### INTRODUCING THE MODULE AND YOUR TUTOR



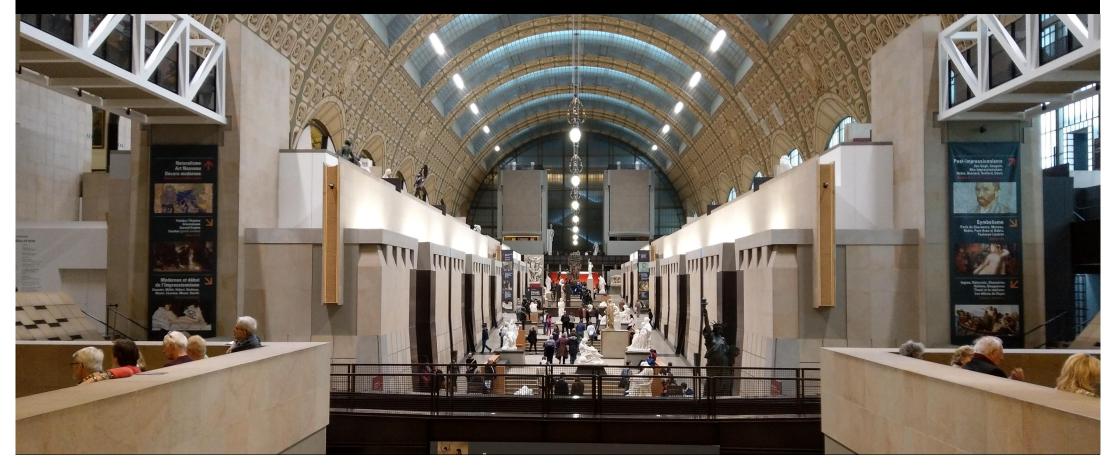
MODULE 1

## INTRODUCTION TO INTELLECTUAL PROPERTY

DR ANDRES GUADAMUZ

## WHAT IS INTELLECTUAL PROPERTY?

### PROPERTY OF INTELLECTUAL CREATIONS



### BUT WHAT DOES THAT MEAN?

- What?
- Who?
- When?
- For how long?
- What type of property and what rights are given to the owner?

