

Introduction to Intellectual Property

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Agenda

- What is IP?
- What are the types of IP?
- What is the role of IP in sports?
- How to deal with ambush marketing?
- Q & A

What is IP?

Intellectual Property

Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.

(<http://www.wipo.int/about-ip/en/>)

What do you need to know about IP?

Subject-matter

- Different types of subject-matter are protected by different types of IP

Registered versus unregistered

- Some types of IP must be registered in order to enjoy protection, others arise automatically without registration.

Territorial nature

- Registrable IP must be registered in each country protection is desired in. There may be differences in the local laws of different countries.

Terms of protection

- Different types of IP have different terms of protection.

Types of IP

Types of Intellectual Property

- Trade Marks
- Patents
- Copyright
- Registered Designs
- Confidential Information



Subject-Matter

Type of IP Right	Trade Marks	Patents	Copyright	Registered Designs	Confidential Information
Subject-Matter	any sign capable of distinguishing a particular trader's goods/services from others	new & inventive functional inventions	original creative works	aesthetic designs which are commercialised	information disclosed in circumstances of confidentiality
Examples	brands, slogans, shapes, sounds, scents,	pharmaceutical recipes, food recipes	music, videos, books, advertising materials,	furniture, design of smartphones/tablets, packaging	manufacturing process, method of manufacture, client lists, employment contracts

Registered vs. Unregistered Rights

Type of IP Right	Trade Marks	Patents	Copyright	Registered Designs	Confidential Information
Must be registered to enjoy protection?	<ul style="list-style-type: none"> No but can be (common law jurisdictions, eg Singapore) Yes (civil law jurisdictions, eg China, Indonesia) 	Yes	No In some countries, registrable for evidentiary purposes (China, US)	Yes	No

Term of Protection

Type of IP Right	Trade Marks	Patents	Copyright	Registered Designs	Confidential Information
Term of Protection	Forever provided renewed every 10 years	20 years	70 years + life of author	15 years	Forever as long as confidentiality not lost

Local Laws

Type of IP Right	Trade Marks	Patents	Registered Designs
Differing local laws	<ul style="list-style-type: none">• Non-use revocation (3-5 years)• Assignment to be effective• Prior use in common law countries vs. first-to-file in civil law countries	Terms of protection (utility model, provisional)	Copyright protection automatically lost if protectable by registered designs

What is the role of IP in
Sports?

Role of IP in Sports

- Branding and Merchandising
- Sponsorship
- Broadcast rights

Branding and Merchandising

- IP licensing
 - apparels
 - souvenirs
 - miniature collectibles

- Example: The Olympic Licensing Programme



Olympic.org
Official website of the Olympic Movement

Home Olympic Games YOG Sports Athletes Countries Olympism Photos Videos

Home > The IOC > Licensing

LICENSING

16 MEDIA 5

2012 London Merchandising 2012 London Merchandising 2012 London Merchandising

Olympic licensing programmes include officially licensed products and merchandise

Long before an Olympic Games begins, the official licensing programme is pivotal in helping to build excitement in the host country, and around the world, by releasing merchandise and souvenirs that feature the Olympic marks and the Games emblem, which project the host city's message onto the world stage and promote the Olympic brand.

Official licensed products carry the emblems and mascots of the Olympic Games or Olympic teams and are designed to commemorate the Olympic Games and Olympic teams.

Website extract:
<http://www.olympic.org/licensing>

Sponsorship

- Avenue for companies to advertise their brands.
- 2 Major methods
 - Right to display brands and logos at the sporting event venue
 - Right to be associated with the sporting event (title of official sponsor)
- Cross License for use of IP

Broadcast rights

- Live coverage of sports as a television program, on radio and other broadcasting media
- Copyright and related rights

Questions?

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