



INTELLECTUAL
PROPERTY OFFICE

Intellectual Property Explained



Patents
Trade marks
Copyright
Designs





IP Healthcheck

Free online diagnosis...

Do you know how IP can be used in your business?

Have you thought about what intellectual assets you own and how to protect or exploit them?

Take our free online Healthcheck at www.ipo.gov.uk/iphealthcheck to help you answer these questions and add value to your business.

Intellectual property is generated through intellectual or creative activity. It includes patents, trade marks, copyright and designs.



Like all property, you can lease it, license it, give it away or sell it.

Intellectual Property

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MY IP – The idea behind the front cover design.

We have developed the design of the MY IP front cover to recognise the timelessness and success of the 'I♥NY' symbol.

Originally the creative brainchild of Milton Glaser, the graphic designer, and Hugh Carey, then Governor of New York, the 'I♥NY' symbol has kept its ability to be instantly recognised.

Since it was originally created in 1977 to promote the metropolitan pride of New York City, the trade mark has been reproduced in many ways and continues to create revenue from tourism.

Registered by the New York State Department of Economic Development, it is an example of a trade mark which has become a true icon.

Current registration number: 3097782 (United States Patent and Trademark Office)

WELCOME

Hello and welcome to My **IP*** (intellectual property). By picking this booklet up you have taken the first step to discovering what could be a very valuable **asset** – your IP. If you are an individual, an **entrepreneur**, thinking of setting up your own business or if you already own a small or medium-sized enterprise (**SME**) and you are wondering about how significant intellectual property is, this booklet is for you!

We have designed My IP to be a first step – it is not going to make you an IP expert. It provides an introduction to patents, designs, trade marks and copyright. We know that many people often misunderstand IP and so it is often overlooked. Because of this, My IP will show you the positive benefits as well as the responsibilities of recognising your intellectual property rights. It does not provide legal, business or other professional advice so if you are in any doubt, you should get independent advice.

For convenience we have divided My IP into colour-coded sections for patents, designs, trade marks and copyright. Each section includes a basic overview of that particular right and shows you some of the actions you may have to take as well as the order in which you should be doing them.

At each stage, you can refer to our website. The relevant links are at the bottom of each page. At the back of the booklet you will find a list of useful names and addresses as well as who to contact in the Intellectual Property Office to get more published material. So, read on and discover what is your IP!

*Words and phrases in **bold** are explained in the quick guide – pages 21-24.

Patents

Trade marks

	Patents	Trade marks
Term	Up to 20 years (subject to annual renewal)	Rights can last forever (renewals every 10 years)
Protection	Throughout the UK	Throughout the UK
Protects against	Your idea being used, sold or manufactured	The use of your trade mark by others without your permission
What is protected?	Inventions	Brand identity, including words, logos and other signs

A Valuable Asset

Your IP is one of your most valuable business assets. It can increase your competitiveness and contribute to your businesses success and allow you to make the most of its value.

We know that IP is often misunderstood and, so, easily overlooked. But you must remember that if you fail to protect your IP it may put your business at risk. If you do not look after your IP rights, others can take advantage of your competitive edge.

Because IP assets cannot be seen or touched it is sometimes hard to appreciate their true value. However, a basic understanding of the law and its principles will help make sure that you make the most of the mechanisms designed to protect them.

For example, you could protect:

- ▶ the branding of your goods / services using a registered trade mark;
- ▶ the way your product looks using a registered design;
- ▶ how the technology works using a patent; and
- ▶ any literature or artistic work automatically using copyright.

The table below gives you an 'at a glance' view of the IP system in the United Kingdom. It will help you decide which of the IP rights apply to you and your business.

Registered Design Right	Copyright
Up to 25 Years	Life plus 70 years (Broadcast and sound recording copyright lasts for 50 years, typographical arrangement for 25 years)
Throughout the UK	Throughout the UK and much of the world
Your product being manufactured, sold or imported	Your work being copied or reproduced in communication or performance
What the product looks like	Music, art, film, literary works and broadcasts

Protecting Your IP

Protecting your IP is very important for your business success. Building a successful business reputation using IP strategies is a large, but necessary, commitment. Nevertheless, you should remember that the better you protect your intellectual property, the easier it tends to be to enforce it.


If others try to copy anything you have protected or use them without your permission, it is called **infringement**. **Counterfeiters** produce fake goods while **piracy** involves illegally copying your property. These actions can quickly destroy your markets and goodwill, so it is wise to have enough deterrents in place.

If anyone infringes your rights you should always try to sort out the situation. The legal framework is there if you need it. You should consider the possibility that you may have to take the person to court. This, of course, will cost and is not something you should do lightly.

