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**DEPARTMENT: ELECTRICAL ELECTRONICS ENGINEERING**

**ENG 384 ASSIGNMENT**

Briefly discuss the following intellectual property protection methods

1. **PATENT**

According to Wikipedia, A **patent** 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. It can also be defined as, a patent is an exclusive right granted for an invention, which is a product or a process that provides, in general, a new way of doing something, or offers a new technical solution to a problem. To get a patent, technical information about the invention must be disclosed to the public in a patent application.

**Types of Patent**

* Utility Patents
* Design Patents
* Plant Patents

**Utility Patent:** A [utility patent](https://smallbusiness.findlaw.com/intellectual-property/utility-patents-overview.html) is the most common type of patent that people seek. This type of patent covers processes, compositions of matter, machines, and manufactures that are new and useful. A utility patent can also be obtained for new and useful improvements to existing processes, compositions of matter, machines, and manufactures.

**Design Patent:** In terms of obtaining a [design patent](https://smallbusiness.findlaw.com/intellectual-property/design-patents-overview.html), a design is defined as the "surface ornamentation" of an object, which can include the shape or configuration of an object. In order to obtain this type of patent protection, the design must be inseparable from the object. While the object and its design must be inseparable, a design patent with only protect the object's appearance. In order to protect the functional or structural features of an object, a person must also file for a utility patent.

**Plant Patent:** A [plant patent](https://smallbusiness.findlaw.com/intellectual-property/plant-patents-overview.html) can be obtained to protect new and distinctive plants. A few requirements to obtain this type of patent are that the plant is not a [tuber propagated plant](http://www.uspto.gov/web/offices/pac/mpep/s1601.html) (i.e. an Irish potato), the plant is not found in an uncultivated state, and the plant can be asexually reproduced. Asexual reproduction means that instead of being reproduced with seed, the plant is reproduced by grafting or cutting the plant. Plant patents require asexual reproduction because it's proof that the patent applicant can reproduce the plant.

1. **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. Copyright is just one form of intellectual property. It is not the same as trademark, which protects brand names, mottos, logos, and other source identifiers from being used by others for certain purposes. It is also different from patent law, which protects inventions. Copyright ownership gives the owner the exclusive right to use the work, with some exceptions. When a person creates an original work, fixed in a tangible medium, he or she automatically owns copyright to the work.

Many types of works are eligible for copyright protection, for example:

* Audiovisual works, such as TV shows, movies, and online videos
* Sound recordings and musical compositions
* Written works, such as lectures, articles, books, and musical compositions
* Visual works, such as paintings, posters, and advertisements
* Video games and computer software
* Dramatic works, such as plays and musicals

1. **TRADEMARK**

A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks are protected by intellectual property rights. A trademark exclusively identifies a product as belonging to a specific company and recognizes the company's ownership of the brand. Similar to a trademark, a [service mark](https://www.investopedia.com/terms/s/service-mark.asp) identifies and distinguishes the source of a service rather than a product, and the term “trademark” is often used to refer to both trademarks and service marks. Trademarks are generally considered a form of [intellectual property](https://www.investopedia.com/terms/i/intellectualproperty.asp). A trademark protects words and design elements that identify the source, owner, or developer of a product or service. Different than a trademark, a [patent](https://www.investopedia.com/terms/p/patent.asp) safeguards an original invention for a certain period of time, and there can be many different types of patents. Unlike patents, copyrights protect “works of authorship,” such as writing, art, architecture, and music. ndividuals and companies have products or services trademarked to protect the product from being used without the permission of the source company. Most countries have patent laws that are designed to protect against [copyright infringement](https://www.investopedia.com/terms/c/copyright-infringement.asp).

1. **TRADE SECRET**

Trade secrets are [intellectual property](https://www.wipo.int/about-ip/en/) (IP) rights on confidential information which may be sold or licensed.

In general, to qualify as a trade secret, the information must be:

* **commercially valuable**because it is secret,
* be known only to a **limited group of persons**, and
* be subject to **reasonable steps taken** by the rightful holder of the information to keep it secret, including the use of confidentiality agreements for business partners and employees.

The unauthorized acquisition, use or disclosure of such secret information in a manner contrary to honest commercial practices by others is regarded as an unfair practice and a violation of the trade secret protection. The law also provides the conditions that the owner has taken reasonable measures to keep such information secret and that "the information derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable through proper means by, another person who can obtain economic value from the disclosure or use of the information."

Other jurisdictions may treat trade secrets somewhat differently; some consider them property, while others consider them as an [equitable](https://www.investopedia.com/terms/e/equity.asp) right.