

Intellectual Property, Patents and Trademarks

This article has been written to provide a skeleton overview of the subject defined as Intellectual Property (IP) and it is hoped it will assist everyone who needs guidance in relation to it.

IP Law has developed to protect the commercial rights of inventors, creators, writers, designers and musicians and other professions and it falls into different categories namely: Copyrights, Trademarks, Patents, Industrial Design Rights and Trade Secrets.

Are these important to a business? – Certainly, how often have we heard the dulcet tones of a “Dragon” from Dragons Den ask “Do you have the patent/trademark/copyright registered”. These astute investors would not pose these questions to the potential beneficiaries of their hard earned capital if they did not think this was an important part of a business model.

The overall control of IP used to be handled by the Patents Office, however this has now been rebranded as the Intellectual Property Office (IPO) and this is partly because of the dynamic nature of the human mind and its inventiveness leading to expanding areas that require legal protection.

In August 2009 the IPO issued a new free booklet “How licensing intellectual property can help your business” – this specifically looks at IP licensing and how to conduct a productive IP licensing deal, the booklet is available at <http://www.ipo.gov.uk/licensingbooklet.pdf> - if you have some specific questions relating to the licensing of your IP this should be your first port of call. With any matters that might fall within IP then initially you may wish to look at www.ipo.gov.uk.

There are also two additional professional bodies to consider making contact with and these are as follows:

Chartered Institute of Patent Attorneys (CIPA)

CIPA is the professional body representing Patent Attorneys in the UK. A Patent Attorney (formerly known as a patent agent) has qualified by experience and examination for entry of his/her name on the Register of Patent Attorneys. They are specially trained and experienced in the art of drafting patents and in knowledge of IP law. They will also have the right to conduct litigation and to act as advocates in the Patents County Court.

Their professional body website is www.cipa.org.uk

Disclaimer

The content of this article is intended for general information purposes only and is not a substitute for specific advice. It is based upon our understanding of the legal position as at September 2009 and it may be affected by subsequent changes in the law. We cannot accept responsibility for any loss as a result of acts or omissions taken in respect of this article.

The Institute of Trade Mark Attorneys (ITMA)

This is the professional body that represents those persons qualified to act for the owners of trade mark and allied intellectual property rights (in particular, registered designs) both nationally and internationally.

Their professional body website is www.itma.org.uk

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