

IP PROTECT

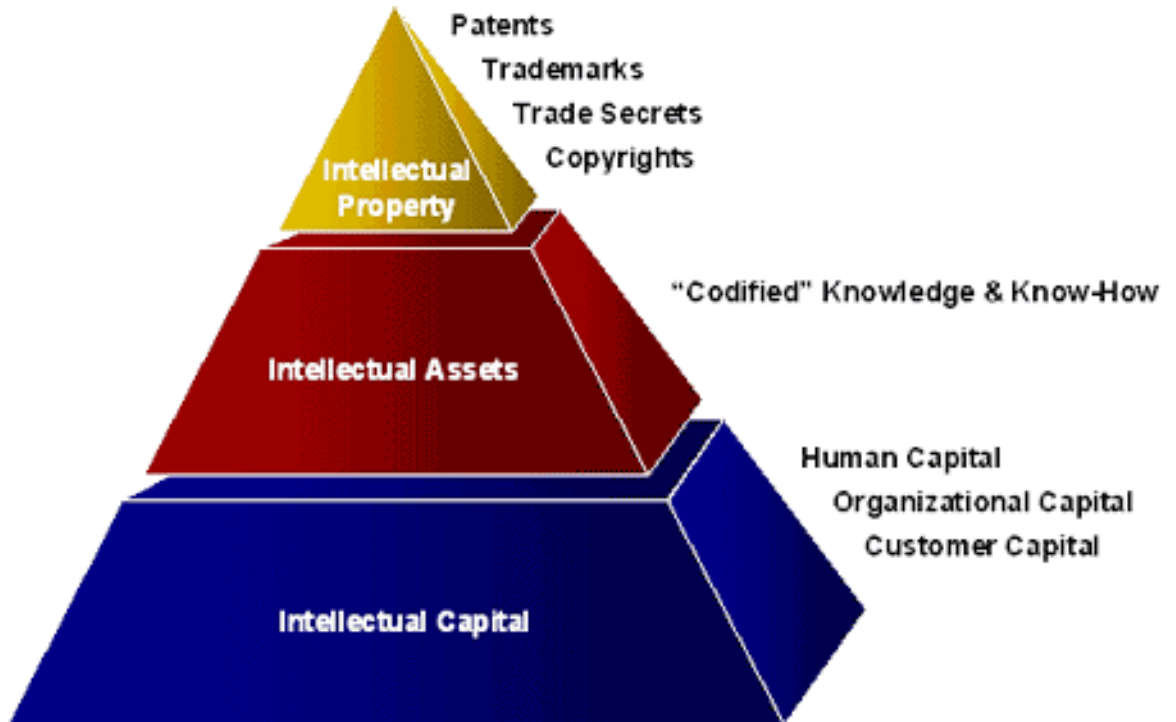


Diagram 2.3.1

IP Protect Module entails identification and capturing of vital intellectual capital and knowledge developed by a company in the course of its operations. These critical intellectual capital or knowledge which contribute to overall competitive advantage of the company can be owned in the forms of patents, trademark, copyrights, industrial designs or trade secret depending on the nature of the knowledge. The challenge of IP Protect Module is to identify the sum total of knowledge or intellectual capital of an organisation, capture and codify the knowledge to become intellectual assets of the organisation and eventually selective protect the intellectual assets so that they become proprietary of the organisation as illustrated by the Diagram 2.3.1 above

The Table below summarises the different categories of intellectual property assets protectable by the intellectual property system. In essence, intellectual property system protects intangible assets which are the fruit of creative or innovative capacities of the mind and grants the owner the exclusive rights to commercial exploit the assets for a limited duration of time.

Table 2.3.2: Summary of Different Categories of IP Assets

Nature	Functions	Types	Duration of protection	International Protection
PATENT	Protects inventions, ie products or processes that offers technical solution to a problem	a) Article of manufacture b) Process c) Machine d) composition of matter	20 years from filing date of patent	a) PCT Filing b) Paris Convention Filing
TRADEMARK	Protects distinctive sign which identifies certain goods or services	a) Product Mark (TM) b) Service mark (SM)	10 years from filing date of trademark	a) Madrid Trademark b) Paris Convention Filing
INDUSTRIAL DESIGN	Protects ornamental or aesthetic aspect of industrial products	a) 3-dimensional features, eg: shape or surface b) 2-dimensional features, eg:-patterns or lines	Initial 5 years and can be renewed, in most cases for 15 years	a) Hague Design b) Paris Convention Filing
COPYRIGHT	Protects original expression of ideas reduced to material forms.	1. literary works 2. artistic works 3. musical works 4. sound recordings 5. performing rights	Usually 50 years after the death of the authors	Berne Convention

New Categories of Intellectual Property Rights

- Plant Variety Rights to protect new plant variety and its propagating and harvested material, usually for 20 years.
- Layout Designs Rights to protect the three dimensional disposition of the elements or all of the interconnections of integrated circuit, usually for 10 years.
- Geographical Indications Rights to protect geographical indication that identifies any goods as originating in a country or territory where a given quality or reputation is essentially attributable to that indication, usually for 10 years from filing date.