



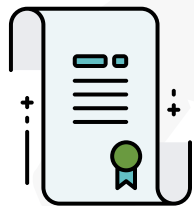
WORLD IP DAY

Celebrating Youth-Led Innovation April 26, 2022

WHAT IS IP and WHY DOES IT MATTER?

IP stands for **Intellectual Property** and is defined by “creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce.”¹

IP touches every aspect of your life. Your daily vitamin, the car you drive to work, the song on the radio, the coffee in your cup, even the clothes you wear are all products of creators. IP policy protects the rights of these creators through patents, copyrights, and trademarks.



PATENTS

A patent is an exclusive right granted for an invention of a product or a process that provides a new way of doing something or a new technical solution to a problem.

Patent protection means the invention cannot be commercially made, used, distributed, imported, or sold by others without the patent owner’s consent.

WHAT QUALIFIES FOR PATENT PROTECTION?



NOVELTY

Your invention must never have been previously patented, described in a patent application, written about, disclosed to the public, or offered for sale anywhere in the world.



UTILITY

Your invention must function as intended. For example, the U.S. Patent and Trademark Office used to deny patents to hair re-growing products because they didn’t work.



NON-OBVIOUSNESS

Your invention must go beyond common sense. For example, if you invent a hanger for petite clothes, you will not get a patent. Making a hanger smaller is common sense to hanger manufacturers.



COPYRIGHT

A legal term used to describe the rights that creators have over their literary and artistic works. Copyrights last 70 years plus the life of the author.

Eight broad categories of original works are eligible for copyright: Literary Works, Musical Works, Dramatic Works, Pantomime & Choreography, Graphic & Sculptural Works, Motion Pictures, Sound Recording, Architectural Works.

COPYRIGHT ENTITLES THE OWNER OF THE WORKS TO THE FOLLOWING:

- ✓ Publish or Produce
- ✓ Prepare Derivative Works
- ✓ Dispute Copies or Recordings of the Works
- ✓ Perform the Works Publicly, Display Works Publicly
- ✓ Perform the Works through a Digital Audio Transmission.²



WORLD IP DAY: CELEBRATING YOUTH-LED INNOVATION

APRIL 26, 2022



TRADEMARKS

A trademark is a word, name, symbol, or device (or combination of all) that distinguishes the goods or services of one enterprise from those of other enterprises.

There are two types of trademarks:

1. Trademark to identify a product: physical goods, commodities that are manufactured, produced, or sold. (For example: Apple iPhone, Beats by dre)
2. Service marks. These identify the source of a service. (For Example: Target, xFinity)

TRADEMARKS OFFER THE OWNER:

- ✓ The exclusive right to use the trademark nationwide.
- ✓ The ability to bring legal action in federal court to defend your trademark.
- ✓ The ability to record and mark with the U.S. Customs and Border Protection Service.³



MORE PROTECTIONS

Protections are continuing to expand to better protect innovators.

New types of protections include:

- + **Industrial Designs** — constitutes the ornamental or aesthetic aspect of an article. (Fabric patterns)
- + **Geographical Indication** — includes the name of the place of origin of the goods. (Vineyards)
- + **Trade Secrets** — IP rights on confidential information which may be sold or licensed. (Coca-Cola Secret Formula)¹



STRONG IP RIGHTS AND PROTECTIONS ARE NECESSARY TO PROMOTE INNOVATION AND A STRONG ECONOMY.

Sources

¹ <http://www.wipo.int/about-ip/en/>

² https://libguides.humboldt.edu/Educator_Copyright

³ <https://www.uspto.gov/sites/default/files/documents/Basic-Facts-Booklet.pdf>

