



Introduction to Intellectual Property Rights

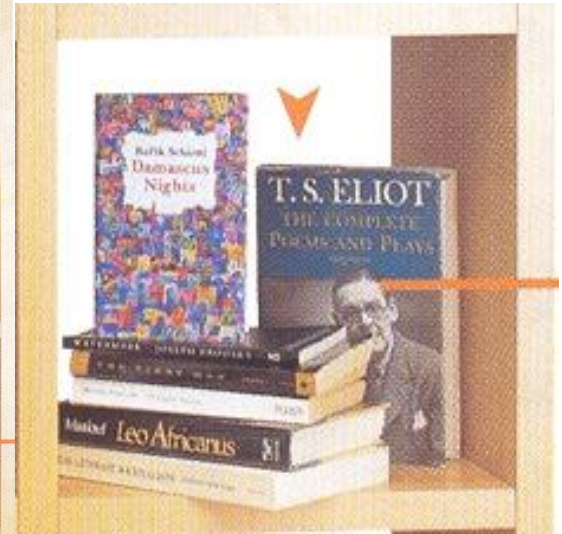
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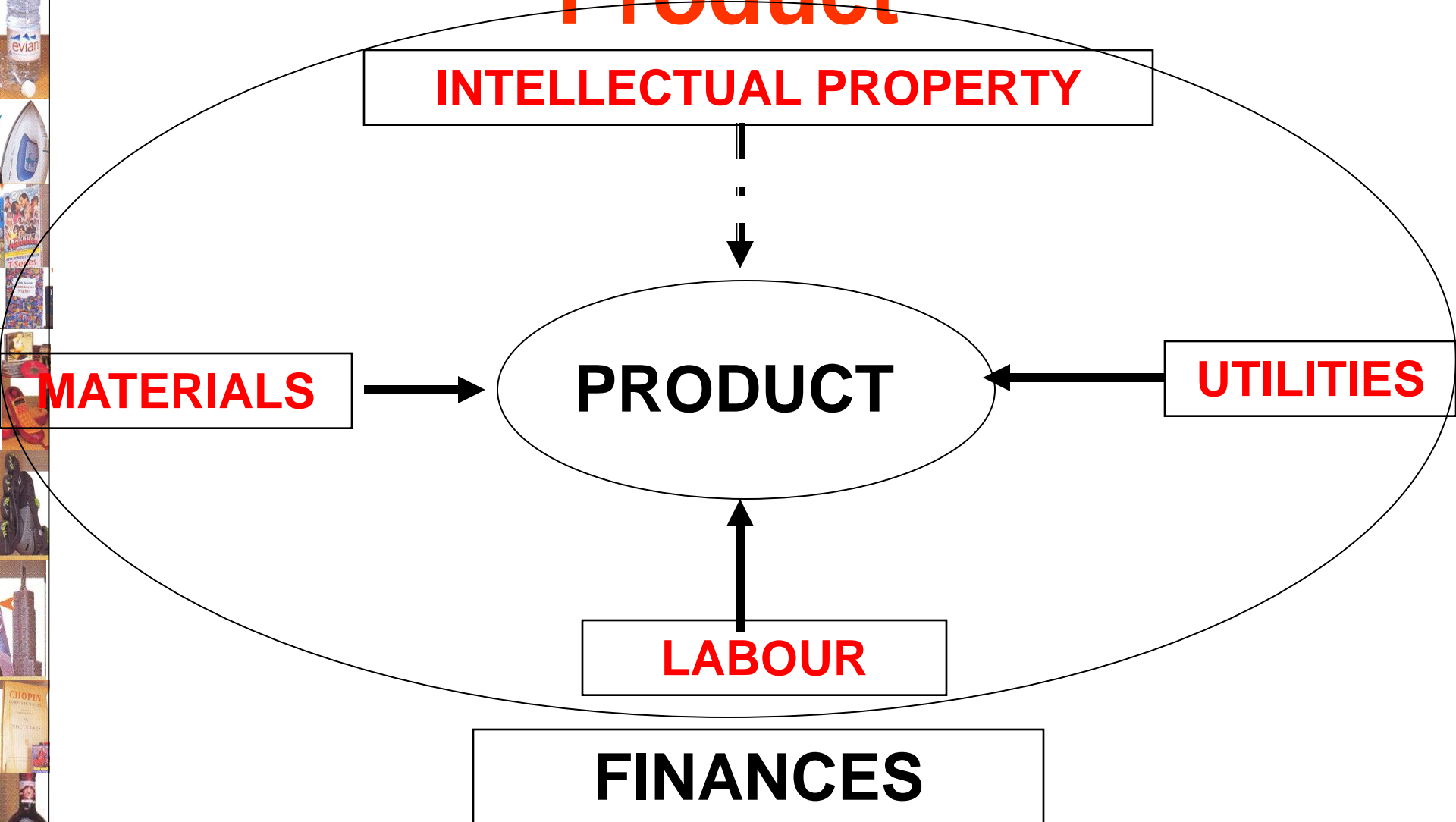




What are the components embodied in a product?



