**NAME: Anyanechi Obinna**

**DEPARTMENT: Computer Engineering**

**MATRIC NUMBER: 17\ENG02\011**

**COURSE CODE: ENG 384**

**COURSE TITLE: Engineering Law and Managerial Economics**

**PATENT**

A patent is a form of [intellectual property](https://en.wikipedia.org/wiki/Intellectual_property) that gives the owner the legal right to exclude others from making, using, selling and importing an [invention](https://en.wikipedia.org/wiki/Invention) for a limited period of years, in exchange for publishing an [enabling public disclosure](https://en.wikipedia.org/wiki/Sufficiency_of_disclosure) of the invention.

**Patent Categories**

There are three different kinds of patents: utility patents, design patents and plant patents.

1. [***Utility Patents***](https://smallbusiness.findlaw.com/intellectual-property/utility-patents-overview.html)*:* The most common type of patent, these are granted to new machines, chemicals, and processes.
2. [***Design Patents***](https://smallbusiness.findlaw.com/intellectual-property/design-patents-overview.html)*:* Granted to protect the unique appearance or design of manufactured objects, such as the surface ornamentation or overall design of the object.
3. [***Plant Patents***](https://smallbusiness.findlaw.com/intellectual-property/plant-patents-overview.html)*:* Granted for the invention and asexual reproduction of new and distinct plant varieties, including hybrids (asexual reproduction means the plant is reproduced by means other than from seeds, such as by grafting or rooting of cuttings).

If an inventor thinks someone has used his or her patented invention without permission, he or she may bring a lawsuit against the infringer. If the court agrees, it may award the patent holder costs, attorney's fees, damages in an amount equal to a reasonable royalty, and an injunction (an order prohibiting another person from infringing the patent). An action for [infringement](https://smallbusiness.findlaw.com/intellectual-property/avoiding-patent-infringement-problems.html) can be time-consuming and costly, so infringement cases often are settled.

**Patent Law is Complicated: Contact an Attorney**

If you have an invention that you would like to have protected, it's a good idea to get acquainted with patent law and intellectual property law in general. With a patent, you can license to other companies or go into business yourself; but failure to properly register your patent can end your dreams. Make sure you contact a [patent law attorney](https://lawyers.findlaw.com/lawyer/practice/patents) if you need legal assistance patenting your novel invention.

**COPYRIGHT**

Copyright refers to the legal right of the owner of [intellectual property](https://www.investopedia.com/terms/i/intellectualproperty.asp). In simpler terms, copyright is the right to copy. This means that the original creators of products and [anyone they give authorization to](https://www.investopedia.com/terms/l/licensing-agreement.asp) are the only ones with the exclusive right to reproduce the work.

**Conceptual Framework**

In order to receive copyright protection, a piece of work must meet the following requirements:

1. Original expression: The work must be a unique expression of thought or idea that isn't already published in the public domain. Basically, the work must be significantly new and different from other works. For example, you cannot rip the title page off of a Harry Potter book, rename it Harold Zotter and claim a copyright over the material. You also should note that you cannot copyright an idea, just the expression of an idea. For example, you can't copyright the idea of superstring theory, but you can have a copyright on your essay explaining superstring theory.
2. Reduced to tangible form: You must reduce your work into a tangible form, as in a physical form, such as printing your novel or writing music onto sheet paper or putting it in an audio recording.

If you hold a copyright over a piece of work, your exclusive rights include:

* Reproducing, which typically means recreating and re-releasing the work
* Creating, which is a right given to you by copyright that allows you to create derivative work from your original work
* Distributing, which is a right given to you by copyright that allows you to sell or give away your work to others
* Performing your work, which is a right granted by copyright allowing you to do things like reading a chapter of your book at a local library event
* Displaying your work, which is a right granted by copyright allowing you to show your work at places such as an art gallery

**TRADEMARK**

A trademark is a type of [intellectual property](https://en.wikipedia.org/wiki/Intellectual_property) consisting of a recognizable [sign](https://en.wikipedia.org/wiki/Sign_(semiotics)), [design](https://en.wikipedia.org/wiki/Design), or [expression](https://en.wikipedia.org/wiki/Expression_(language)) which identifies [products](https://en.wikipedia.org/wiki/Good_(economics_and_accounting)) or [services](https://en.wikipedia.org/wiki/Service_economies) of a particular source from those of others, although trademarks used to identify services are usually called [service marks](https://en.wikipedia.org/wiki/Service_mark) The trademark owner can be an individual, [business organization](https://en.wikipedia.org/wiki/Business_organizations), or any [legal entity](https://en.wikipedia.org/wiki/Juristic_person). A trademark may be located on a [package](https://en.wikipedia.org/wiki/Packaging_and_labeling), a [label](https://en.wikipedia.org/wiki/Label), a [voucher](https://en.wikipedia.org/wiki/Voucher), or on the product itself. For the sake of [corporate identity](https://en.wikipedia.org/wiki/Corporate_identity), trademarks are often displayed on company buildings. It is legally recognized as a type of [intellectual property](https://en.wikipedia.org/wiki/Intellectual_property).

**Rights Conferred by a Registered Trademark**

The proprietor of a registered trademark has exclusive rights in the trademark.  Such rights are infringed by such use of the trademark in Malta when:

* The use in the course of trade is made of a sign which is identical with or similar to the trademark in relation to goods or services which are identical with or similar to those for which it is registered; and there is the likelihood of confusion on the part of the public, including the likelihood of association with the trademark;
* The use in the course of trade is made of a sign which is identical with or similar to a trademark in relation to goods or services which are not similar to those for which the trademark is registered, but the trademark has a reputation in Malta and such use takes unfair advantage of or is detrimental to the distinctive character or the repute of the trademark.

**TRADE SECRET**

Trade secrets are a type of intellectual property that comprises formulas, practices, processes, designs, instruments, patterns or compilations of information that have inherent economic value because they are not generally known or readily ascertainable by others and which the owner takes reasonable measures to keep secret. In some jurisdiction, such secrets are referred to as confidential information.

Trade secrets are defined differently based on jurisdiction, but all have the following characteristics in common:

* They are not public information.
* Their secrecy provides an economic benefit to their holder.
* Their secrecy is actively protected.