



Industrial law protection

Šimon Kovář

Department of textile and single-purpose machines



What is Intellectual Property?

Intellectual property refers to creations of the mind, such as inventions, literary and artistic works, designs and symbols, names and images used in commerce.

Industrial law protection - IP Rights

Intellectual property:

- Copyright
- Patents and Utility models
- Industrial designs
- Trademarks
- Geographical denominations and appellations of origin



ÚŘAD
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Copyright

A set of legal norms governing relations arising an **original literary, scientific and artistic work**. A work of art is created when the work is expressed in any objectively perceptible form.



- Personality rights cease to exist upon the author's death.
- Copyright protects your intellectual property until **70 years** after your death, or 70 years after the death of the last surviving author in the case of a work of joint authorship



All rights reserved, this symbol may refer to works covered by copyright law, but copyright law does not require this. A work of art is created when the work is expressed in any objectively perceptible form.



Patents

Patents are granted for inventions that are new, involve an inventive step and are susceptible of industrial application. Besides new products and technologies, chemical substances, pharmaceuticals and microorganisms used in industrial production, as well as biotechnological processes and products resulting from them can be patented.

Conditions for award:

- **novelty,**
- **the result of creative inventive activity,**
- **industrial usability,**



Utility models

Utility model protection can be used for new technical solutions susceptible of industrial application, exceeding common technical skill. As stated above the conditions for utility model protection are different from the patent procedure in case of the inventive level.

As opposed to patents the registration of utility model can be carried out quickly





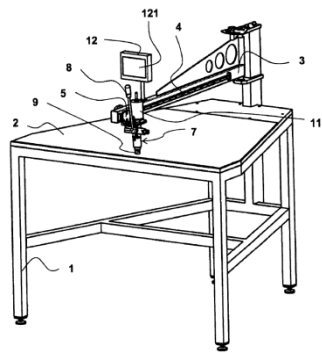
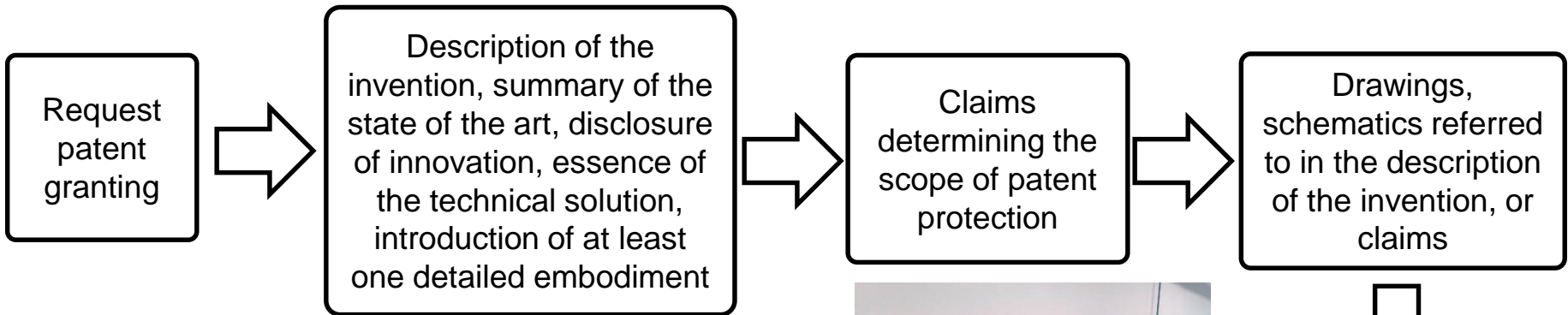
Patent search

Every R&D worker should start here. In order to solve the technical problem, it is necessary to carry out a patent search on the state of the art in the field. It should be extended to all relevant literature. You can do a patent search yourself using online databases (eg EPO, WIPO, EUIPO), or submit it to the UPV patent office or patent attorney.





Patent application - Utility model application



Obr. 1



Annotation as a search tool for other applicants



Employee invention

Valid for Czech Republic

If the inventor creates an invention to fulfill his / her work duties, the right to the patent is transferred to the employer. If the employer fails to exercise the right to a patent within 3 months of the notification, the author himself may file an application for the invention. The originator is obliged to inform the employer about the invention without delay and to provide him with the necessary documents.

Legal regulations for employee invention vary according to the location where the employee invention originated.

http://www.eu-jp-tthelpdesk.eu/wp-content/uploads/2018/11/webinar23_second_presentation.pdf





Industrial designs

Is intended for designer solutions. Industrial design is understood to mean appearance of a product or its part, consisting particularly of signs of lines, contours, colors, shape, material structure of the product per se or ornamentation. It involves a visually perceivable feature or component of a product.

Conditions for award:

- Individual,
- new,



Trademarks

Trademark is a designation capable of graphical representation consisting especially of words, letters, numbers, colours, drawings or product shapes or packages, which serve to distinguish goods or services on the market.



