



CENTRUM
PRO TRANSFER
TECHNOLOGIÍ

Intellectual Property

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The aim of today's lecture:

to get aware of IP and its rights
(IPR)

What is intellectual?



intellectual /,ɪntə'lektʃʊəl/ = relating to the intellect

synonyms: mental, cerebral, cognitive

What is property?

property = one or more components of a person's estate; belonging to or being owned by a person or jointly a group of people or a legal entity (corporation or even a society)

Depending on the nature of the property, an owner of property has the right to consume, alter, share, sell, redefine, rent, mortgage, pawn, exchange, transfer, give away or destroy it, or to exclude others from doing these things.

Do we protect our property?



How?



Why?



Is IP actually *property*?

When talking about property we usually think of something real, something we can touch

Yet there is property with no physical substance whose value stems not from its physical attributes, but from what it represents.

Tangible property

- Buildings
- Machinery
- Equipment
- Vehicles
- Land
- Cash
- ...

We can touch

Intangible property

- Copyrights
- Patents
- Trademarks
- Know how
- Licences
- Brands
- ...

We can **not** touch

Do you realize that each human tangible creation has
its intangible counterpart?

SO...

Can we protect our intangible property?

How?

Why?

Why to protect IP?



FAIR USE



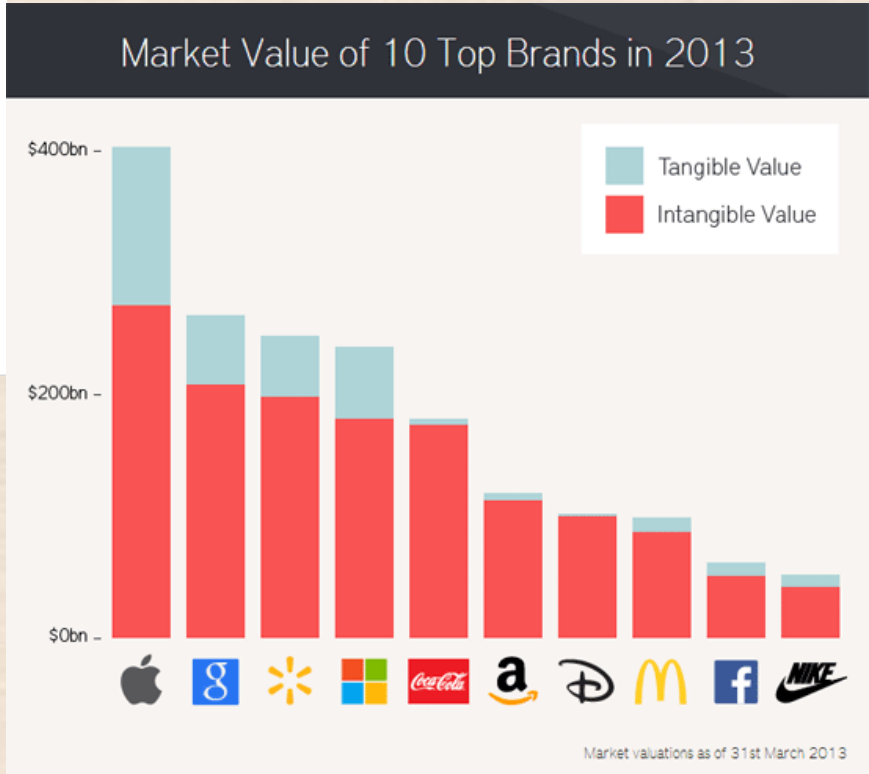
Your work is an asset

If you have an original idea or piece of creative work, no matter what others may say, it's still a potential asset and should be treated as such.

Why to protect IP?



Over last few decades, intangible assets became key drive of economy



How to protect IP?

INTELLECTUAL PROPERTY RIGHTS



What is **copyright**?

Copyright (or author's right) is a legal term used to describe the rights that creators have over their literary and artistic works. Works covered by copyright range from books, music, paintings, sculpture, and films, to computer programs, databases, advertisements, maps, and technical drawings.

COPYRIGHT LAW PROTECTS



Literary Works



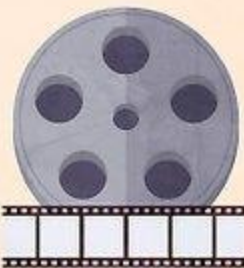
Paintings



Photographs



Drawings



Films



Music



Choreography



Sculpture

Copyright protection extends **only to expressions**, and not to ideas, procedures, methods of operation or mathematical concepts as such.

In the majority of countries copyright protection is obtained **automatically** without the need for registration or other formalities.

