



# YOUR OWN WORLD OF IP



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# YOUR OWN WORLD OF IP

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## Your own world of IP

Did you know that intellectual property (IP) is always with you? On any given day the average student is surrounded by products that are full of IP, ranging from the clothes you wear to the books you carry around in your backpack to the music you listen to. What most of you probably don't realize is that intellectual property is everywhere in your world.

What is intellectual property? It involves the products of the human mind — the fruits of human creativity and invention. It is with us every day of our lives, from dawn to dusk, while we are at school, while we are hanging out with our friends, and even as we sleep. There are two categories of intellectual property. The first, industrial property, includes inventions (patents), trademarks, industrial designs, and geographical indications. The second category, copyright and related rights, includes a broad range of literary and artistic works, written, performed, and recorded. Read on to learn more about the various aspects of IP and the influential role it plays in your own life.

Welcome to your own world of IP ...

# COPYRIGHT

Copyright is a legal term that describes rights given to creators of a broad range of literary and artistic works. Copyright provides exclusive rights to creators to use or authorize others to use their works in certain ways, giving them the ability to control and receive payment for their creations. This gives them incentives, by way of recognition as well as fair economic reward for their work. Additionally, rights related to copyright provide protection for performing artists (such as musicians and actors), producers, and broadcasting organizations.

Copyright and its financial benefits usually last for a period of at least 50 years after the creator's death, and in some countries these rights have been extended to last up to 90 years after the creator's death. Once the copyright period ends, the work goes into the public domain and reproduction is free; however, credit for the work, or authorship, will forever belong to the creator.

One of the greatest fears among copyright holders is infringement of their rights in the form of piracy and plagiarism. The recent controversy over peer-to-peer networks and file sharing, for example, deals with issues of copyright infringement and piracy, since in many cases copyright owners are not being compensated for the reproduction of their works.

The backpack is a world of IP. Inside, one can find all sorts of copyrighted material, such as books, software, CDs and sheet music.



For every CD, both the recorded music and the artwork on the CD are protected by copyright.



The written words inside books are protected by copyright, as is the artwork on the cover of and inside the book.



# PATENTS

Patents protect inventions and provide exclusive rights to the patent owner, meaning that the patented invention cannot be made, used, distributed or sold without the patent owner's consent. Patent protection is usually granted for 20 years. Once a patent expires, the protection ends, and an invention enters the public domain and becomes available for commercial use and exploitation by others.

Patents not only provide protection, but also incentives for inventors by ensuring recognition and material reward, while also helping to enrich the body of technical knowledge in the world. Patent owners are obliged to publicly disclose information on their invention which serves as a valuable resource for other inventors, as well as inspiration for future researchers and inventors. Patents also help inventors earn a living from their work. They are like titles that are transferable; they can be bought and sold to others besides the original owner. For example, if a patent owner cannot afford to manufacture and market the invention himself, he can license the rights of the patent to a company that can.

A watch is something that you wear everyday, but have you ever stopped to think about how much thought, innovation, and creativity—the raw materials of IP—went into its development? From the patents of the digital display, clasp and dial to the industrial designs for the look of the watch face and strap, a watch is loaded with products of IP. The company's trademark is also a distinguishing and valuable feature of a watch, usually seen on the watch face.



Courtesy, Swatch, Inc 2014

Almost everything has IP in it. Even your sandals have patented comfort systems and traction designs, as well as industrial designs associated with the look of the strap and shape of the sole. A company trademark will almost always appear somewhere on the sandal, adding to its value and appeal.



Your favorite pair of jeans is probably something you would never think about as being a product of IP. However, there are patents, industrial designs, and trademarks associated with each pair of jeans. First, the zipper is a patented invention, while the rivets, patches and unique stitching are all part of its design. Finally, each pair of jeans will bear the company's trademark in at least one place, if not more.