In cases of counterfeiting and piracy more than one criminal law may apply and so there may be more than one enforcement agency involved. The best first contact is usually Trading Standards. After this, you can contact the police or HM Revenue and Customs. Similar contacts exist in other countries if your rights have been infringed internationally

As well as making sure that you protect your own intellectual property, you should make sure, just as carefully, that you do not infringe anybody else's rights. Like other forms of property, you can buy, sell, and license IP. If you want to use someone else's IP you may be able to negotiate and come to an agreement.

Remember! You should always get independent advice if you are in any doubt about IP infringement. You can get general advice about infringement and enforcement from our Information Centre on 0300 300 2000. You will find a list of useful contacts at the back of this booklet.



The better you protect your intellectual property, the easier it tends to be to enforce it.

Patents

If you develop a process or a product that is new or inventive and could be used in industry, in other words, it can be made, then you can apply for a **patent**.

A patent can protect your invention by making it unlawful for anyone, apart from you or someone with your permission, to produce, use, import or sell it. In other words, it gives you an exclusive right in the country where the patent has been granted as long as you pay the renewal fees every year.

It is worth noting that patents are territorial rights so if your patent is granted in the UK you, the holder, will have rights in the United Kingdom only.

A granted patent becomes property, like any other property you can buy, sell or licence it out. Equally you may be able to buy or licence Patents belonging to others.

One really important point for you to remember is that you must not have publicly revealed your invention before you apply for your patent. You must keep your idea secret otherwise it may put your chances of being granted a patent at risk.


You cannot patent your invention if it falls into the category of:

- ▶ a scientific or mathematical discovery, theory or method;
- ▶ a literary, dramatic, musical or artistic work;
- ▶ a way of performing a mental act, playing a game or doing business;
- ▶ the presentation of information, or some computer programs;
- ▶ an animal or plant variety;
- ▶ a method of medical treatment or diagnosis;
- ▶ anything immoral or contrary to public policy.

Beyond the UK

If you want to file an international application, you should do so no later than 12 months after filing your UK application. You should also decide, on a commercial basis, which countries you wish to gain patent protection in. There are several different filing routes to consider:

1. Filing a patent application separately in each country where protection is required
2. Filing a single European patent application (EP) giving protection in a number of countries in Europe.
3. Filing a single application under the Patent Cooperation Treaty (PCT) for patent protection in a number of countries throughout the world.



You can get business advice from a number of regional business organisations. See the back of this booklet

Questions

Q. Is a patent the only way to protect my invention?

A. No. You can protect different parts of your invention using registered design or registered trade marks, unregistered design right and copyright or through private agreements.

Q. Who can own a patent?

A. The owner can be the inventor or the inventor's employer or someone else who has bought or inherited the rights.

Q. Where can I get professional advice on patents and other matters linked to intellectual property?

A. We can offer general advice here at the Intellectual Property Office but for help with a patent application you need to get advice from a:

- Patent professional
- A patent attorney or specialist solicitor will have the legal skills you need to prepare an application for you and some do not charge for their first consultation with you.
- You can find a specialist IP adviser at the Chartered Institute for Patent Attorneys (CIPA) website or at the law society (See the useful contacts at the back of this booklet)

Q. Who can help me with business advice?

A. You can get business advice from a number of regional business organisations. You can find a list at the back of this booklet. Or, you may like to try Citizens Advice; government offices; the Federation of Small Businesses or the British Chambers of Commerce. Our website also offers support and advice for businesses and the IP Healthcheck tool will provide you with useful information about the IP in your business

Q. What are invention promotion companies?

A. These are businesses who claim to evaluate your idea for market potential, promote and market your idea and tell you about the level of risks involved. However, some of these firms cannot be trusted and some may charge you a lot of money up front. As with all major financial arrangements, check all contract terms and obviously don't enter into anything that you don't agree with. If you have any doubt, get independent legal and financial advice.

Q. How can I make money from my patent?

A. You may choose to make the product you've invented yourself or you may ask another business to do it. (Make sure that you have a contract which protects your IP rights.) Or, you may want to sell your idea or **license** your product. Remember, with all these options there is no guarantee of profit or indeed success. As always, get independent advice before entering into any agreement.

Q. What do I do after my patent is granted?

A. You must make sure that you pay the yearly renewal fees. This means that the patent is kept in force. If you do not pay the renewal fees the patent and your rights will end. The cost of renewing your patent increases each year as we assume that the value of the patent increases with time.

Q. How long will the patent last?

A. If you renew each year, a patent will last for up to 20 years.

Q. What happens if patent rights are infringed?

A. You must enforce your patent rights. If you are the patent owner and you become aware that your rights are being infringed, you should ask a patent attorney for advice. It is also important to check that you are not **infringing** others' IP rights. If you are, this could be costly to you and your business as you may have to pay **damages**.

Q. How much does it cost to apply for a patent?

A. At the moment (May 2011) our fees for processing a patent are £280 if you apply on paper or £230 if you file on-line. This does not include any patent attorney costs. Applying for a patent overseas costs more.