Most countries nonetheless have a system in place to allow for the voluntary registration of works. Such voluntary registration systems can help solve disputes over ownership or creation, as well as facilitate financial transactions, sales, and the assignment and/or transfer of rights.



There are two types of rights under copyright:

Economic rights - allow the owner to derive financial reward from the use of his works by others _ these are transferable, last up to 70 years after the authors death

Moral rights - protect the non-economic interests of the author (eg. include the right to claim authorship of a work and the right to oppose changes to a work that could harm the creator's reputation, or time and place of publication) _ these are not transferable, die with the author

The owner has the right to authorize or prevent certain uses in relation to a work or to receive remuneration for the use of his work, such as:

its reproduction in various forms, such as printed publication or sound recording; its public performance, such as in a play or musical work; its recording in the form of compact discs or DVDs; its broadcasting, by radio, cable or satellite; its translation into other languages; and its adaptation, such as a novel into a film screenplay.

Inversely, if you're looking for material to **use or reuse**, you should not do any of these things without either asking permission or confirming that the work is in the public domain, which means that the copyright has expired and all of the above rights have been forfeited.

Simply put, if the work isn't in the public domain and you don't have permission to use a piece, you put yourself in risk of legal action, regardless of your intentions.

Who holds the rights?

Schoolwork (paintings, essays, thesis)

- work that is done by school students
- both economic and moral rights belong to **student!**

Employee work

- work done by an employee
- property of an employer
- Economic rights belong to an employer but moral rights stay with an employee

publications and graduate thesis

Once you publish your data they are public, and anybody can use them for non-commercial activities (eg. research).

You have a right to be stated as an author

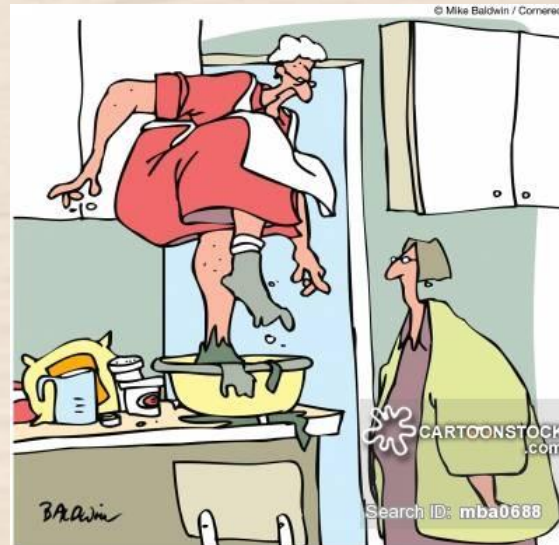
There is no control over the published ideas and/or principles

Have you ever heard about a thesis which was copied (stolen in fact) and published word by word as an article but with different author?



Please publish wisely.

Sometimes publishing is not the best strategy.



One reason secret family recipes are usually best kept secret.

What is industrial property?

Industrial property describes physical matter that is the product of an idea or concept for commercial purposes.

Patents

Trademarks

Geographical indications

Plant varieties

Industrial design

Goodwill

Trade secrets

Brand

Knowledge

History teaches us that protection of intellectual property occurs naturally

The system of IPR evolved over centuries and was internationally formalized in the 19th century



On the lamp's base is what is called a "maker's mark", which was a symbol or name indicating the specific workshop that created the lamp. This can be useful for archaeologists, because it can sometimes tell us where and when the lamp was made. This particular potter's mark, three crossed palm branches bound together, is found on lamps made in Egypt in the 2nd and 3rd centuries AD.

<http://www.sciencebuzz.org>



An example of a potter's mark on a piece of Terra Sigillata fine or red Ancient Roman pottery. There are 300,000 potter's marks identified in Terra Sigillata

Dr. David E. Graves

- 1851 **The Great Exhibition, London**

- 1873
Weltausstellung,
Vienna

- **1883** Paris
Convention for the
Protection of
Industrial Property



The Paris Convention was one of the first intellectual property treaties. It established a Union for the protection of industrial property. The Convention is currently **still in force**.

Registered IP

vs.

Non-registered IP

Patents

Trademarks

Trade secrets

Geographical indications

Brand

Industrial design

Knowledge

Plant varieties

Goodwill

Non-registered IP

Trade secret = formula, practice, process, design, instrument, pattern, commercial method, or compilation of information not generally known by others by which a business can obtain an economic advantage over competitors or customers.

Goodwill - an intangible, salable asset arising from the reputation of a business and its relations with its customers, distinct from the value of its stock and other tangible assets.

Brand - a name, term, design, symbol, or other feature that distinguishes an organization or product from its rivals in the eyes of the customer.

