

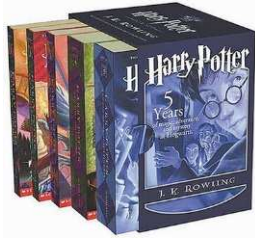
TYPES OF INTELLECTUAL PROPERTY



Jonah Probell
Jonah@Probell.com

Nothing presented here is legal advice.

SUMMARY



Copyright ©



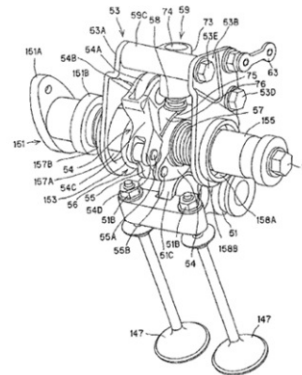
Trademark ® TM



FIG. 1

Patent

- design
- utility



Trade secret

IP THEORY

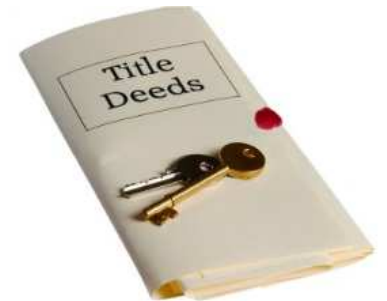
IP is ideas, not physical objects



but like physical objects

IP can be owned: by humans or by corporations

IP can be bought, sold, or licensed for use



IP is treated by law based on its commercial benefits, and regulated by government commerce departments

COPYRIGHT ©

The right to prevent others from
selling copies a work of art: such as



a book



a painting

a recording of a song



Other similar art (such as cover songs) is okay
as long as it is clearly distinguishable

After the creator dies + ~ 50 years
the art goes to the public domain

TRADEMARK

A symbol used to represent a product for sale:



- logo
- phrase “Where’s the beef?”
- jingle  



- a color (rarely)

Only you have the right to use that symbol...
in the field and the geographical region
where you do your business

Warn others by marking your symbols with TM

Register your symbol with USPTO,
then use the marking ®

TRADEMARK

Using different variations of your mark or knowingly failing to block others from using your mark weakens your claim. Aspirin, Kleenex, Velcro, and Xerox are weak trademarks.

DESIGN PATENTS

The recognizable shape of a product



Not a logo, not a function

This is the type of Apple patent that Samsung was found to infringe



Would somebody confuse one for the other?



UTILITY PATENTS

machine (system)

process (method)

article of manufacture (physical product)

composition of matter (chemical / drug)

Monopoly on manufacturing for
20 years from date of application

TRADE SECRETS

Your business's
competitive advantage
(secret recipe)



THANK YOU