Q. How long does it take for a patent to be granted?

A. The average time is three to four years from filing to grant. There are ways to reduce this time but these may not necessarily be in your best interests. Your patent attorney would be able to give you advice on this.

What to do and When

1. You prepare your 'patent specification' which is a written description and drawings of your invention with your claims for what it does and a summary which includes all the important technical parts of your invention.
2. You fill in and file form 1 along with your patent specification. This asks us to grant you a patent.
3. We give you a receipt confirming the date we received your application and an application number.
4. Within 12 months of the **filing date** you must fill in and file form 9A which asks us to carry out a **search**, together with the appropriate fee.
5. We carry out our **preliminary examination** to make sure your application meets our formal requirements. We do this within one month of receiving the form 1 and fee.
6. We will search for inventions like yours within 4 months of you filing the form 9A and fees. We will send you a report detailing the documents we have found. We **publish** your patent application 18 months after your filing date as long as you have not asked for **withdrawal** of your application. On publication, all correspondence between you and the IPO will be open to public inspection, including on the IPO website.
7. You fill in and file form 10, along with the fee, no later than 6 months from publication. This asks us to carry out a **substantive examination**.
8. We examine your application and let you know about any changes which are needed. If your application meets all the requirements of the Patents Act 1977, we will grant your patent, publish your patent and send you a **grant** certificate.

Conduct your own patent healthcheck on our website and get a fully comprehensive, confidential report.



You must not have publicly revealed your invention before you apply for your patent.



Trade Marks

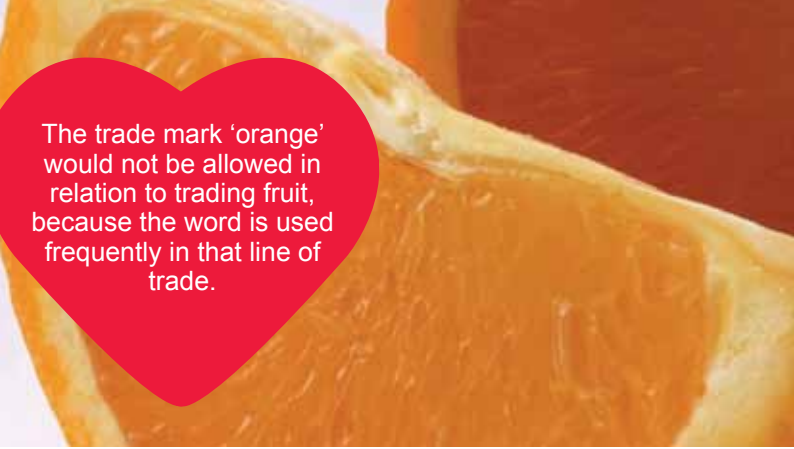
A trade mark is a sign which can distinguish your goods and services from those of other traders. A sign includes, for example, words, **logos**, pictures or a combination of these. You can use your trade mark as a marketing tool so that customers can recognise your products or services. As such, it can be a very valuable asset for your business.

If you have a registered mark, you have the right to use your mark on the goods and services in the **classes** for which it is registered. You also have the legal right to take action against anyone who uses your mark or a similar mark on the same, or similar goods and services to those that are set out in the registration.

To be registrable, your trade mark must be distinctive for your goods and services (that you are applying to register the mark for).

Before attempting to protect your trade mark, you should remember we will object to words, logos, pictures or other signs which are unlikely to be seen as a trade mark by the public. For example, marks which describe your goods or services or any characteristics of them (e.g. marks which show the quality, quantity, purpose, value or geographical origin of your goods or services); terms that have become customary in your line of trade (e.g. technical terms that are in common use); terms that are not distinctive (e.g. promotional advertising slogans); or a combination of these.

We will also not accept marks which are offensive (e.g. taboo swear words), against the law (e.g. promoting illegal drug use), or deceptive (e.g. there should be nothing in your mark which would mislead the public). In addition, we will object to marks that contain specially protected emblems (e.g. the Red Cross or Olympic symbols).



The trade mark 'orange' would not be allowed in relation to trading fruit, because the word is used frequently in that line of trade.

We usually consider invented words (or even dictionary words which are not in any way associated with your goods or services) as distinctive.

Your application may also be objected to by the owner of an earlier mark on the register which is considered to be confusingly similar to your trade mark. To find out if there is, we search existing registrations and tell you the results of the search. If you proceed with the application we then write to tell the owners of the earlier registration so that when the application is published in the **Trade Marks Journal** they can oppose if they wish.

If they do so successfully you may be liable for the costs of the opposition and your mark will not be registered.

When you have decided what mark you would like to attempt to get registered, you should apply to our Trade Marks Registry. If you get your mark registered with us, you will be given trade mark protection in the UK.

