



ABC of IPRs for Students

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Introduction to Intellectual Property

Intellectual property (IP) is a tangible representation of creations of the human mind. IP allows a creator to enjoy exclusive ownership over it.

There are seven types of Intellectual Property Rights:

1. Trademark
2. Patent
3. Copyright
4. Industrial Design
5. Plant Variety Protection
6. Geographical Indication
7. Trade Secret

Some examples of intellectual property include music, paintings, brand names, words, logos, machines, devices, etc.

India has a robust legal framework that governs provisions to register and protect intellectual property. It ensures that no one copies or misuses creative and inventive work of others. Further, it encourages innovation and creates an environment that supports and encourages originality.

All legal issues pertaining to IP are handled by the Controller General of Patents, Designs, and Trade Marks (CGPDTM) and the courts.

“Ideas in your mind have no patent value.
They must be expressed or reduced to practice
before it is too late”

Kalyan C. Kankanala

Trademark

A trademark is a sign which helps in identifying and differentiating products of one entity from another. It can be a word, name, symbol, or a combination of these. A trademark defines the identity of goods or services.

The Trade Marks Act, 1999, provides for registration and protection of trade marks for goods and services and for the prevention of the use of marks fraudulently. A registered trademark can be used exclusively by its owner.

Without trademarks, it is difficult to distinguish between similar products of competing brands.

The following are different types of trademarks:

- Logo or symbol
- Word or combination of words
- 2D or 3D drawing
- Label or packaging
- Sound, smell, colours, distinct features

Did You Know?

The symbol [™] refers to a mark that is under the process of registration and the symbol [®] represents a registered mark.



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Patent

Patent is an exclusive right granted by the government to protect an invention and its subsequent use. A novel invention be it a product or process, which offers a unique or technically advanced solution to a problem, and has an industrial applicability, can be patented. Any discovery is not patentable.

The Patents Act, 1970, provides details of protection on inventions and the consequences of patent infringement, among others.

Some famous patented inventions are:

- iPhone
- 3D printer
- Global Positioning System (GPS)
- Telephone
- Bluetooth
- Virtual Reality (VR)
- Light Bulb

Did You Know?

In order to help developing countries overcome COVID-19 vaccine shortage, many countries waived off patent protection and allowed large scale production of vaccines.

Copyright

Every work of art is an expression of an idea. A copyright is a bundle of rights against copying to protect such original works. Copyrights deal with creativity which is expressed through the medium of mass communication. Every creation or work of art is protected under the law even without registration.

The Copyright Act, 1957, contains provisions regarding the protection of copyrights.

The following original works can be protected under copyright:

- Music
- Paintings
- Sculpture
- Films
- Software
- Computer programs
- Database
- Advertisement
- Maps
- Technical drawings

This list does not include all forms of copyrights

Did You Know?

The owner of a copyright can allow another to use their original work in exchange for a royalty fee!



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Industrial Design

Industrial designs are those designs which add an aesthetic feature to a product. These designs appeal to the eye and are ornamental only, i.e., they do not affect the functionality of a product. Shapes, patterns, colour combinations, etc., are some of the features which help in distinguishing one design from another.

The Designs Act, 2000, provides for the protection of novel and original designs. Even three-dimensional designs can become eligible for a design patent registration. Designs that are independent artistic works are protected under copyright law.

Some examples of famous registered designs:

- Coca-Cola bottle
- TVS Auto
- Red soles of Christian Louboutin shoes

Did You Know?

Fashion designer Sabyasachi Mukherjee holds the highest number of registered designs in the Indian fashion industry.

Geographical Indication (GI)

A geographical indication is a recognition given to certain products through which their origin, location, quality, reputation, and other such characteristics can be easily identified. Such products may be agricultural, manufactured, naturally occurring, or handcrafted. A geographical indication certification is usually displayed on the packaging of a product.

The Geographical Indications of Goods (Registration & Protection) Act, 1999 provides for the registration and protection of geographical indications of Indian goods.

A producer or an association of producers of a product can become an owner of the GI and get authorization to produce the goods.

Some examples of GI certified products are:

- Kashmir saffron
- Pochampally Ikat
- Hyderabadi Haleem
- Mysore silk
- Manipuri black rice
- Bikaner bhujia
- Madhubani paintings

Did You Know?

Darjeeling Tea was the first Indian product to receive GI certification in 2004 for its unique aroma and flavour.



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Plant Variety Protection

A plant variety means different types of plants within a species. Breeders cultivate such plant varieties by using different combinations of traits and create a genetically unique plant.

Plant variety protection is that intellectual property right which grants a breeder exclusive ownership over the use of a newly developed plant variety. When a plant variety is protected, no breeding or cultivation can take place without authorization from the breeder. A breeder might be an individual, a farmer, a researcher, a government organization, a private company, etc.

Protection to plant varieties is granted in accordance with the Protection of Plant Varieties and Farmers' Rights Act, 2001. Not all plant varieties can be protected, the breeder must show novelty, stability, distinctiveness and uniformity in the variety. A certificate of registration is granted to the breeder to show that a plant variety is protected.

Did You Know?

