Four main types of Intellectual Property:

- Copyright
- Trademarks
- Patents
- Registered Designs

“Copyright is a proprietary right given to the creator of an original literary, dramatic, musical or artistic work”

Copyright Designs and Patents Act, 1988

Copyright is an Intellectual Property Right

Copyright is created as a result of any act that involves original creative work

What types of creative works are protected by copyright?

- Literary (E.g. Books)
- Dramatic (E.g. A Play)
- Musical (E.g. A Musical Composition)
- Artistic (E.g. A Painting)
- Sound Recordings (E.g. Music CD)
- Films (E.g. Funnily enough – A Film)
- Broadcast or Cable Programmes (E.g. TV or Radio)
- Typographical Work (E.g. Typeface or layout of a book)

When is copyright created?

Infringement of copyright

- It is not necessary to copy an entire work to infringe copyright.
- Remember the words “Substantial Part”.
- Includes direct copying in any material form, even sketching a photographed original for example.

Mike Keefe The Denver Post 2003
HANDS ON YOUR HEAD. STEP AWAY FROM THE SHOWER. WE OWN THE RIGHTS TO THAT TUNE!
MUSIC INDUSTRY

Understanding Intellectual Property – Who Owns what?

Art Rogers – 1985; Polychrome

Jeff Koons – 1988

When is copyright infringed?

The copyright owner has the exclusive right to:

- Copy the original work
- Issue copies of it to the public
- Rent or lend it to the public
- Perform it in public
- Broadcast it
- Sell it to the public
- Make an arrangement or adaptation of it

If anyone does any of the above without the owner's permission, it's known as copyright infringement.

Duration of Copyright

Literary, dramatic, artistic or musical works:
70 years after the death of the author

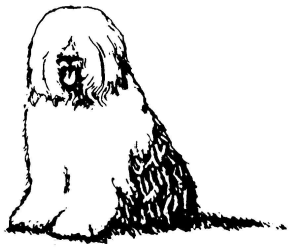
Film:
70 years after the death of the last surviving person from either the Principal Director, Screenplay/Dialogue Writers, or Composer of any specially commissioned music.

Sound Recording:
70 years from the year it was made or released

Broadcast or Cable Programme:
50 years from the end of the first broadcast

Typographical Arrangements or Published Edition:
25 years after the first edition was published

After the time-spans listed above, the work falls into the public domain – this means the work is no longer protected and can be copied freely by anybody



You see them every day…
so what are they?

Trademarks - a definition

- Any sign capable of graphically distinguishing the goods or services of one individual to another

For example it can be applied to;

- Words
- Letters
- Jingles
- Even shapes!!!

Understanding Intellectual Property – Who Owns what?

- Even shapes!!!

With trademarks on them!!

Understanding Intellectual Property – Who Owns what?

Licensing

Trademarks - What is this product?

Trademarks - What is this product?

Xsara Picasso

Trademarks - recognition

- Registered Trademark = ®
- Must be distinctive for your goods or service
- And not resemble one already in your line of business
- This will be subject to checking
- In the 'Trade Marks Journal'