It is important for you as the owner of the trade mark to protect your brand to make sure that no one is using your mark without your permission. You should also be aware of what other marks are being applied for here in the UK, or at OHIM. If you consider a mark to be too similar to your registered trade mark, you can choose to oppose it. You may want to consider using the services of a Trade Mark Attorney to assist in looking after your mark (contact details for the Institute of Trade Mark Attorneys (ITMA) are given at the back of this leaflet).

You do not have to register your trade mark. If you use an unregistered trade mark, you will have certain rights under common law and you can use the TM symbol. However, it is easier to enforce your rights if you register your mark and use the ® symbol to indicate that it is registered. You need to pay a renewal fee every ten years.

Like other IP rights, a trade mark can make you money if you sell, lease, or license it for use by another trader. It can be a valuable asset and it is important to make it work for you.

If you have any questions, or you need further help in relation to applying to get your mark registered, please phone our Information Centre on 0300 300 2000. We also have more information on applying to register trade marks in our other publications (details are at the back of this leaflet).

Company Names and Domain Names

Please remember that registering a company name at **Companies House** or an internet domain name with a registrar, such as **Nominet UK** (www.nominet.org.uk), does not mean we will automatically accept that name as a trade mark. These registrations do not give you exclusive right to use that name. Also, a domain or company name registration may infringe someone else's trade mark.

If you want to find out more about registering your business as a limited company, please contact **Companies House** (details, are at the back of this leaflet).

Beyond the UK

If you want to register your mark in countries other than or as well as the UK, you can protect it in more than one country using a single application.

1. To register in Europe, you can apply for a European Community trade mark with the Office for Harmonisation in the Internal Market (OHIM)
2. You can also register your trade mark in certain countries by applying to the World Intellectual Property Organisation (WIPO)
3. For certain countries, you cannot apply to WIPO. In these cases you will need to apply separately in each country where protection is required.

You should be aware of the effects of the international trade mark systems even if you do not want to register your mark outside the UK. For example, you will need to oppose a European Community trade mark that clashes with your own UK trade mark if you want to stop the European Community mark being valid in the UK.



What to do and When

1. You prepare your trade mark application (on Form TM3 which you can get in paper or electronic form). You send the completed form to us along with your **fee** and fee sheet FS2. The fee is not refundable for any reason.
2. We send you a receipt to let you know that we have received your application.
3. An examiner checks your application and sends you a report detailing the results of the examination, and explaining any objections.
4. If we have objected to your application, you can contact the examiner to discuss possible ways forward. If you are unable to overcome the objections, you can withdraw the application, or we will refuse it.
5. If no objections are raised during the examination, or you overcome all of the objections, we will advertise your application in the **Trade Marks Journal**. There is then a period of two months for anyone to oppose, or consider opposing the registration of your mark. This period can be extended to three months on request by someone considering opposition.
6. If no-one opposes your application, or you overcome their challenges, we register your trade mark and send you a registration certificate.

It will normally take around four months for a trade mark to become registered if an application is straightforward and does not have objections raised against it. The process will take longer if we raise objections, or if your mark is opposed unsuccessfully.

Conduct your own trade marks healthcheck on our website and get a fully comprehensive, confidential report.

IMPORTANT:

Fees are not refundable for any reason. You cannot alter your mark or add goods and services after you have sent us your application form, it is therefore important to get the details correct before you apply.

Your application details, including your name and address will appear on our records. We also include them in the Trade Marks Journal if we accept your application. Both are open to the public on our website.



The copyright in literary, musical, artistic and dramatic work will last for the creator's lifetime plus 70 years

Copyright

Copyright is an IP right which relates to the expression of an idea, not the idea itself. For example, anyone can write a story based on the idea of a boy-wizard, but they cannot copy text or illustrations from other books about the same subject. Copyright can protect a drawing from which you make an item and could protect the item itself, for example a sculpture, but will not protect the process by which you make it.

Copyright protects sound recordings, films, broadcasts and original artistic, musical, dramatic and literary works. This includes, for example, photographs, sculptures, websites, computer programs, plays, books, videos, databases, maps and logos. But it does not protect the names, designs or functions of the items themselves.

Copyright is an **automatic right** which you do not need to formally apply or pay for. It arises as soon as the work is "fixed" eg written down, recorded or stored in a computer memory.

You can use © followed by your name and the date to indicate when it was created and by who. A dated copy of the work can be deposited with a solicitor or bank to establish beyond doubt when you created your work, this can be important if someone copies your work without permission i.e. infringes your rights. If they created their work before you created yours, then there is no infringement.

Moral rights, for example, the right to be named as the author are associated with certain copyright works. Copyright in literary, musical, artistic and dramatic work lasts for the creator's lifetime plus 70 years. For films it is 70 years after the death of the last of the directors, score composer, dialogue or screenplay authors and for TV and radio programmes it is 50 years from the first broadcast. Sound recording copyright lasts for 50 years. Publisher's right which covers the typographical layout of published editions like books or newspapers (how it is presented on the page) lasts for 25 years from creation.