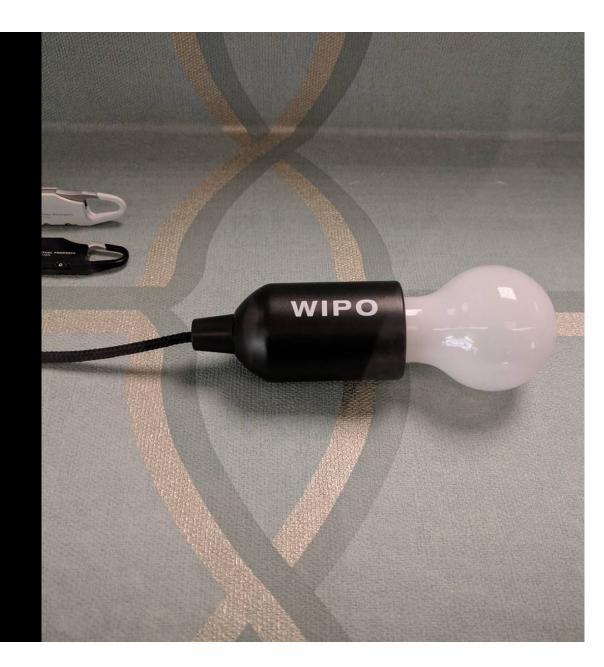


# TYPES OF IP

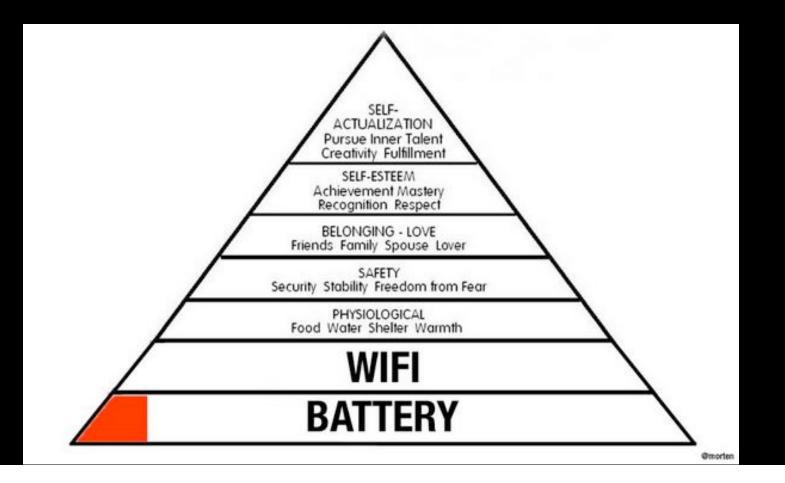


### DIFFERENT TYPES

- Copyright
- Patents
- Trademarks
- Designs
- Confidential information, trade secrets
- Many others we will not discuss, or cover briefly, such as databases, plant varieties, geographical indications, etc.



### DIFFERENT NEEDS



#### WHAT ARE YOU TRYING TO ACHIEVE?

- Promoting the arts (copyright)
- Rewarding investment (patents)
- Protecting reputation (trade marks)
- Protecting distinctiveness (designs)
- Protect a region's produce (geographical indications)

INDUSTRIAL PROPERTY	COPYRIGHT AND RELATED RIGHTS (NEIGHBOURING)
PATENT	COPYRIGHT
TRADE MARK	PERFORMER RIGHTS
INDUSTRIAL DESIGN	BROADCASTS
GEOGRAPHICAL INDICATIONS	PRODUCERS OF PHONOGRAMS
INTEGRATED CIRCUITS	

REQUIRES REGISTRATION	NO REGISTRATION
PATENT	COPYRIGHT
TRADE MARKS	DATABASES
DESIGNS	UNREGISTERED DESIGNS
PLANT VARIETIES	TRADE SECRETS

### COPYRIGHT

- Copyright is a limited right given to the creator of an original work.
- It doesn't have registration. This means that copyright does not require registration, it exists the moment that you create an original literature, artistic, dramatic or musical work.
- It is limited to the lifetime of the author plus 70 years.
- Owners have the exclusive right to copy, rent, adapt, perform, broadcast and issue copies of the work to the public.

https://en.wikipedia.org/wiki/Fountain\_pen#/media/File:Fountain\_pen\_writing\_(litera cy).jpg



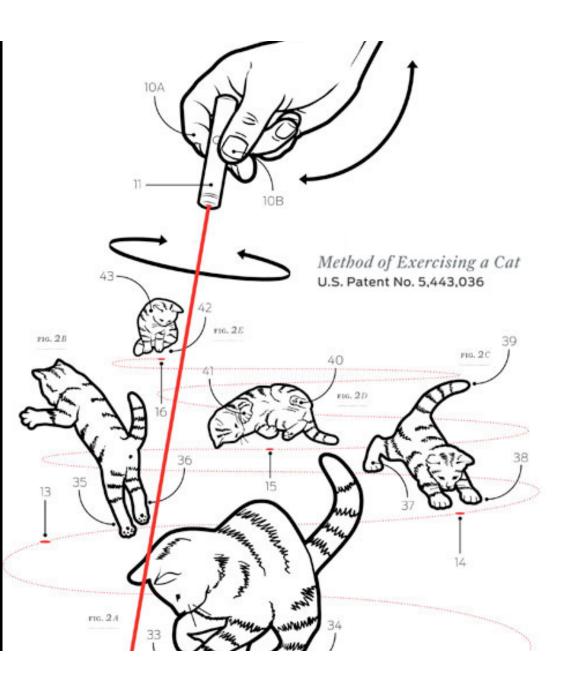
ANY CHORD (EXCEPT A 07) MAY bOTONICIZED" TO ACT CEANS/ENT tonic towaeds which SECONDARY VI OR A SECONDARY 1/m1-V1 SEQUENCE MOVE, (Work pactward from this "toxicized AZIVA ChORD" # "ARRIVAL CHO! FOR EXAMPLE, THIS DESARESSION > TONICIZCO AS FOllows WITH SECONDARY V TRANSIENT TONIC ANOIA SLANDAR' TONIG with secondparty STONMALY STONMAN TRANSIENT TONIC STOONIA TRANSPAT TONIC 1101(1) VI The secondacy vi may be peptaced with a bill, the tritonie substitution named for its intervallic relationship to the original vi, DOMINANT IT CAD. A half step above the teansient tonic, TAUS AS AN UDDER CHROMATIC DOMINANT; 10 CREOMATIC -Dominiant Weemstic + TONIC CONSAL I (199) TEANSIGHT TUNIG Jeconomy 11m 7 (TONIC SUBSTITUTION MAY Also be A MAT CHOIN AND THEN 15 TETANE AS AN "UPPER CHROMATIC MAT" RETCRRED TO 1/1 217 6



