



## **INTELLECTUAL PROPERTY RIGHTS**

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### **ABSTRACT**

*Intellectual property is a right of creation of their work. This work is classified into Patent, copyright, trademarks, tradeseecrets, right of publicity. The main aim of Intellectual copyright is to encourage the creation of a large variety of goods.*

**Keywords:** *Intellectual, patent, copyright, trademarks, trade secrets, publicity.*

#### **INTRODUCTION**

**Figure:** [Trademarks] [Patent]  
[Right of publicity] [Intellectual property]  
[Trade secret] [Copyright]

It is a category of property that includes intangible creations of the human Intellect.

#### **Definitions**

Intellectual property (IP) refers to creations of the creations of the mind, such as Inventions; literary and artistic. Intellectual means involving a person's ability to think. Intellectual property encompasses two types of rights 1. Industrial property rights. 2. Copyright right.

#### **Intellectual property is of five types**

1. Copy right.
2. Patents.

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3. Trademarks.
4. Trade secrets.
5. Right of publicity.

### 1. Copy rights:-

The copyright law of defines a copyright work as a 'production in which thought is present. Copyright is a legal right existing in many countries that grants the creature of original work exclusive rights to determine.

#### History:

The copyright Act.1957 came into effect from January 1958, This Act has been amended six times till date since then i.e. in 1983, 84 works in which copyright subsists- Copyright shall used in following classes of work 1. Original literary, dramatic, musical & artistic works. 2. cinematograph films 3. sound

### 2. Patent

A patent is a form of Intellectual property (IP) .A patent gives it's owner the right to exclude others from making using, selling and importing for a limited period of time, usually twenty years.

#### History:-

The first patent was granted on July,31,1790 to Samuel Hopkins for a method of producing potash, the earliest law required that a working model of each. Invention be submitted with the application. A separate patent office was created in 1802.

The patent rights are granted in exchange for an inability public disclosure of the invention.

**Types of Patent:-** Patent are of three types-1.utility patents.2.design patents 3.plant patents.

**Importance of patent:-**A patent provides it's owner with the right to exclude others from exploiting the technology, it provide freedom of movement.

### 3. Trademarks

Trademark is a recognizable sign, design or expression which identifies products or services of a particular source from those of others, although trademarks used to identify services are usually called service marks.



## **History of Trademarks**

In France the first comprehensive Trade mark system in the world was passed into law in 1857 with the manufacture and Goods mark Act.....Registration was considered to comprise Prima Facie evidence of ownership of a trademark and registration of marks began of 1 January,1876.

## **Importance of Trademark:-**

The trademarks play an important role for the commercialization & growth of the industry & Business with the help of trademark the customers distinguish between service & mark of goods.

Understanding true economic value of product Trademark is used or helped, it also used as a way of protecting consumers.

**Types of Trademark:-**1.A word or design mark.2.Acetification mark.3.Adistinguishing wise

## **4. Trade secret**

A trade secret is a 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.

**History of Trade secret:-**Like many other forms of intellectual property production .The protection of trade secrets dates effective from June,15, 1991 Japan enacted a national trade secret law.

**Importance of Trade secret:-**Trade secrets are a company's confidential it may be protect recipe, design or any piece of secret. With the help of Trade secret information one company different from other company.

## **Types of Trade Secrets**

1 Formula, 2. Process, 3. Design, 4. Methods, 5.Tools, 6.Automation, 7.Patterns, 8.Know-how.

## **5. Right of Publicity or personality rights**



The of publicity often called personality rights is the right of an individual to control the commercial use of his or her name ,image lankness or other unequivocal aspects of one's identity.

### History of right of publicity

31 July,2015 the right of publicity is often confused with it's more recognized cousins in the Intellectual property family,copyright and trademark.However the hietorical origins of copyright,trademark and right of publicity demonstrste distinct policy,rationales for the interests that each is designed to protect.

### Types of right of publicity

1.Extraverted Sensing(ESTP), 2.Introverted sensing(ISFT), 3. Extraverted intuition(ENTP), 4. Introverted intuition(INTJ), 5. Extraverted thinking (ENGI).

### CONCLUSION

Intellectual property right is a legal concept that confers rights to owners and creators of the work,for their Intellectual creativity agreement on trade-related aspect of IP right.IP rights has vital role in all sector and has become a crucial IP rights have assumed central importance through out the world. There are several types of IP protection like copyright,patent,trademark,trademark secret & personality Act.

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