Lecture 11.

Intellectual Property

SPRING 2016
Kinds of Property

- **Movable Property**
  - Car, Pen, Furniture

- **Immovable Property**
  - Land, Building

- **Intellectual Property**
  - Literary works, inventions

Intellectual Property is defined as products of the human intellect that have economic value.
Topics of Discussion

• Patents
• Copyrights
• Trademarks
• Trade secrets
What is a PATENT?

• It is a right granted for an invention (a product or a process) providing a new way of doing something

• It enables an inventor to prohibit another person from manufacturing, using or selling the patented product without permission.

• Period of Patents span 20 years
What can be patented:

Inventions in all fields of technology, whether products or processes, if they meet the following criteria:

• Novelty (originality)
• Non-obviousness (inventiveness)
• Industrial application (utility)
Who Grants Patents

- Patents are granted by national patent offices after publication and substantial examination of the applications.
- They are valid within the country in which they are granted.
What Cannot be Patented

• An Invention Which is useless

• An Invention contradicting established Natural Laws (e.g., more than 100% performance)*

• Scientific Principles, abstract theory, algorithms, or computer programs (outcomes of mental process only)

• Discovery of any living thing or non–living substance occurring in nature
What Cannot be Patented

• An invention contrary to public order or morality or which causes risk to human, animal, or the environment

Examples:
- Gambling machine
- Invention for house-breaking
- Biological warfare material
- Terminator gene technology
Filing a Patent

Do it
invent it
build it

Prove it!
(Patent
search)

Generate
documents,
file, pay, wait,
negotiate

Protect it
use it

Generate
documents,
file, pay, wait,
negotiate
Patent Document

- Title
- Abstract
- Drawings
- Background of invention
- Summary of invention
- Description of drawings
- Claims
Copyright

• Original Literary, Dramatic, Musical and Artistic Works (Work: Ideas expressed in material form)
• Cinematograph Films
• Sound Recordings
• No copyright in ideas or facts

• Duration of Copyright is lifetime of author + 60 years
Copyrights Must:

• Have some originality
• Have some creativity
• Be an expression, not an idea or formula
• Be visibly indicated by: “© date, name of owner”
Trade Mark

• A name capable of being represented graphically, distinguishing the goods or services of one person from those of others

• A Trademark can be:
  ➢ Sign, words, letters, numbers
  ➢ Drawings and pictures
  ➢ Colors or combination of colors
  ➢ Shape of goods
  ➢ Graphic representation or packaging
Trade Mark Examples

• Coca Cola (soft drink)
• Twix (Chocolate)
• Facebook (social media)
• Apple (computer)
Registration of Trade Mark

• Trademarks are registered by national trademark registries and are valid in that country

• Registration is made after examination and publication

• Period of registration is for 10 years but can be renewed indefinitely
Trade Secrets

• Some important information cannot be protected by any of the available means of IP; it is held confidential as a trade secret.

• A Trade secret can be an invention, idea, survey method, manufacturing process, experiment results, chemical formula, recipe, financial strategy, client database etc.
Trade Secret

• Anything that gives an advantage and if “stolen” will immediately help the competition (example: COKE®)

• It involves non-disclosure agreements

• Cannot prevent invention by others

• Cannot prevent reverse engineering
When Trade Secrets are preferred?

- When the invention is not patentable
- Patent protection is limited to 20 years, when a secret can be kept beyond that period
- When it is difficult to reverse engineer
How to guard Trade Secret?

• Restricting number of people having access to secret information

• Signing confidentiality agreements with business partners and employees

• Using protective techniques like digital data security tools and restricting entry into area where trade secret is worked or held.
Final Thoughts

- Intellectual property is to be respected
- Violating the IP is punishable by very strict laws
- KSU resources used inside/outside of classwork give KSU IP claim
- KSU employees and students agree to IP policy by virtue of employment and enrollment

http://iptl.ksu.edu.sa/