

INTELLECTUAL PROPERTY

Intellectual property is an intangible creation of the human mind, usually expressed or translated into a tangible form that is assigned certain rights of property. It includes inventions, literary and artistic works, and symbols, names, images, designs used in commerce etc.

Examples of intellectual property –

- ✓ An author's copyright on a book or article
- ✓ A distinctive logo design representing a soft drink company and its products
- ✓ Unique design elements of a web site
- ✓ A patent on the process to manufacture chewing gum

IP is divided into two categories for ease of understanding:

A. Industrial Property

1. Inventions
2. Trademarks
3. Industrial design
4. Geographical indications

B. Copyright

1. Writings
2. Paintings
3. Musical works
4. Dramatics works
5. Audiovisual works
6. Sound recordings
7. Photographic works
8. Broadcast
9. Sculpture
10. Drawings
11. Architectural works etc.

What is Intellectual Property Rights?

Intellectual property rights (IPR) can be defined as the rights given to people over the creation of their minds. They usually give the creator an exclusive right over the use of his/her creations for a certain period of time.

The different types of Intellectual Property Rights are:

- i. Patents
- ii. Copyrights
- iii. Trademarks
- iv. Industrial designs
- v. Protection of Integrated Circuits layout design
- vi. Geographical indications of goods
- vii. Biological diversity
- viii. Plant varieties and farmers rights
- ix. Undisclosed information

Duration of Intellectual Property Rights in a nutshell

- 1) Term of every patent will be 20 years from the date of filing of patent application, irrespective of whether it is filed with provisional or complete specification. Date of patent is the date on which the application for patent is filed.
- 2) Term of every trademark registration is 10 years from the date of making of the application which is deemed to be the date of registration.
- 3) Copyright generally lasts for a period of sixty years.
- 4) The registration of a geographical indication is valid for a period of 10 years.
- 5) The duration of registration of Chip Layout Design is for a period of 10 years counted from the date of filing an application for registration or from the date of first commercial exploitation anywhere in India or in any convention country or country specified by Government of India whichever is earlier.
- 6) The duration of protection of registered varieties is different for different crops namely 18 years for trees and vines, 15 years for other crops and extant varieties.