

Types of Intellectual Property Rights (IPR)

Patent

A patent protects inventions to secure rights to new products and prevent others from making, using, or selling the patented invention within a certain jurisdiction without the owner's permission. This protection can be crucial for ensuring the commercial viability of a technology or product derived from academic work. Registration is required to acquire a patent, and the process involves a thorough examination to confirm that the invention is novel and non-obvious.

It is essential not to publicly disclose any invention that may give rise to a patent before filing a patent application. Publicly sharing details of your invention, such as through presentations, publications, or online, can invalidate the novelty required for patent protection. To ensure your invention remains patentable, consult with the IP office before disclosing any details publicly.

Patents typically last for 20 years from the filing date of the application, after which the invention falls into the public domain.

Copyright

Copyright arises automatically when work is expressed in a permanent form, and no registration is required for protection.

Protection covers:

- Original literary, artistic works, guidelines, research publications, and teaching materials
- Audio and video recordings, broadcasts
- Web pages, blogs, and other digital content

It is important to note that copyright protects against copying the work but does not cover the use of ideas themselves. For example, copyright can protect a manual or software code, but not the underlying concepts.

The term *copyright* varies depending on the type of work, creation date, and jurisdiction. The creator is typically the owner of the copyright unless the work was created as part of employment, in which case the employer may hold the copyright.

Database Rights

Database rights protect databases that involve significant investment in time, effort, or financial resources. These rights arise automatically when a database is created and provide protection for both the content and structure of the database. Examples include:

- **Genomic databases:** Containing genetic sequences or biological data collected from research studies
- **Algorithmic databases:** Storing optimised algorithms for specific tasks like image recognition or data mining

No registration is required for database rights; however, it is essential to demonstrate that significant effort and investment went into creating the database.

Know-how / Trade Secrets

Know-how or trade secrets refer to valuable, confidential information (knowledge or skills) that provides a competitive advantage and is not publicly known. This includes methods, processes, compositions, and other proprietary information.

No formal registration is required for trade secrets. Protection relies on controlling access and ensuring confidentiality through agreements like non-disclosure agreements (NDAs) and employment contracts.

Trademark

Trademarks are signs or symbols that distinguish goods or services, including logos, words, shapes, or sounds, from those of other entities. In academic research, trademarks can protect the branding associated with research outcomes, products, or technologies developed by the institution or researchers. For example, unique research tools, software, or educational programs developed from academic innovations.

Trademarks can last indefinitely, as long as they are used in commerce and periodically renewed.

Design Rights

Design rights protect the visual appearance of a product, such as its shape, configuration, pattern, or color. These rights are particularly relevant in fields like industrial design, engineering, or technology, where the appearance of a product or prototype may be integral to its innovation.

For example, novel medical devices, lab equipment, or graphical user interfaces (GUIs) for research tools or software.

Registration is required for design rights. Design rights last for a set period, typically ranging from 15 to 25 years, depending on jurisdiction.