### PATENTS

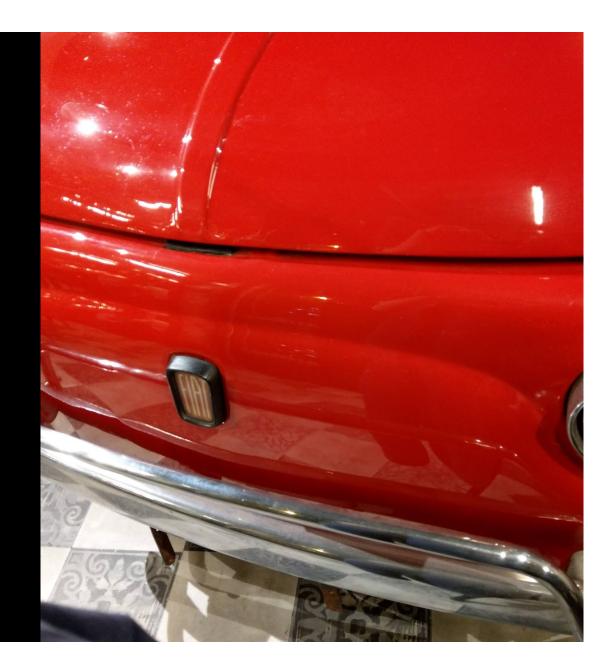
- A patent is a monopoly to work and profit an invention for a period of 20 years. However, the monopoly is not absolute and there are many checks and balances to avoid abuse.
- Patents serve two purpose, they serve as a reward to the investment incurred by the inventor. They also provide society with a mean to encourage creators.

https://in.pinterest.com/pin/112590059404953566/



### TRADE MARK

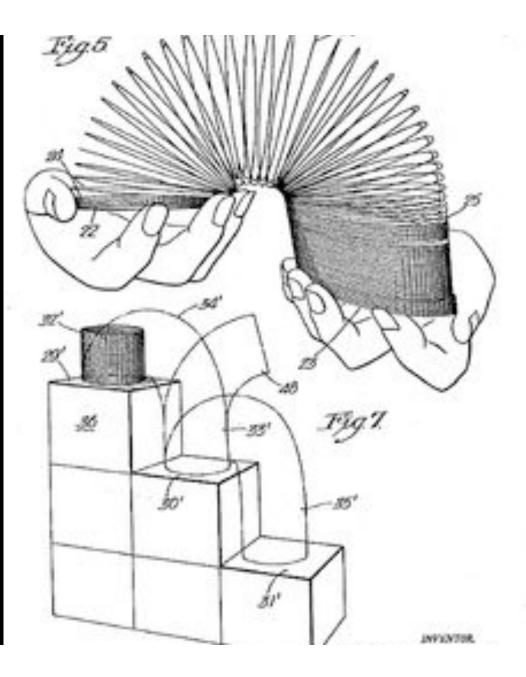
- Think of any brand you like, and it is probably protected by a trademark.
- Trade marks protect the information to the consumer associated with a brand possesses.
- A trademark has to be a sign capable of being graphically represented, and it has to be capable of distinguishing the goods, services or the technology behind it.
- There's no time limit.



