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ELECTRICAL ELECTRONICS ENGINEERING

ASSIGNMENT

SUBMITTED TO

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FOR THE ENGINEERING LAW AND MANAGERIAL ECONOMICS (ENG384) COURSE.

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**QUESTION**

Briefly discuss the following intellectual property protection methods.

1 Patent

2 Copyright

3 Trademark

4 Trade secret

**SOLUTION**

1. PATENT:

A patent is an intellectual property (IP) right for a technical invention. It allows the patent holder to prevent others from using his invention for commercial purposes for up to 20 years. He decides who is allowed to produce, sell or import his invention in those countries in which he owns a valid patent. The holder can also trade his patent, e.g. sell it or license the use of his invention.

[The three requirements for obtaining a patent](https://www.ige.ch/en/protecting-your-ip/patents/patent-basics/what-is-an-invention.html)

1. **The invention is new**  
   The invention must not from part of the state of the art (also known as prior art). The state of the art means all knowledge that has been made publicly available anywhere in the world prior to applying for a patent. This includes printed and online publications, as well as public lectures and exhibitions. As a rule, anything you yourself make known about your invention is considered prior art – and your invention is no longer considered new. Therefore, before applying for a patent, make sure you keep your invention a secret.
2. **The invention is inventive**  
   The invention must not be obvious to a person skilled in the art. In patent law, a "person skilled in the art" is a hypothetical person who knows the prior art in his specialist field but is unimaginative. If you show the purpose of your invention to a person skilled in the art and he readily comes up with the same solution as you, then your solution is not inventive.
3. **The invention is industrially applicable**  
   The invention must be industrially applicable and practicable, and it must be possible to replicate its implementation.
4. COPYRIGHT:

. Copyright alludes to the legitimate right of the proprietor of intellectual property. In easier terms, copyright is the right to copy. This means that the initial maker of the item and anybody they deliver authorization to are the as it were ones with the elite right to duplicate the work. Copyright law gives makers of unique fabric the elite right to encourage utilize and copy that fabric for a given sum of time, at which point the copyrighted item becomes public domain. Copyrights can be allowed by public law and are in that case considered "territorial rights". This implies that copyrights allowed by the law of a certain state, don't amplify past the domain of that particular jurisdiction. Copyright of this kind varies by nation; various nations, and often a large group of nations, have made understandings with other nations on methods important when works are in conflict with national boundaries or national rights. Depending on the jurisdiction, the open law term of a copyright usually lapses 50 to 100 years after the author passes away. Many nations allow certain copyright practices to establish copyright, others accept copyright in any work that has been done without formal registration.

A copyright notice should contain:

1. the word “copyright”
2. a “c” in a circle (©)
3. the date of publication, and
4. the name of either the author or the owner of all the copyright rights in the published work.

* For example, the correct copyright notice for the current edition of *The Copyright Handbook*, by Stephen Fishman (Nolo) is *Copyright © 2019 by Stephen Fishman*.

1. TRADE MARK:

A trademark is a recognizable insignia, expression, term, or emblem that denotes and legally differentiates a specific product from all other products of its kind. A trademark marks a product solely as belonging to a single corporation and recognizes the company's ownership of the name. Similar to a trademark, a service mark defines 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.

A trademark may be a corporate logo, a slogan, a brand or even a generic name. For instance, few would think of bottling a soda and calling it Coca Cola, or using its logo's famous wave. It is now clear that The Coca-Cola Corporation (KO) belongs to the brand "Coca Cola," and to its logo. A trademark does not need to be actually registered for the owner to prevent others from using it, or a confusingly similar mark; however, federal registration provides certain legal advantages to the owner when pursuing infringers.

Trademarks and their modern symbols -™ for trademark and SM for service mark signify legal protection, but forms of trademarks have been around since ancient times. ® the [registered trademark symbol](https://en.wikipedia.org/wiki/Registered_trademark_symbol) can be used to indicate trademarks; it is only for used by the owner of a trademark that has been registered.

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:

1. commercially valuable because it is secret,
2. be known only to a limited group of persons, and
3. 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. In general, any confidential business information which provides an enterprise a competitive edge and is unknown to others may be protected as a trade secret. Trade secrets encompass both technical information, such as information concerning manufacturing processes, pharmaceutical test data, designs and drawings of computer programs, and commercial information, such as distribution methods, list of suppliers and clients, and advertising strategies. A trade secret may be also made up of a combination of elements, each of which by itself is in the public domain, but where the combination, which is kept secret, provides a competitive advantage. Other examples of information that may be protected by trade secrets include financial information, formulas and recipes and source codes.