As the owner of the copyright you have the right to **license** it or sell, or otherwise transfer the copyright to someone else, for example your heirs. If you want to use someone else's copyright material in your business, you must normally get permission either directly from the owner or from an organisation which represents groups of copyright owners who offer **blanket licences** to users, in return for the payment of **royalties**.

Beyond the UK

Your copyright will be automatically protected in most major countries, including the majority of Europe, the USA, Russia and China. Despite this, it is sensible to mark your work with the international © symbol, followed by the name of the copyright owner and the year in which the work was created.


The USA has an official register of copyright works and, although registration is not actually needed to qualify for copyright protection in the USA, registration entitles you to enhanced protection there

What to do and When

1. Have the idea.
2. Turn the idea into something tangible, for example, write your story down, record your piece of music or create your sculpture.
3. You can date your work and apply the © **symbol** with your name and the date you created it. You don't need to apply for copyright as it is an automatic right.
4. Consider giving a copy of the work to a solicitor or bank to keep or post it 'special delivery' to yourself and leave it unopened, to provide evidence if you need to take action because someone has infringed your copyright.
5. If anyone copies or uses your work without permission, see if they are infringing your copyright, and if so, what can be done to stop it or license it.

Conduct your own copyright healthcheck on our website and get a fully comprehensive, confidential report.





Design means physical appearance; this right is not concerned with the function or operation of the product.

Designs

A design protects the visual appearance of a product, part of a product, or its ornamentation. This can also apply to an industrial or handicraft item. This IP right gives no protection for how a product works but merely for its appearance. That appearance can be affected by a number of contributory features including:

- ▶ lines
- ▶ contours
- ▶ colours
- ▶ shape
- ▶ texture
- ▶ material

There are several forms of IP protection in the UK that may apply to your design.

▶ Registered design offers protection throughout the UK and gives more comprehensive cover than an unregistered design. The protection lasts initially for five years and you can renew it every five years for up to 25 years. You have to apply for this IP right from our Design Registry where you will pay a fee – it is not an automatic right. You are allowed up to one year from the date your design was first made public before you have to register it.

▶ UK design right prevents others from copying your design. It is not a complete right as it covers only the 3D aspects of the item and does not protect the surface decoration of the product or any 2D pattern such as a wallpaper or carpet design. UK design right lasts for either 10 years after first marketing of the design or 15 years after creation, whichever the earlier.

To qualify for any of these rights, your design must be:

▶ new – which means that it must not be the same as any design which has already been made available to the public. It should pass the **'deja vu'** test; and



▶ individual in character – which means that the overall impression the design gives the **informed user** must be different from any previous designs. In assessing individual character, it is important to consider the degree of freedom the designer had in crafting the appearance of the design.

Also it is worth remembering that you can't register your design if:

- ▶ it's more than 12 months since the design was first publicly disclosed (there is a risk that your design could be invalidated otherwise);
- ▶ the design is dictated only by how the product works;
- ▶ the design includes parts of complicated products that cannot be seen in normal use (for example, vehicle engine spare parts or the parts inside a computer);
- ▶ it is offensive; or
- ▶ it involves certain national emblems and protected flags.

As with other intellectual property rights, owning a registered design means you can sell, or licence someone else to use it.

Beyond the UK

If you want to register your design in countries, other than, or as well as, the UK you can protect it in more than one country using a single application.

1. You can apply for a registered community design with the Office for Harmonisation in the Internal Market (OHIM). This will offer like protection in all EU member states, including the UK, and can be renewed every five years up to 25 years.
2. You can also apply to register your design in certain countries by applying to the World Intellectual Property Organisation (WIPO)
3. For certain countries, you cannot apply to WIPO. In these cases you will need to apply separately in each country where protection is required

Unregistered Community design is an automatic right and offers protection from copying the design on any item. Protection lasts for three years after the design has been made available to the public and covers all EU countries.

What to do and When

1. You have one year from first showing your design to the public to assess whether it is marketable. In this period your design is protected by design right. If you then want to apply for registered design status, you must do it no later than 12 months from first showing the design.

2. You prepare your application for design registration and include one copy of illustrations (drawings or photos) of your design. You can show us different views of your design to ensure all of the features can be seen. We do not accept technical drawings or drawings with excessive text.

3. We examine your application. Normally we do this within one month of your application.

4. We will send you a letter with the results of our examination or if the design is acceptable a grant certificate will be issued.

5. If we object to your design you have a minimum of two months to either overcome our objection or try to persuade us that the objections are not justified.

6. If you cannot overcome the objections, you can withdraw your application. If we do not hear from you, we will assume you have withdrawn your application.