Components Embodied in a Product





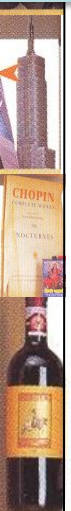
Note

IP is a forgotten component of a product.

Even in institutions where subject of production/financial management are taught this component is not touched.

**IP is the contribution of researchers/
product developers**

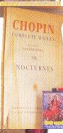
Normally they do not recognize and sometime they let it go without benefiting them





Overview of Presentation

- **Introduction**
- **Definitions of IP and IPR**
- **Categories of IPR**



Introduction

- **IPR systems historically were first developed in countries with strong industrial research and development.**
- **Intellectual Property is a powerful tool for economic development and wealth creation.**
- **Intellectual Property is not yet being used to optimal effect in developing countries.**



Intellectual Property (IP)

Creation of the human mind.

Product of human inventivity and creativity.

Results of creation of human mind (the intellect).

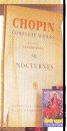


Examples of IP

- **Idea (Imagination).**
- **Knowledge**
- **A method of conducting survey**
- **A new plant variety**
- **A method of extracting information from a dataset.**
- **A product**



- ✓ **Possessed by someone**
- ✓ **Has value**
- ✓ **Can be exchanged (traded)**
- ✓ **If stolen one can go to court**
- ✓ **Free use by the owner**



Specific characteristics of Intellectual Property (IP)

- ✓ Related to information
- ✓ Could be incorporated in tangible objects
- ✓ Reproduced in different locations
- ✓ Used by several persons at the same time



Intellectual Property Right (IPR)

- **Is a legal right given to the owner of Intellectual Property (IP)**
- **Rights for intangible creations of the mind**
 - Corporate assets**
 - Recognized by national laws and international treaties**



To have the Property Right means:

- **Have the right to use the property**
- **A right to exclude others from using it**
- **A right to transfer the right to others**
 - **Under agreements (licensing ...)**
- **Property rights also come with certain obligations**



- **Industrial Property Right**
(Intangible assets created for advancing technology, industry and trade)
- **Copyright and Neighbouring right**



- **Patents of inventions**
- **Utility models**
- **Industrial designs**
- **Trade and service marks**
- **Trade secrets**
- **Geographical indications**
- **Plant breeders right**
- **Layout designs (topographies) of integrated circuits.**
- **Indigenous and traditional knowledge**



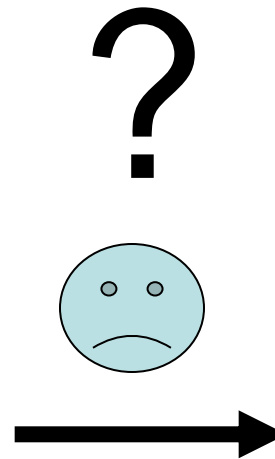
- A legal right given to owner of an invention/innovation in a specified territory for a period of 20 years.
- Confers a very high level of exclusive rights to prevent others from using, making, offering for sale or selling the invention
- To receive a patent an invention must fulfill three main criteria:
 - novelty
 - non-obvious (inventive step)
 - industrial applicability (usefulness).



Example of Invention/ Innovation

Problem

Solution





IPR, 2: Utility Model

- Also referred to as petty patent
- Provide protection for models and designs
- Term of protection shorter – up to 10 years



IPR, 3: Industrial Design

- Protects only distinctive appearance of products.
- Covers wide range of products e.g. handcrafts, building materials, textiles, toys etc.
- Period of protection – 10 years.





IPR, 4: Trade & Service Mark

- A word, sign, symbol or number used to identify goods or services.
- A trade or service mark can be registered or not.
- Registered trade or service mark [®]
- Trade or service marks prevent others from using similar sign on goods or services on the same business line.
- No limit to the term of protection.



IPR, 5: Trade Secret

- **The right to keep trade secrets (confidential business information) provides competitive advantage.**
- **Protected through civil and /or criminal law.**
- **No registration procedure.**
- **No any exclusive right guaranteed**
- **Difficult to enforce**
- **Denies society to understand about the invention.**



IPR, 6: Geographical Indication

- **Signs or names, which indicate that a product or service originates from a particular location.**
- **Typically used for food products (wines, Spirits).**



- **A *sui generis* IPR created to protect new plant varieties.**
- **Plant varieties can be registered if they are:**
 - new**
 - stable**
 - homogenous**
 - distinguishable**
- **Period of protection – 20 years**



copyright

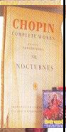
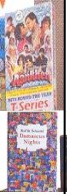


- Literary works
- Artistic works
- Computer programmes
- Electronic database

Neighbouring rights



- Performers
- Producers of phonograms
- Broadcasts



Copyright and Neighbouring Rights

- **Protect original literary and artistic works.**
- **Protection and legal right is automatic once a work is fixed into a tangible media of expression.**
- **The term of protection is from the date of making the work plus 50 years after the death of the creator, or 50 years only when the creator is a corporate body.**



End of presentation

Thank you for your attentive minds

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