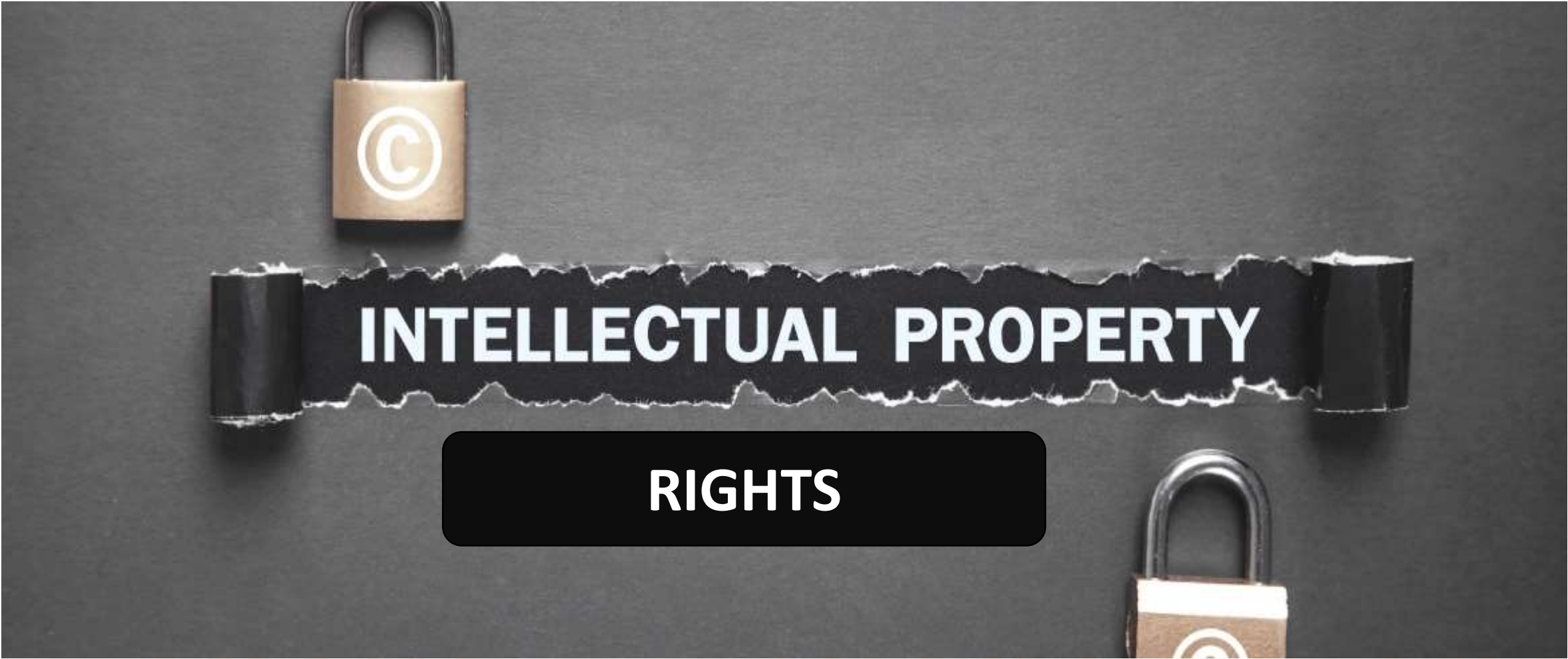


A graphic with a dark grey background. At the top center is a brass padlock with a white copyright symbol (©) on it. Below it is a horizontal strip of black paper with a torn, deckle edge, containing the words 'INTELLECTUAL PROPERTY' in white, bold, sans-serif capital letters. Below this strip is a black rounded rectangle containing the word 'RIGHTS' in white, bold, sans-serif capital letters. At the bottom right is another brass padlock, similar to the one at the top but without the copyright symbol.

