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MECHATRONICS ENGINEERING

ENGINEERING LAW ASSIGNMENT ON INTELLECTUAL PROPERTY PROTECTION

Intellectual Property Protection involves **protection** for inventions, literary and artistic works, symbols, names, and images created by the mind. It also explains how you **can protect** your **intellectual property** by using: Patents, Trademarks, Trade Secrets, and Copyrights and several methods of protection of one’s own invention.

METHODS OF INTELLECTUAL PROPERTY PROTECTION.

1.) PATENTS: It involves government authority or licence conferring a right or title for a set period, especially the sole right to exclude others from making, using, or selling an invention. It is a form of intellectual property that gives its owner the legal right to exclude others from making, using, selling and importing an invention for a limited period of years, in exchange for publishing an enabling public disclosure of the invention. Patent and Trademark Office (PTO) and has a term of 14 to 20 years. Owning a patent gives you the right to stop someone else from making, using or selling your invention without your permission. There are three types of patents: utility patents, design patents, and plant patents.

* Utility patents: When an invention is directed to a new and useful machine, process, manufacture, or composition of matter, or a new and useful improvement thereof, patent applicants can seek a utility patent from the USPTO. Utility patents are the most common form of patent application filed with the USPTO
* Design patents a design patent is a form of legal protection granted to the ornamental design of a functional item. Design patents are a type of industrial design right.
* Plant patents. - A plant patent is an intellectual property right that protects a new and unique plant's key characteristics from being copied, sold

However, patents secure ownership of inventions, it is also important to note that you cannot patent an idea for an invention. The invention itself has to be produced or a patent application containing the invention must be filed with the U.S. Patent and Trademark Office (USPTO). While all inventions start with an idea, not every idea can be called an invention.

2.) COPYRIGHT: Copyright is a law that gives the owner of a work (for example, a book, movie, picture, song or website) the right to say how other people can use it. Copyright laws make it easier for authors to make money by selling their works. It is one part of a group of laws about intellectual property (the others being trademark and patent law). In many countries, the governments tried to modify "copy-right law" to be updated to meet international standard. Even though there are determinations to make the copy-right law to meet international standard but there are still some differences, according to the law culture each country.

Some countries, violating copy-right law will be sued only to the civil law courts but some countries can also be charged by criminal courts too. Copyright differs from other intellectual property in that copyright is automatically created when a person creates a copyrightable work that is an original literary (including software code), dramatic, musical, or artistic work. There is no need to register such an original work in order for it to be copyrighted. The purpose of copyright law is to promote the progress of useful arts and science by protecting the exclusive right of authors and inventors to benefit from their works of authorship. ... The most commonly litigated issue in copyright law involves copyright infringement.

3.) TRADEMARK: A trademark (or trade mark) is a way for a business to help people to identify the products that the business makes from products made by another business. A trademark can be a name, word, phrase, symbol, logo, design, or picture. It can only be used on things made by the business that owns the trademark.

For example, Coca-Cola and Coke are trademark names for a certain drink made by the Coca-Cola Company. No other business can use these names or any names similar to them. Other businesses can make a drink that is similar, like colas soft drinks, but they have to use a different name for their drink, such as Pepsi.

Another example is the addidas company which makes sporting goods like shoes and clothes.

Trademarks can also be registered. In that case, the business tells the government of its country that it wants to use a certain name, word, phrase, symbol, logo, design or picture as a trademark for the products it sells. If no other person or business is using the trademark to sell those products, then the government will list that trademark. Once it is listed, no one else can use that trademark for those products. This is called "registering" the trademark.

Trademarks are used for products. Businesses that do things for people instead of making things are called service providers. They can get a service mark instead of a trademark. When people write or show a service mark, they can use the service mark symbol: "℠"

4.) TRADE SECRET: A trade secret is any practice or process of a company that is generally not known outside of the company. Information considered a trade secret gives the company an economic advantage over its competitors and is often a product of internal research and development. To be legally considered a trade secret in the United States, a company must make a reasonable effort in concealing the information from the public, the secret must intrinsically have economic value, and the trade secret must contain information. Trade secrets are a part of a company's intellectual property. Unlike a patent, a trade secret is not publicly known.