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Mechatronic Engineering

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Briefly discuss the ff intellectual property protection methods

1. Patent
2. Copyright
3. Trademark
4. Trade Secret

Answer

① Patent

A patent grants property rights on an invention, allowing the patent holder to exclude others from making, selling, or using the invention. Inventions allow many businesses to be successful because they develop new or better processes or products that offer competitive advantage on the marketplace.

You will discover three types of patents!

- Utility
- Design
- Plant

• A Utility patent is the most common type, covering any process, machine, article of manufacture, or composition of matter, or any new and useful improvements thereof. To qualify for a utility patent, the invention must be novel, nonobvious, and have some usefulness.

NOTE

Novel means new and not known by anyone else, while nonobvious means that it can't be immediately obvious to someone having ordinary skills in the industry.

• A design patent covers any new, original, and ornamental design for an article of manufacture, while

• A plant patent covers any new variety of asexually produced plant. A design patent lasts for 14 years, and a utility patent or plant patent lasts for 20 years.

With patent protection, the patent holder can take legal action against anyone who copies the patented invention, design, or discovery. Without this legal protection, anyone can use similar designs, products, and processes without risk.

## ② Copyrights:

Copyrights protect original works of authorship, such as literary works, music, dramatic works, pantomimes and choreographic works, sculptural, pictorial, and graphic works, sound recordings, artistic works, architectural works, and computer software. With copyright protection, the holder has the exclusive rights to modify, distribute, perform, create, display, and copy the works. In order to qualify under Copyrights laws, the work must be fixed in a tangible medium of expression, such as words on a piece of paper or music notes written on a sheet. A Copyright exists from the moment the work gets created, so registration is voluntary.

## ③ Trademarks:

A trademark is a word, phrase, symbol, or design that distinguishes the source of the products (trademarks) or services (servicemarks) of one business from its competitors. In order to qualify for patent protection, the mark must be distinctive. For example, the Adidas "three stripes" design identifies athletic footwear made by Adidas.

## ④ Trade Secrets

A trade secret is a formula, process, device, or other business information that companies keep private to give them a business <sup>advantage</sup> ~~information~~ over their competitors.

Examples of trade secrets include:

- Soda formulas

- Customer lists
- Survey results
- Computer algorithms

Unlike the other types of intellectual property, you cannot obtain protection by registering your trade secret.

Instead, protection lasts only as long as you take the necessary steps to control disclosure and use of the information. Businesses use nondisclosure agreements, restricted access to confidential information, post-employment restrictive covenants, and other security practices to maintain trade secrets.