INTELLECTUAL PROPERTY

RIGHTS

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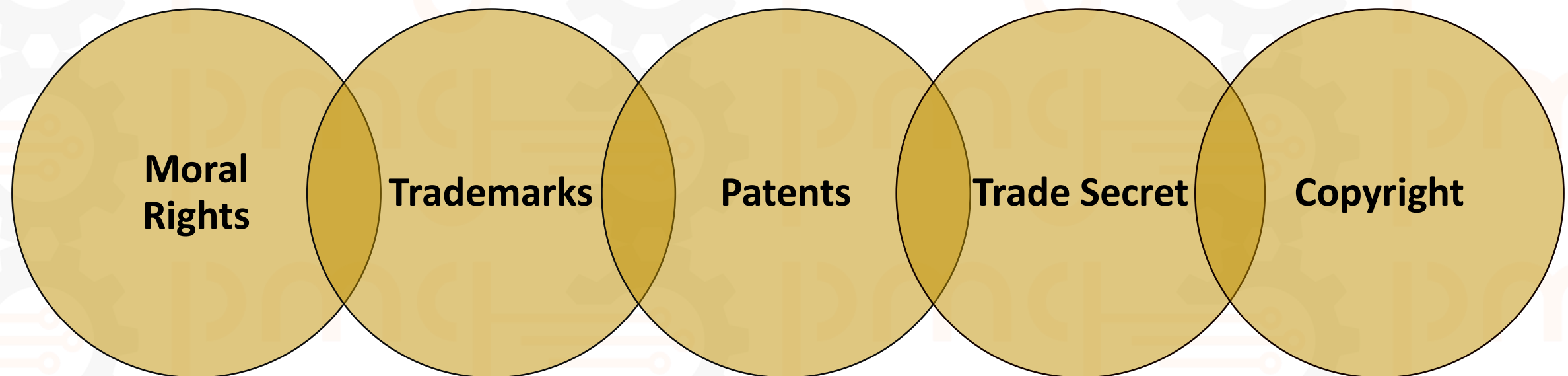
4. Reference

1. Introduction



- Intellectual property rights (IPR) refers to the legal rights given to the inventor to protect his invention for a certain period.
- These legal rights confer an exclusive right to the inventor or his assignee to fully utilize his invention for a given period.

2. Four Types of Intellectual Property Rights



2.1 Moral Rights



- Moral rights are related to copy Rights.
- Moral rights can't be assigned but they can be waived.
- Moral Rights contain two things
 - The right to be identified as an author
 - And the work will not be used in a way that affects the reputation of the author.
- Moral rights can sometimes create difficult issues as they are often overlooked.

2.2 Trade Marks



- Trademark offers protection for brandings.
- Trademarks are an indication of the quality of goods or services.
- Most common type of trademarks are logos and wordmarks, things like color, sound, and shape can be registered.
- Trademarks can be registered or unregistered, but registered marks give more protection.

2.3 Patents



- Patents stop others from making inventions.
- Patent is a legal right that is issued by the government.
- Filing a patent protects the product so other inventors cannot copy it.
- A patent is valid for 20 years after which it expires.
- Indian patent is not valid in any other country nor any other country patent is valid in India..

2.4 Trade Secret



- A trade secret is basically any confidential information that provides a competitive edge.
- Trade secrets in India are protected under the Indian contract act of 1872.
- Trade secrets are never registered, and trade secrets have no life unless one decides to put them in the public domain.
- E.g.- Like someone discovered a formula and has not shared that in public, it is a trade secret, and the day one decided to share it in public it is not anymore, a trade secret.

2.5 Copy Right



- Copyright is an intellectual property that protects the original work of authorship.
-
- Eg – Books, Videos, Motion, Pictures, computer programs, musical composition.
- Copy right is given for 60 years after the death of the author after that things went into the public domain.
- Copyright registration is required as it gives legal protection and is good for goodwill.

3. Objectives of IPR

- A Person should have the motivation to introduce creative ideas and secure them as intellectual property rights.
- Contribute to the economic growth of the nation.
- Protects the intellectual rights of the individual.
- It helps in stimulate social progress.
- It contributes to the growth in technology .
- Ultimately serves the public interest.



4. Infringement



- When a brand name is registered, the purpose of this is no one can copy the registered brand name.
- In trade mark act there is some provision given for this.
 - Section 29 says – if someone uses registered trade mark, person can sue the other party and file a legal case against them.
 - If someone uses a name same to registered company name and customers think both brands are related to each other, in this condition legal actions can be taken.



- Section 27 (1) says that there is no remedy for unregistered trademarks.
- Section 30 says that one cannot sue a party even if they have used your trademark, when
 - use someone's trademark for comparison or research purpose, not for the purpose of earning profit.
 - Like news channels cannot be sued for using trademark.

5. Conclusion

Intellectual Property Rights are Government Rights granted by the Government of India.

IPR is concerned with intellectual activity in industrial, scientific, literary & artistic fields.

These rights Safeguard creators and other producers of intellectual goods & services by granting them certain time-limited rights to control their use.

The rights are given to people over the creation of their minds.

6. Reference



- <https://hptechlaw.com/blog/2021/9/13/types-of-intellectual-property>
- <https://www.youtube.com/watch?v=AHXIIg8HUIw>
- https://www.youtube.com/watch?v=scbgE_yXC9M&t=79s
- <https://www.youtube.com/watch?v=E3dpi5AvDIg&t=499s>

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We deliver End-to-End Engineering Design and Construction Management Projects in Food and Beverage Industry.



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