

INTELLECTUAL PROPERTY RIGHTS

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Intellectual Property Rights

- ▣ Introduction-
- ▣ The immaterial product of a man's brain may be valueable as his land or his goods.
- ▣ The, law therefore gives him a proprietary right in it, and the unauthorised use of it by other persons is violation of his ownership and considered not less than theft.

Meaning of Intellectual Property

- ▣ Intellectual property is an intangible creation of the human mind,
- ▣ usually expressed or translated,
- ▣ into a tangible form.

Examples of Intellectual property

- ▣ an author's copyright on a book or article,
- ▣ a distinctive logo design representing a soft drink company and its products,
- ▣ unique design elements of a web site,
- ▣ a patent on the process to manufacture chewing gum.

Types of Intellectual Property

- Intellectual property is divided into two categories:
- **Industrial Property-** includes patents for inventions, trademarks, industrial designs and geographical indications.
- **Copyright-** covers literary works (such as novels, poems and plays), films, music, artistic works (e.g., drawings, paintings, photographs and sculptures) and architectural design.

Meaning of Intellectual Property Rights

- ▣ Intellectual property rights are like any other property right. They allow creators, or owners, of patents, trademarks or copyrighted works to benefit from their own work or investment in a creation.
- ▣ These rights are outlined in Article 27 of the Universal Declaration of Human Rights, which provides for the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary or artistic productions.

- ▣ The importance of intellectual property was first recognized in the Paris Convention for the Protection of Industrial Property (1883) and the Berne Convention for the Protection of Literary and Artistic Works (1886). Both treaties are administered by the World Intellectual Property Organization (WIPO)