## COMMON ELEMENTS OF IP PROTECTION

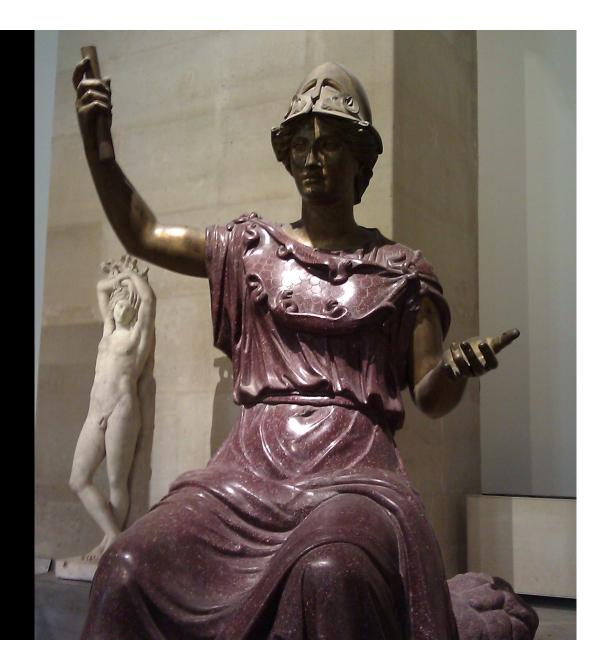
#### WHY DO WE HAVE IP?

- Various reasons:
- Incentivise creativity, we want people to share their ideas.
- Reward those who create new things.
- It's also part of a social contract, society gives an author or inventor a property right to their creation, in exchange they will share their work with society.



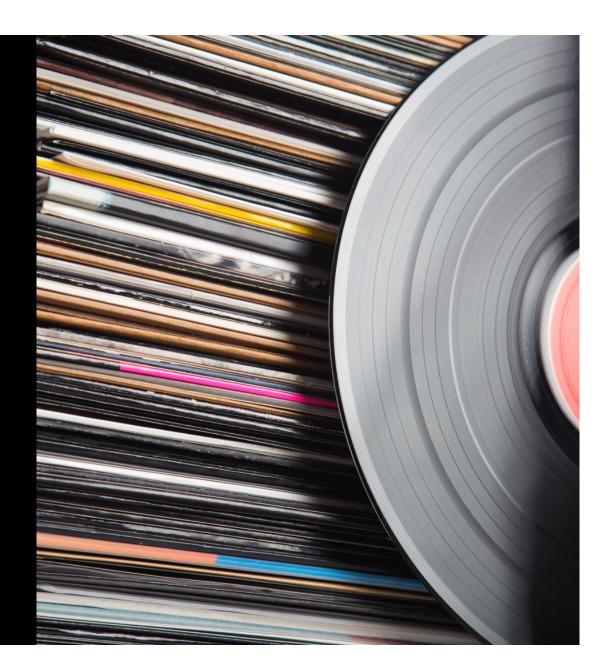
### INTANGIBLE PROPERTY

- Intellectual property is intangible.
- While it may refer to something tangible (ie, a sculpture), what is being protected is not the one physical item, but the copies of that item.
- So I can't put images of this sculpture in a book without permission.



#### NON-RIVALROUS

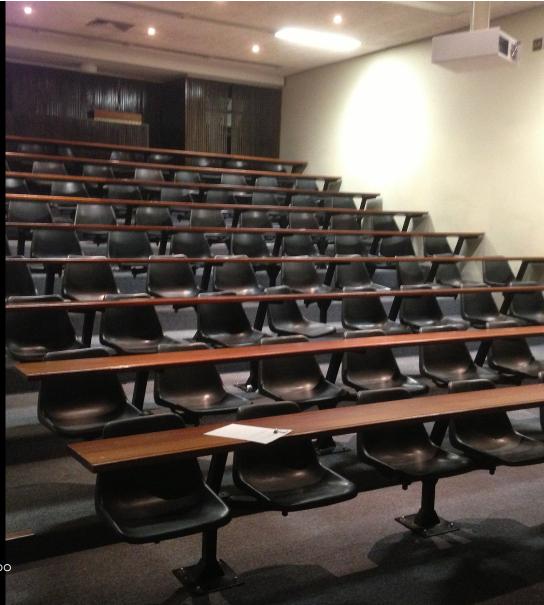
- IP is said to be non-rivalrous.
- This means that the ownership and/or consumption of a good by one person does not reduce the amount available for others.
- If you have a cake and I eat it, you have no cake. If you have a song and I copy it, you still have the song.