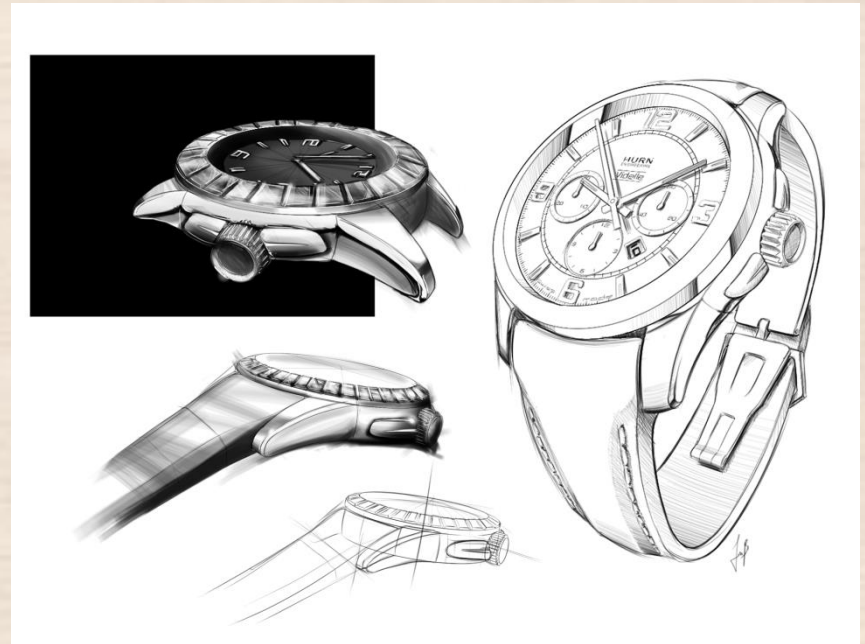
A **trademark** is a recognizable sign, design, or expression which **distinguishes** products or services of a particular source from those of others



SM



An **industrial design** protects the shape, configuration, pattern or ornamentation of a product - that is, what gives a product its unique appearance.

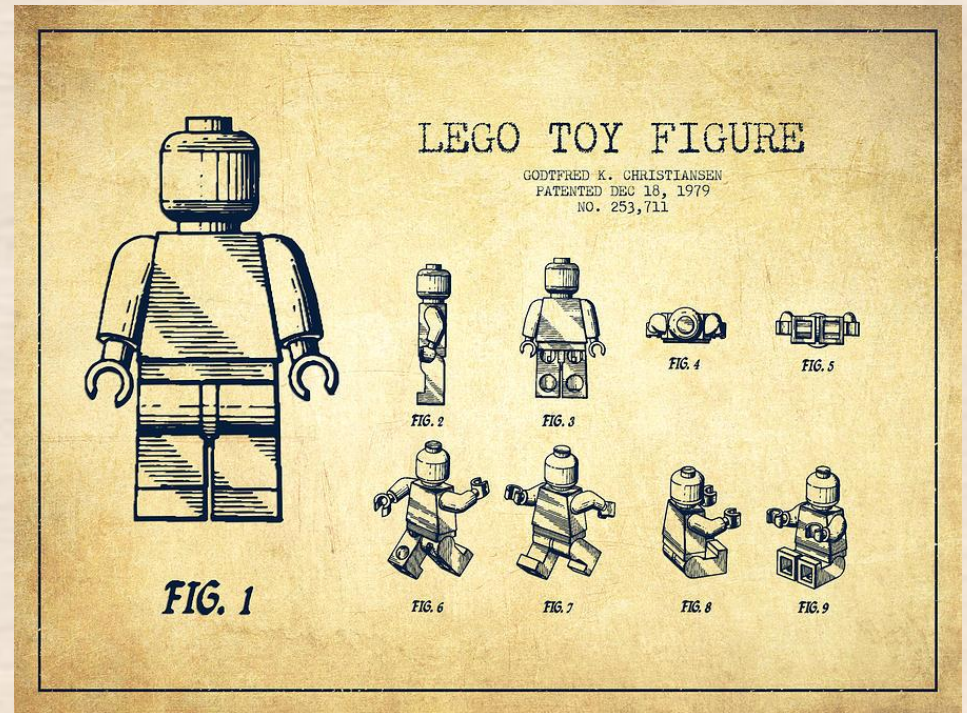


A **geographical indication** is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin.

Geographical indications are intended to designate product quality, highlight brand identity, and preserve cultural traditions.



A **patent** for an invention is granted by government to the inventor, giving the inventor the right to stop others, for a limited period, from making, using or selling the invention without their permission, in exchange for detailed public disclosure of an invention.



