

It does not Cover -

- ♦ Mode or Principle or construction.
- ♦ Anything which is in substance a mere mechanical device.
- ♦ Any trade mark.
- ♦ Any artistic works defined under Copyright Act.

Requirements for the registration

- ♦ Design should be new and original.
- ♦ Design should not be previously published or used.
- ♦ Design should relate to features of shape, configuration, pattern or ornamentation.
- ♦ Designs should be of artistic nature like painting.

Designs which are not registered under the Act

- ♦ A design which is not new or original.
- ♦ Design has been disclosed to the public.
- ♦ Design is not significantly distinguishable from known designs or combination of known designs.
- ♦ A Design comprises or contains scandalous obscene matter, shall not be registered.

Artistic work which are not subject matter of copyright registration.

Duration of protection - 10 years and extendable for another 5 years.



GEOGRAPHICAL INDICATION

A geographical indication (GI) is a sign used on products which are from a specific geographical origin and possess qualities or a reputation.

Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production.

The need for a GI is to protect a product exclusive to a particular place of origin and prevent it from duplication by the traders from other place or other country.

Term

Valid for a period of 10 years but it can be renewed for further 10 years from time to time.



Registered, Office

43C, Sri Gopal Mullick Lane, Kolkata - 700 012, West Bengal.

Corporate Office

4 No. Fairlie Place, HMP House, Gate No.-2, Ground Floor, Room No. G-F, Kolkata - 700 001, West Bengal

Branch Office:

P-171, Block - A, Lake Town, Kolkata - 700 089, West Bengal



Advocates, Patents and Trademark Attorneys

V.S.ARORA & CO.
SAFEGUARDING INNOVATIONS SINCE 2020



As a business owner, you manage many assets on a daily basis, but you may be overlooking an important one: Intellectual Property. Your intellectual property includes the intangible assets you create for your business, such as inventions, names, symbols, designs and the like...

It is important in the business to create and protect intellectual property. It helps to expand your business through leaps and bounds.

WHAT IS INTELLECTUAL PROPERTY

It is a kind of property which are from human intellect. It is a product of human creation. It has two distinct forms:

♦ Literary and Artistic Works

such as Books, Paintings, Songs, Musical Compositions, Plays, Movies, Radio/TV Programs, Performances and other artistic works.

These are all protected by Copyright.

♦ Industrial Property

Industrial property describes physical matter that is the product of an idea or concept for commercial purposes. They are protected by:



PATENT

It is a kind of exclusive right by which an inventor protects his invention.

The Invention should be

- ◆ New (Novel).
- ◆ Useful.
- ◆ Non Obvious.
- ◆ Patentable.
 - ◆ Invention relates to Process of Product.
 - ◆ Involves an Inventive Step
 - ◆ Capable of Industrial Application.

Term

Only for 20 years.

Renewal

First and Second Year - No fees.

Third year to 20th year - Requisite Govt. Fees to be paid from time to time.

TRADE MARK

It is a symbol, logo, word or combined, lor, design, or other device that is used to identify the goods or services of a particular company in the course of business,

Registration of the trade mark is not mandatory but beneficial when there is any kind of duplication or falsification. Moreover, it helps through licensing, franchising etc.

- ◆ It generates the business
- ◆ It creates goodwill in the market
- ◆ It distinguishes goods or services

When an application for registration is filed, the (TM) symbol can be used to denote the respective trademark in respect of goods and (SM) in respect of services.

When the trade mark gets registered it can be denoted with the symbol ®

The registration of trade mark is valid for 10 years which can be renewed consecutively.

Registered Office: 43C, Sri Gopal Mullick Lane, Kolkata - 700 012, West Bengal.

Corporate Office: 4 No. Fairlie Place, HMP House, Gate No.-2, Ground Floor, Room No. G-F, Kolkata - 700 001, West Bengal

COPYRIGHT

It is a right which grants protection to the unique expression of Ideas. Copyright law protects the expression of an idea. Not the idea itself.

Copyright protects-



Literary Work



Films



Musical Compositions



Dramatic Work



Artistic Work



Sound Recording

Duration of Copyright

Author's lifetime +60 years from the end of the calendar year in which the author dies, 60 years for films and sound recordings.

25 years for typographical arrangements of a published edition.

How much can be copied?

Photos and images - up to 5 works from one author, up to 10% or 15 works, whichever is less, from a collection

Database information - up to 10% or 2500 fields or cell entries, whichever is less.

INDUSTRIAL DESIGN

Creates protection for shape, configuration, pattern or ornament or composition of lines or color or combination applied in any article (can be two dimensional or three dimensional).

Created by - Any industrial process or means,

Applies to - the finished article appeal to and are judged solely by the eye.

Branch Office: P-171, Block - A, Lake Town, Kolkata - 700 089, West Bengal

New Delhi Office: Chamber No. 325, Western Wing, Tishazari Court, Delhi - 54