combination of colors used by one undertaking on goods or services or other articles of commerce to distinguish it from other similar goods or services originating from a different undertaking**
- **Any Name which is not unusual for trade to adopt as mark**
- **Device or Symbol or Monogram**
- **Shape of goods or their packing**
- **Combination of colors or even a single color in combination with word or device**



TRADEMARKS



YAHOO!



BBC



Walmart



CNN



Coca-Cola

FedEx Corporation

Google



NOKIA
Connecting People

HONDA
The Power of Dreams



IBM



TOYOTA



Mercedes-Benz

Mobil





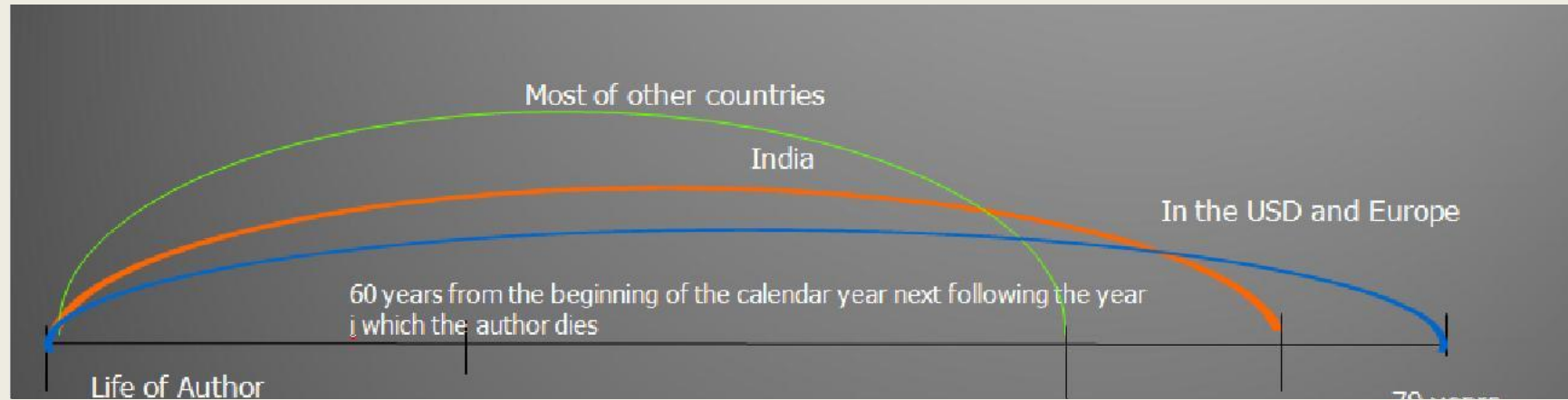
COPYRIGHT



- **Copyright is a legal term describing rights given to creators for their literary and artistic works**
- **The works covered by Copyright include :**
 - **literary works such as novels, poems, plays, reference works, newspapers and articles**
 - **computer programs and databases**
 - **films, musical compositions, dance & theatrical productions**
 - **artistic works such as paintings, drawings, photographs and sculptures**
 - **architecture, advertisements, maps, technical drawings and manuals.**
- **Copyright comes into existence as soon as the work is created and protects skill & labour employed by the creator in production of his work.**



TERM OF COPYRIGHT





GEOGRAPHICAL INDICATIONS



- **GIs identify agricultural, natural or manufactured goods associated with a territory/region/locality. GI gives protection to the group of people or associations involved in the production of the product using traditional skills and knowledge**
- **The manufactured goods should be produced or processed or prepared in that territory. This gives a special quality to the product due to geographical/climatic environment, reputation, specific manufacturing/farming skills, traditions and other characteristics attributable to origin.**
- **It consists of the name of the place of origin & originates from a definite geographical territory.**
- **Darjeeling Tea, Kancheepuram Saree, Kolhapuri Chappals, Tirupati Laddu, Nagpur Orange etc.**



GEOGRAPHICAL INDICATIONS



Examples of Indian Geographical Indications:

- **Basmati Rice**
- **Darjeeling Tea**
- **Kanchipuram Silk Saree**
- **Alphonso Mango**
- **Nagpur Orange**
- **Kolhapuri Chappal**
- **Bikaneri Bhujia**
- **Agra Petha**





VARIOUS KINDS OF IPRS



THANK YOU