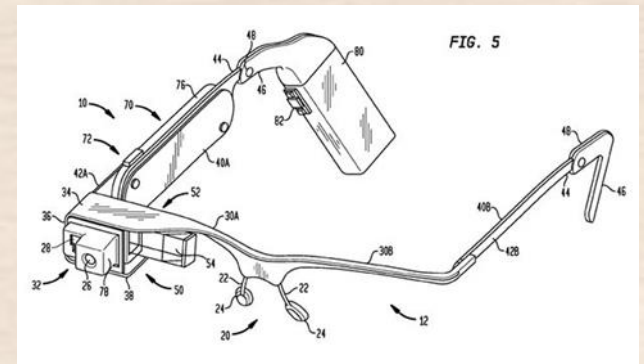
Invention vs. Discovery



Only inventions can be protected by patents – not discoveries!

- patents are intended to facilitate and encourage disclosure of innovations into the public domain for the common good.
- Monopoly for max. 20 years (maintenance fees)

- **Novel**
- **Non-obvious**
- **Useful**



Think again – are you going to publish something novel? non-obvious? useful?

Patent First, Publish Later!

Published information is not patentable anymore.

Even if patenting is not really for you ...
...the **patents** shall be!

Patent databases offer **free** access to over 100 million
patent documents from around the world.

www.epo.org, www.wipo.int, www.uspto.gov, www.upv.cz

Inadequate literature review makes an author's
research **redundant** – up to 25 % cases!

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(22) Date of Filing 07.08.2000

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(51) INT CL⁷
B64C 25/40

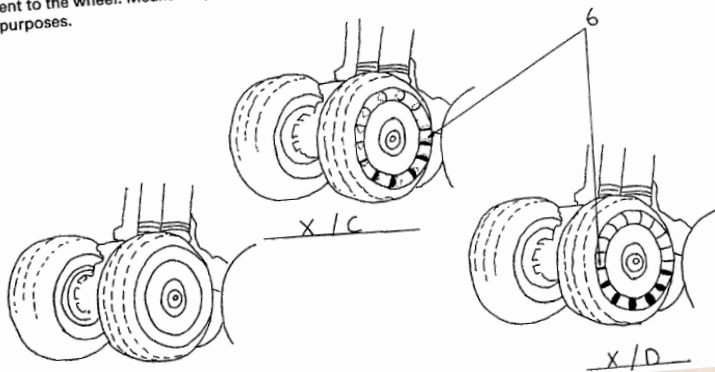
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B7G G8H

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GB 2193932 A
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US 4040582 A
GB 2080217 A
GB 0516738 A
US 3233849 A

(58) Field of Search
UK CL (Edition R) B7G
INT CL⁷ B64C 25/40

(54) Abstract Title
Rotating aircraft wheels prior to landing

(57) An aircraft tyre or wheel is provided with pockets or ridges 6, which catch the airflow past the wheel and cause the wheel to rotate. The pockets/ridges may be formed in the tyre or an additional member for attachment to the wheel. Means may be provided for diverting air from a pocket into the wheel assembly for cooling purposes.



Nov. 24, 1931.

US-A-1833019

J. A. FAUCHER ET AL
AIRPLANE TIRE

1,833,019

Filed Nov. 1, 1929

Fig. 1.

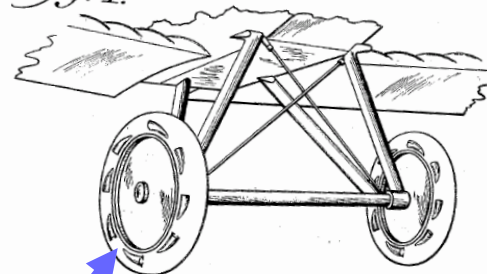


Fig. 2.

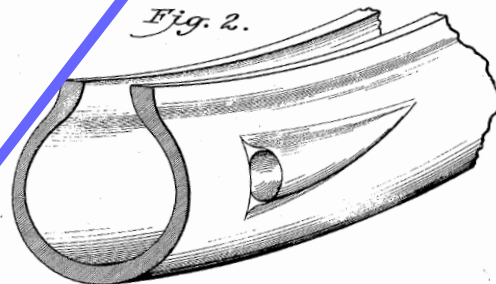
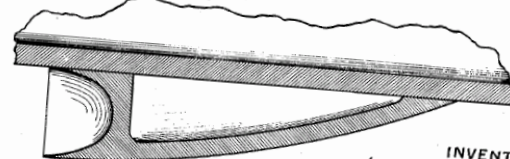


Fig. 3.



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Thanks for your time!
... any questions?

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