In India, many varieties of crops like rice, ginger, cotton, etc., have been granted plant variety protection due to their unique features.

Trade Secret

A trade secret is that undisclosed information which is kept confidential by a company and its employees. It is exclusively used for business activities. Sometimes, even the job experience one gains while working in an office becomes a trade secret!

If such information is leaked, it may cause financial losses to the business or it may give their competitors an undue advantage.

In India, there is no law that protects trade secrets, but companies sign contracts like Non-Disclosure Agreement, Confidentiality Agreement, or Non-Compete Agreement, etc., with their employees, to protect their business secrets and prevent the employees from leaking private information. Such contracts are governed by the Indian Contract Act, 1872.

Did You Know?

KFC uses a secret recipe for its fried chicken.
It is said that only a few select employees know about the original recipe and they are duty-bound to keep it a secret!



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Who is IP Buddy

IP Buddy (Rachit) is the IP mascot of Intellectual Property Rights (IPR) for Telangana - A Government of Telangana initiative with a vision of "IP4all".

Rachit will be your Deer Friend in your IP journey who advocates creativity, innovation, and IP protection in today's world.

"Get an IP advantage today for your Business and Academia"

Befriend Rachit! Chat with him on WhatsApp



ipbuddy@resolutegroup.in



KTR launches Telangana IP Buddy-Rachit

BB BUREAU
HYDERABAD

KT Rama Rao, Minister for Municipal Administration, IT and Industries on Wednesday unveiled the first of its kind IP mascot of Telangana-IP Buddy-Rachit today at the Dr MCR HRD Institute in the presence of his Cabinet colleagues Harish Rao, Sabitha Indra Reddy, Srinivas Goud, Malla Reddy along with Chief Secretary Mr Somesh Kumar, Jayesh Ranjan, principal Secretary IT and Industry and Raminder Singh Soin, Chairman, Resolute Group of Companies, M Komraiah, Chairman DPS and Bhaskar Reddy, President FTCCI.

The IP mascot is an initiative of State Government powered by Resolute4ip a service arm of the Resolute Group of

Companies with the sole vision of "IP4ALL" and to provide a platform for all stakeholders to connect and get solutions on IPRs.

The initiative is partnered by Delhi Public School, Nacharam and the Federation of Telangana Chambers of Commerce and Industry (FTCCI) and Rocksalt. Rachit will advocate Creativity, Innovation and IP protection in today's world and will work towards creating an IP savvy culture in Telangana. With the recent launch of the National Intellectual Property Awareness Mission by DPIIT of Centre, on 8 December, it has become even more imperative to spread IP awareness in schools, colleges and all stakeholders. The Centre has set a target in sensitising 1 million students from Class 8-12 on IPRs in schools and colleges across the nation.



KTR unveils State gov't's IP mascot

MUAD Minister KT Rama Rao unveiled the first-of-its-kind IP Mascot of Telangana — IP Buddy-Rachit on Wednesday at the Dr MCR HRD Institute, in the presence of Harish Rao, Sabitha Indra Reddy, Srinivas Goud, Malla Reddy and Chief Secretary Somesh Kumar, among others. The IP mascot is an initiative of the TS govt powered by Resolute4ip.



Minister for information technology, municipal administration & urban development, and industries, K.T. Rama Rao unveils 'Rachit', the intellectual property rights mascot of Telangana in Hyderabad on Wednesday. — DC

'Rachit' mascot to promote IP savvy culture in state

DC CORRESPONDENT
HYDERABAD, JAN. 5

Minister for information technology, municipal administration & urban development, and Industries, K.T. Rama Rao on Wednesday unveiled 'Rachit', the intellectual property rights mascot of Telangana.

The creation of an IP mascot was initiated by the state government in collaboration with Resolute4ip, a service arm of Resolute group.

The Rachit platform will advocate creativity, innovation and IP protection and will work towards creating an IP savvy culture in Telangana. The Centre has set a target of sensitising one million students from class 8 – 12 on IPR's in schools and colleges across the nation.

● RACHIT, DESCRIBED as an IP buddy, will enable students, start-ups, MSME's and interested stakeholders to be certified as 'IP Ambassadors' for their institutions and companies

● THE PLATFORM will advocate creativity, innovation and IP protection and will work towards creating an IP savvy culture in state.

● THE MASCOT, and the services offered by Rachit, can be accessed through WhatsApp at 83411-10413.

Rachit, described as an IP buddy, will enable students, start-ups, MSME's and interested stakeholders to be certified as 'IP Ambassadors' for their

institutions and companies. The target is to create 10,000 IP ambassadors by March 31.

The mascot, and the services offered by Rachit, can be accessed through WhatsApp at 83411-10413.

Joining Rama Rao on the occasion ministers T Harish Rao, P Sabitha Indra Reddy, G Srinivas Goud, Ch Malla Reddy, chief secretary Somesh Kumar, principal secretary (IT) Jayesh Ranjan, chairman of Resolute group of companies Raminder Singh Soin, and Chevireddy Bhaskar Reddy, president FTCCI.

Also partnering in the creation of Rachit and IP information related activities are Delhi Public School, Nacharam, the Federation of Telangana Chambers of Commerce and Industry, and Rocksalt.



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