### LIMITATIONS AND EXCEPTIONS

- However, despite the wide reach of IP rights, there are always exceptions and limitations.
- For example, you can use copyright works for educational use, or you can make use of a patented invention for some research purposes.
- The list of exceptions and limitations for each IP is always exhaustive.

tps://en.wikipedia.org/wiki/Classroom#/media/File:UCT\_Leslie\_Social\_Science\_classroo m.JPG



### LIMITED TIME

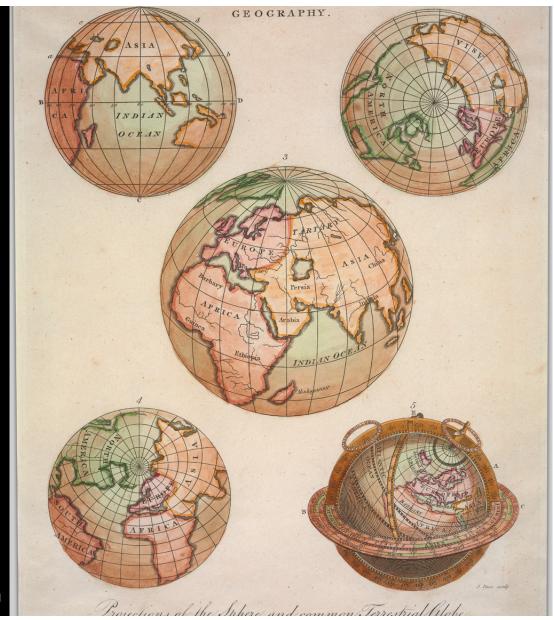
- Another difference with tangible property, most IP protection tends to be limited in time.
- This serves several purposes, but in general it is understood that too much protection acts against the public interest.



### NATIONAL PROTECTION

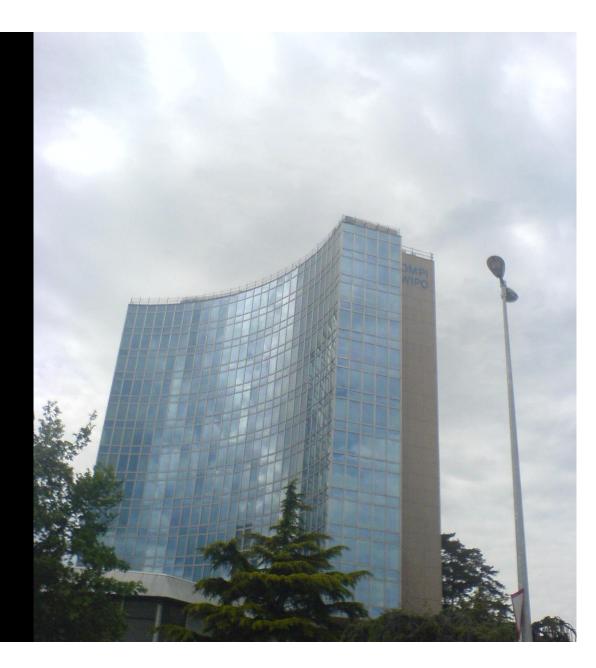
- All IP is strictly national in nature.
- You can only exercise your rights in the country of registration, or the country where the work is published.
- Complex system of international treaties and multilateral recognition of rights has developed.
- Harmonisation efforts through policy and treaties. Possibility of cross-national protection.

https://en.wikipedia.org/wiki/Globe#/media/File:Terrestrial\_globes.jpg



#### THE INTERNATIONAL SYSTEM

- The World Intellectual Property Organisation is the UN organisation dealing with IP.
- It's a member state-led institution that administers treaties on IP subjects, but also has other functions such as offering register assistance, dispute resolution services, and education.
- Some treaties it administers are the Berne Copyright Convention, the Patent Cooperation Treaty, the Madrid Agreement on Marks, and the WIPO Copyright Treaty, just to name a few.



# JURISDICTION IN THIS CLASS



### THANKS!

es Guadamuz, unless specified. All other images reproduced with permission