7. If you overcome our objections or we do not object to the design in the first place, we will register your design in the UK.

8. We will publish your design in one of our Journals and we send you a certificate of registration.

9. You can delay the publication of the design for up to a year if you want to pay an additional fee. You may wish to do this if you are pursuing a patent application or do not want to publicly disclose your design yet.

Conduct your own designs healthcheck on our website and get a fully comprehensive, confidential report.



And Finally, The Rules

Now you've finished reading My IP, you should have a fair idea of how you can benefit from intellectual property and why it is important for you and your business to look after your intellectual property rights.

You should have some knowledge of which rights concern you and which areas you may need to look into in more depth. You can get more information, as well as details of other publications, from our Information Centre on 0300 300 2000. You will also find up-to-the-minute help on our website at: <http://www.ipo.gov.uk/home.htm>.

However, we cannot provide legal, business or other professional advice. You should, if you are in any doubt at all, get independent advice. You can find a list of organisations that may be able to help you with this at the back of this publication.

This next section aims to summarise some of the many benefits to your business that your IP can provide. All you need to do is follow a few simple rules!

Rule 1

Treat your IP as a business asset with a real financial value.

Rule 2

Protect your IP as you would any of your other assets.

Rule 3

Keep a look out for infringers – they can profit from your hard work and reduce your return from it. Be prepared, as a last resort, to enforce your rights by taking legal action if you cannot sort out a dispute informally.

Rule 4

Be careful to avoid infringing the IP rights of others.

Rule 5

Understand the different types of IP and research which ones apply to you and make full use of the IP system.

Rule 6

Get independent, legal, financial and business advice whenever necessary. Don't leave it too late.

Rule 7

Communicate to get the best from your product or service. Be an information gatherer! But remember to keep your ideas confidential until they are fully protected.

Rule 8

Be prepared to make your IP work for you. Remember that you could profit by selling or licensing your IP as well as producing a product or providing a service yourself.

Rule 9

Remember that most IP rights are limited by country. Make sure that you have the correct level of IP protection internationally. If in doubt, seek appropriate advice.





Treat your IP as a business asset with a real financial value.

Protect your IP as you would with any of your other assets.



Quick Guide / Glossary

GENERAL

ASSET Anything you or your business owns or are entitled to, such as cash, investments or money owed to you. It includes furniture, stock, equipment and property, including intellectual property.

AUTOMATIC RIGHT A free IP right which does not have to be formally applied for.

COUNTERFEITER Someone who produces imitation or fake goods or services.

ENTREPRENEUR A business person who shows initiative.

INFRINGEMENT Using IP without the owner's permission. In other words using someone's intellectual property unlawfully.

IP Property created through intellectual or creative activity. It includes patents, trade marks, copyright and designs. Like all property, if you own it you can rent it, lease it, licence it, give it away or sell it.

LICENSE This is a way of giving permission to somebody else to produce, sell or use your invention, copyright, design or trade mark. As the owner you would normally receive royalty payments.

PATENT INFORMATION CENTRES There are thirteen libraries/information centres (also known as Patent Libraries) in the United Kingdom. To find out more about these centres, visit our website or contact our Information Centre on 0300 300 2000.

PIRACY The act of illegally copying goods or services.

SME A small to medium-sized enterprise with 1 to 249 employees including yourself.

PATENTS

ABSTRACT A summary that includes all the important technical aspects of your invention.

CLAIMS Concise written statements that define your invention in single clause form identifying its distinctive technical features.

DAMAGES The amount which a court awards you if someone infringes your rights.

FEES Our fees for processing a UK patent application are £280 if filed on paper and £230 if you file on-line (May 2011). For a list of current fees, contact our Information Centre on 0300 300 2000.

FILING DATE The date we receive your patent application.

GRANT When we confirm that your patent application meets all the legal requirements.

HEALTHCHECK An on-line diagnostic tool that helps to identify and protect your IP (www.ipo.gov.uk/iphealthcheck)

INFRINGEMENT When someone does something covered by the claims without your permission.

OUTSOURCE Where an external body is used to undertake specific tasks as part of the production of the product or process the patent refers to.

PATENT An exclusive right to make use of an invention commercially in return for disclosing it and as long as you pay fees.

PATENT APPLICATION The documents you need to file, giving details of your invention.

PCT Patent co-operation treaty.

PRELIMINARY EXAMINATION Examination of the patent application documents to make sure that formal requirements are met.

PUBLISH We make the details of your application available to the public and correspondence on the file is open to public inspection, including on the IPO website.

SEARCH We search previous inventions and publications and send you a report.

SUBSTANTIVE EXAMINATION We examine your application and send you a report letting you know any objections we have to granting a patent on your application.

WITHDRAWAL The act of withdrawing an application.