# INDUSTRIAL DESIGNS

Industrial designs, also known simply as designs, are the ornamental or aesthetic aspects of an article. These designs make an article attractive and visually appealing, thus adding to its commercial value. For that reason, they are registered and protected. An owner of a registered industrial design is assured an exclusive right against unauthorized copying or imitation of the design. This sort of protection helps economic development by encouraging creativity in industry, as well as in traditional arts and crafts. Additionally, it helps to promote more innovative and aesthetically attractive products, thus providing consumers with a wider choice.

An industrial design can serve a function similar to that of a trademark in that a product with a certain shape or look can just as easily be identified as a trademark, and as a result may also help to increase a product's commercial value. Furthermore, because of these designs, many of the products we use today have become more efficient, more attractive, and more in tune with our constantly changing needs. This is true of products ranging from shoes to computers.



Sunglasses highlight the importance of the need to register an industrial design. Perhaps more important than the way the sunglass frame is made or the process used for tinting the lenses (patented methods) is the design used for the way the frame looks and the way the lens is shaped. Since trademarks, which appear on most sunglasses, tend to be small, it is the overall aesthetic look that gives sunglasses their value.



A cell phone's size, shape, color and overall look has as much to do with how desirable it is to consumers as to how well the phone actually functions. A cell phone owes its look to industrial design. The technology used in its antenna, microphone, speaker and internal chips are protected by patents. Additionally, the phone itself will usually carry the manufacturer's trademark.



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Did you have any idea that so much  
IP could be wrapped up in  
something so small?

# TRADEMARKS

Trademarks are distinctive signs which identify certain goods and services from one another. A registered trademark provides protection to the owner of the mark by ensuring the exclusive right to use it to identify goods or services, or to authorize another to use it. (A trademark usually lasts 10 years, but can be renewed again and again.) Since consumers link certain trademarks with certain products, prestige and reputation associated with the trademark are important. A well-received product will become a recognizable trademark, which will become better known and thus increase the overall value of the product — as well as other products with the same trademark. A trademark can also be used to create an image and/or a style for a product.

Today counterfeiting is the biggest threat to trademark owners. Counterfeiters illegally use or copy registered trademarks to sell non-genuine goods under the guise of a recognizable trademark's reputation. For instance, copied consumer goods, such as clothing or accessories, are available for nearly all recognizable trademark brands; however, these imitations do not possess the same quality or craftsmanship as the originals.



A backpack bears a company's trademark, industrial designs (look, shape, color), as well as patented inventions like ergonomic straps/fasteners and waterproofing. Many of these elements help distinguish one brand from another.

Every CD player is a bundle of IP. Its trademark (company logo), its patented inventions for recording and playback processes, and even the aesthetic shape and look of the CD player casing (industrial design) are all protected forms of IP.



Courtesy:  
Sony Electronics SA

# GEOGRAPHICAL INDICATIONS

Geographical indications of source apply to particular products that have particular characteristics closely identified with, and due to their geographic place of origin. Products associated with the names of these geographic regions often acquire a valuable reputation for a particular quality or characteristic and are therefore protected by various national laws and international agreements. For instance, sparkling wine from the Champagne region of France is simply called Champagne, while other similar products produced elsewhere are generally identified as sparkling wine.

Swiss chocolates are a good example of a geographical indication of source. The taste and quality of chocolates manufactured in Switzerland are expected to meet a certain standard due to characteristics specific to Switzerland. Other examples of geographical indications include coffee from Jamaica and Tequila from certain parts of Mexico.



Toblerone® is a trademark registered by the Toblerone Group. © 1985

Now that you've seen some of the ways in which intellectual property affects your life everyday, think about how valuable intellectual property is to you and your world. Without it, the world would be a much less interesting place. For this reason, we should all work together to protect the rights of those who create and innovate. Creativity is the world's greatest natural resource. We shouldn't waste it.

The next time you want to download a song from the Internet without paying for it, or buy counterfeit jeans, THINK about the rights of your favorite artists who have worked so hard to create your favorite tunes, and the designers who create the clothes you like. And then IMAGINE what the world would be like if such people were not around to CREATE the products you love so much.

# THINK, IMAGINE, CREATE

# It's your own world of IP



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