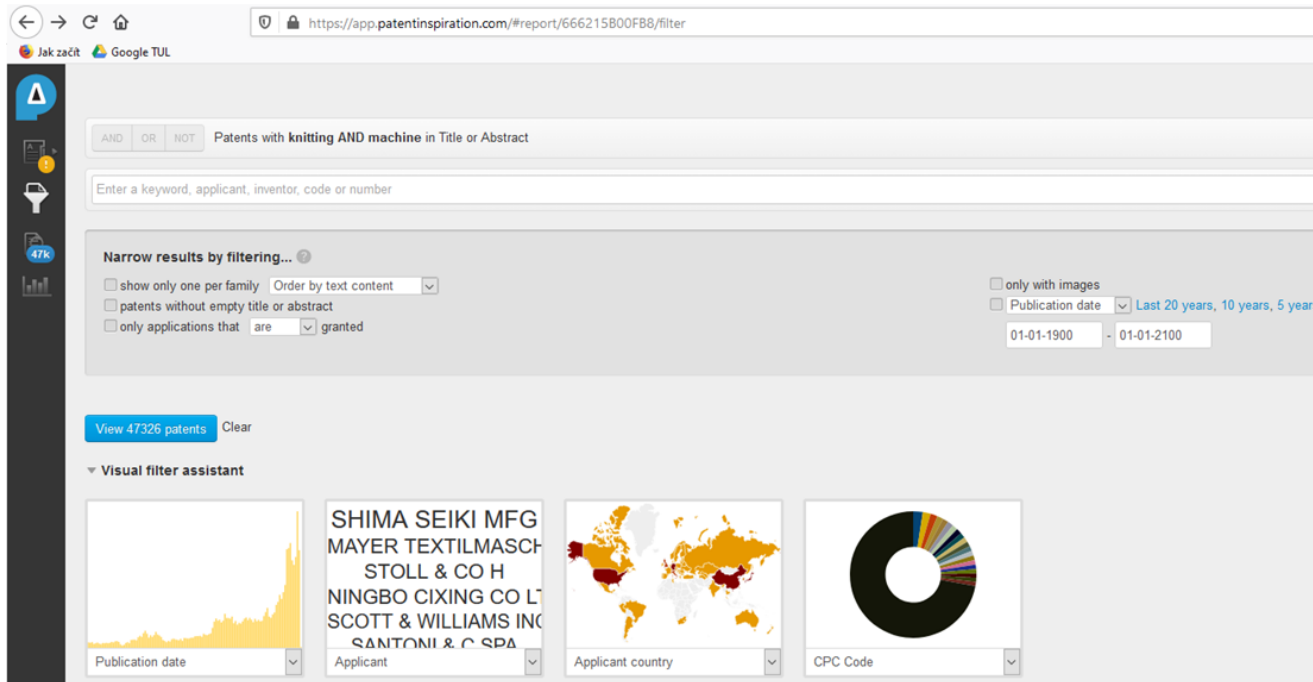
Registered trademark symbol „Registered Trade Mark“

Geographical denominations and appellations of origin

Appellation of origin is the name of a region, a specific place or a country (hereinafter referred to as region) used for goods originating in that region, whose quality or other characteristics are essentially or exclusively given by a particular geographical environment with its inherent natural and human factors and whose processing, production and preparation takes place in a delimited geographical region.



Patent inspiration – example of tool for creating patent search



The screenshot displays the Patent Inspiration tool interface. The search query is "Patents with knitting AND machine in Title or Abstract". The results are filtered to 47k patents. The interface includes a search bar, a filter section with options like "show only one per family", "patents without empty title or abstract", and "only applications that are granted". A "Visual filter assistant" section shows four charts: a bar chart for "Publication date", a list of applicant names (SHIMA SEIKI MFG, MAYER TEXTILMASCH, STOLL & CO H, NINGBO CIXING CO L, SCOTT & WILLIAMS INC, SANTONI & C SPA), a world map for "Applicant country", and a donut chart for "CPC Code".

<https://www.patentinspiration.com/>

UPV – Industrial Property Office



Industrial Property Office

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WARNING
AGAINST ACTIVITIES OF SOME ENTITIES


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WIPO – World Intellectual Property Organization



The screenshot shows the top navigation bar of the WIPO website with links for Media, Meetings, Contact Us, IP Portal, and English. Below this is the WIPO logo and the text 'WORLD INTELLECTUAL PROPERTY ORGANIZATION'. A secondary navigation bar contains links for IP Services, Policy, Cooperation, Knowledge, About IP, and About WIPO, along with a search bar labeled 'Search WIPO'. The main content area features a large graphic of the number '100' with a network overlay, and a headline: 'New Growth for WIPO Environmental Initiative'. The text below the headline states: 'WIPO GREEN has welcomed a new group of major international companies and institutions to the environmental initiative, surpassing 100 partners in the global network of public and private sector organizations committed to reducing the effects of climate change.'



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https://www.wipo.int/edocs/pubdocs/en/intproperty/450/wipo_pub_450.pdf





Conclusion

Knowledge of industrial and legal protection is a prerequisite for a successful product life cycle and competitiveness.





Questions:

- What are the types of intellectual property protection.
- Describe the procedure for filing a patent application.
- What is protection of utility model.





Topic of the next lecture:

**„ Systems for support activities for the CAD
engineer “**

Thank You



Used literature and sources of information:

Vynálezy pro budoucnost, Úřad průmyslového vlastnictví 2015, Praha
Prospektové materiály ÚPV

<https://www.patentinspiration.com/>

https://www.wipo.int/edocs/pubdocs/en/intproperty/450/wipo_pub_450.pdf