TRADE MARKS

CLASSES Goods and services are divided into classes. Trade mark applications and registrations must specify the classes that cover the goods and the services that the mark is going to be used on. To find out more about what classes apply to your trade mark, visit our website, or contact our Information Centre on 0300 300 2000.

COMMUNITY TRADE MARK A trade mark registration that provides protection in all EU member states (including the UK). These applications are dealt with by OHIM. Further information can be found on our website, or at www.oami.europa.eu

FEES Our application fee is £200 for a single class application. If you apply for more than one class on an application, the fee will be £200 plus an additional £50 for each extra class. Online application fees are £170 plus £50 for each additional extra class (May 2011). We cannot refund your fees for any reason. For a full list of current fees, please contact our Information Centre on 0300 300 2000.

LOGO A graphic representation such as a symbol, badge, or picture that is often used as a trade mark, or a word or words incorporated into a picture device.

OHIM An acronym for The Office for Harmonisation in the Internal Market. Applications for a Community Trade Mark are processed by this office.

RENEWAL The registration of your trade mark can last forever. However, if you want this to happen you must renew it every 10 years on the anniversary of the date we received your application. You can renew a registration up to six months before the renewal date, but we will write to remind you three months before renewal is due and send you the correct form to do so. See **FEES** for the current cost of renewing your registration.

® This symbol indicates that a mark is registered. It is an offence to use this symbol if the mark is not registered somewhere in the world. Anyone can use the letters TM as this shows that something is being used as a trade mark, not that it is actually registered.

RIGHT START An online trade mark service that allows applicants to make an initial payment of half the standard examination fee (£100) and to see the examination report before the remainder of the fees are due.

TRADE MARKS JOURNAL We advertise trade marks that we accept in the Trade Marks Journal which is published every Friday on our website at www.ipo.gov.uk

COPYRIGHT

BLANKET LICENCE Permission to use the rights of a particular group or type of creations.

© This symbol gives notice that copyright is claimed in whatever bears it. To strengthen your position it is preferably accompanied by the name of the copyright owner and the year in which it was first published.

INFRINGING The act of copying someone else's work without their permission, while copyright exists.

MORAL RIGHTS enable certain originators of copyright to insist on the use of their name in connection with the work, or to stop others from changing or distorting the work.

PUBLIC DOMAIN The body of works not or no longer protected by IP rights which are available for the public to use without seeking permission or paying royalties.

ROYALTIES Compensation paid to the owner of the copyright for using that right.

DESIGNS

DEJA VU The basic starting point when assessing the novelty (newness) of the design based on whether it has been seen in public before.

DESIGN REGISTRATION Protects the way a product looks. Design refers to features which can be judged by the eye in the finished item.

FEES The fee for UK design registration is currently £60. With a multiple design application, the first design costs £60, all the others within the application are £40 each (May 2011). Unfortunately, we cannot refund the fees if you don't go ahead. For a list of current fees, including registered design renewal fees, contact our Information Centre on 0300 300 2000.

INFORMED USER A person with expertise in that particular field of design.

MONOPOLY RIGHT You own all the rights to the particular design.

OHIM An acronym for The Office for Harmonisation in the Internal Market. Applications for Community Designs are processed by this office.



Useful contacts

The following list contains some contact details you may find useful. It is not a full list but it does provide a good starting point.

Intellectual Property Office Information Centre

Website: www.ipo.gov.uk
Phone: 0300 300 2000

The British Library

Website: <http://www.bl.uk/bipc>
Phone: 020 7412 7454

The European Patent Office

Website: www.epo.org
Phone: +0049 89 2399 4636

Office for Harmonisation in the Internal Market

Website: www.oami.europa.eu
Phone: +0034 96 513 9100

The Chartered Institute of Patent Attorneys

Website: www.cipa.org.uk
Phone: 0207 405 9450

The Institute of Trade Mark Attorneys

Website: www.itma.org.uk

The Alliance Against IP Theft (AAIPT)

Website: www.allianceagainstiptheft.co.uk
Phone: 0207 803 1324

BPI - The British Recorded Music Industry

Website: www.bpi.co.uk
Phone: 0207 803 1300

Federation Against Copyright Theft

Website: www.fact-uk.org.uk
Phone: 0208 568 6646

Business Link (England)

Website: www.businesslink.gov.uk
Phone: 0845 600 9006

Invest Northern Ireland

Website: www.investni.com
Phone: 0800 181 4422

Innovators Counselling and Advisory Service for Scotland (ICASS)

Website: www.icass.co.uk
Phone: 0845 601 1718

Intellectual Asset Centre (Scotland)

Website: www.ia-centre.org.uk

Phone: 0141 243 4920

Business Gateway (Scotland)

Website: www.bgateway.com

Phone: 0845 609 6611

Business Wales

Website: <http://business.wales.gov.uk>

Phone: 03000 6 03000

The British Chambers of Commerce

Website: www.britishchambers.org.uk

Phone: 0207 654 5800

Trading Standards Institute

Website: www.tsi.org.uk

Phone: 0870 872 9000

UK Trade and Investment

Website: www.uktradeinvest.gov.uk

Phone: 0207 215 8000

HM Revenue and Customs

Website: www.hmrc.gov.uk

Phone: 0845 010 9000

Companies House

Website: www.companies-house.gov.uk

Phone: 0303 1234 500

Intellectual Property Awareness Network

Website: www.ipaware.net

Nominet

Website: www.nominet.org.uk

Phone: 01865 332 244

Federation Against Software Theft

Website: www.fast.org.uk

Phone: 01628 622 121

PRS for MUSIC

Website: www.prsformusic.com

Phone: 0207 580 5544

UKIE-The Association for UK Interactive Entertainment

Phone: 0207 534 0580

Website: www.UKIE.info

Designing Demand

Website: www.designingdemand.org.uk

A business mentoring service from the Design Council - discover how design can transform your business for free (workshops and up to five days' Design Associate support provided at no charge).

**Patent Information Centres
(Also known as Patent Libraries)**

Website: www.ipo.gov.uk/business-patlib

Phone: 0300 300 2000

The Law Society

Website: www.lawsociety.org.uk

Phone: 0207 242 1222

Other Publications



Patents

1. Patents: Essential Reading
2. Patents: Application Guide
3. Patents: Basic Facts

Designs

4. How to Apply to Register a Design
5. Designs: Basic Facts

Copyright

6. Copyright: Essential Reading
7. Copyright: Basic Facts

Trade Marks

8. Trade Marks: Quick Facts

Additional

9. Confidential Disclosure Agreements
10. Licensing Intellectual Property
11. Agreeing a Price for Intellectual Property Rights
12. Choosing the Right IP Adviser

All Publications are available through the Intellectual Property Office Website: www.ipo.gov.uk or by phoning our Information Centre on 0300 300 2000

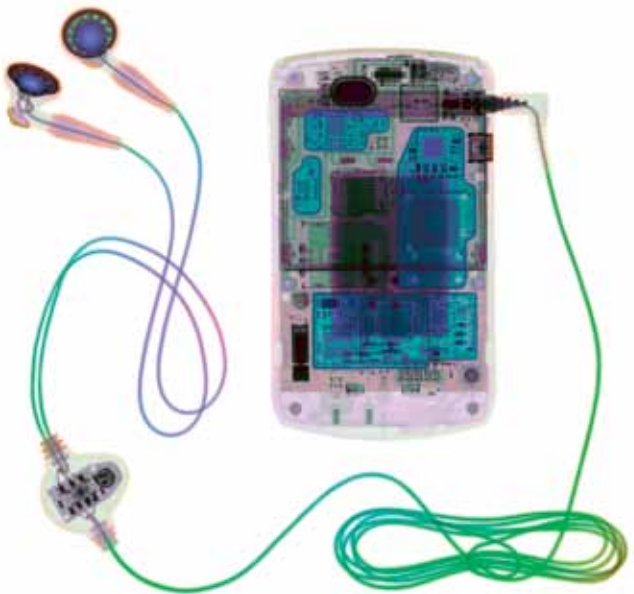
IP awareness

The IPO runs a programme of **free** IP awareness seminars across the UK, aimed at businesses who want to find out more about the benefits of using IP. They feature a local business entrepreneur who talks about their experience of using IP. The events also present an excellent opportunity for attendees to have a free one-to-one discussion with either a patent attorney or trade mark attorney.

For those who want further training on IP, the IPO has developed an IP Masterclass. It has been developed in partnership with Coventry University and the British Library. Accredited by Coventry University and supported by both Chartered Institute of Patent Attorneys and the Institute of Trade Mark Attorneys, this specialist course enables delegates to develop a detailed understanding of IP and its relationship with business, culture and the economy.

IPInsight

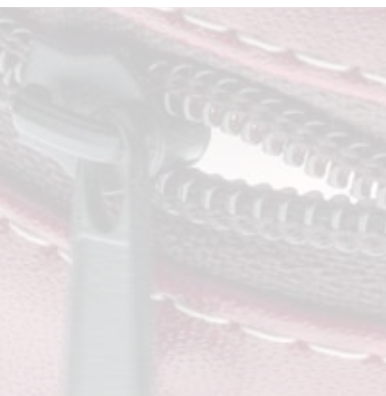
IPInsight is the monthly E-Newsletter from the Intellectual Property Office, keeping you informed of current issues, law changes and case studies involving all areas of intellectual property.



If you want to keep up to date on IP news, current events, Intellectual Property Office seminars and training, and even have your say, sign up today at:

www.ipo.gov.uk/newsletters.htm





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Revised: February 2012

WS0011DPS\MWL\02-12



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