

WELCOME TO

Intellectual Property (IP) 101 For Entrepreneurs

*Presented by: Candace Westby
Director of Intellectual Property*

Hosted by:



In collaboration with:

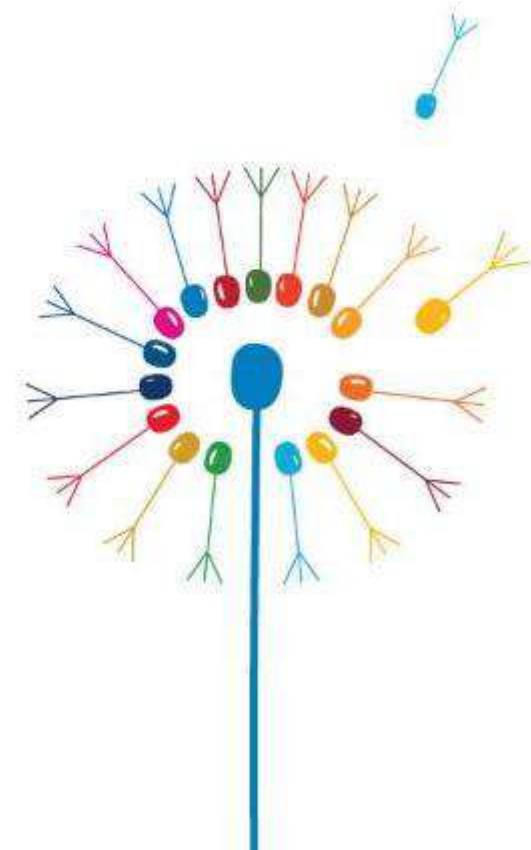


DID YOU KNOW

Intangible assets make up 75% of the value in business deals

Intangible assets worldwide were worth USD 62 trillion in 2023

Intangible assets usually form more than 80% of your business value



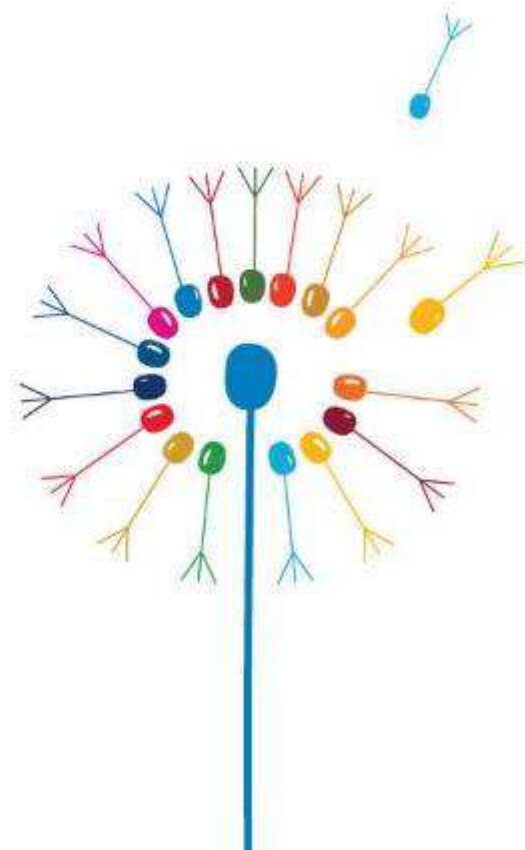
TOPICS

Types of IP

Trade Marks
Copyright
Designs
Patents

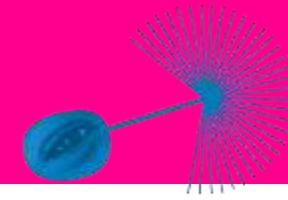
Trade Secrets

Commercialising your IP



CELEBRATE WORLD IP DAY

FRIDAY 26 APRIL 2024



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DISCLAIMER

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"It's even worse. It's a cease, desist,
and knock it off already."





What is an intangible asset?

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future with
innovation
and creativity

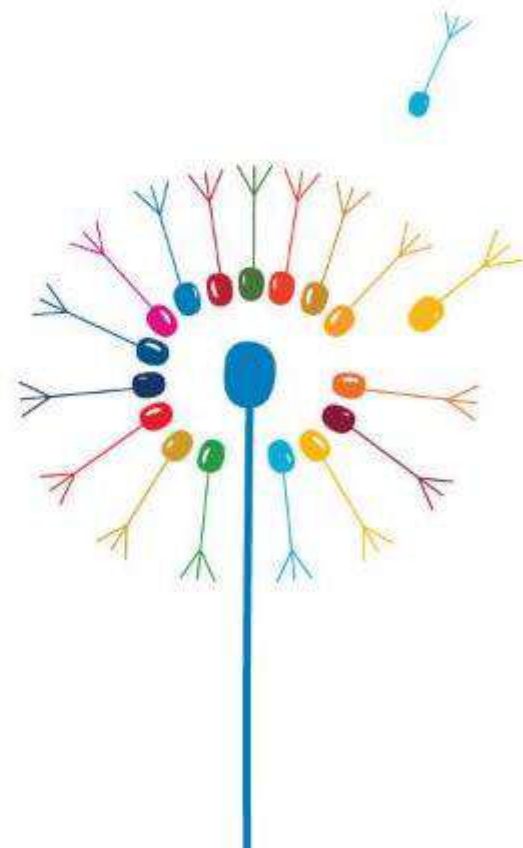
An illustration on the left side of the slide shows two hands. The top hand is brown with a blue patch on the palm, and the bottom hand is pink with a yellow patch on the palm. They are holding a small, colorful object that looks like a stylized plant or a small insect with a yellow body and purple and yellow legs.

An asset that is not physical in nature such as a patent, trade mark, a mailing list of clients or copyright.

Startups with patents and trade marks
are

10x's

more successful in securing
funding!



MAIN PRINCIPLES OF IP



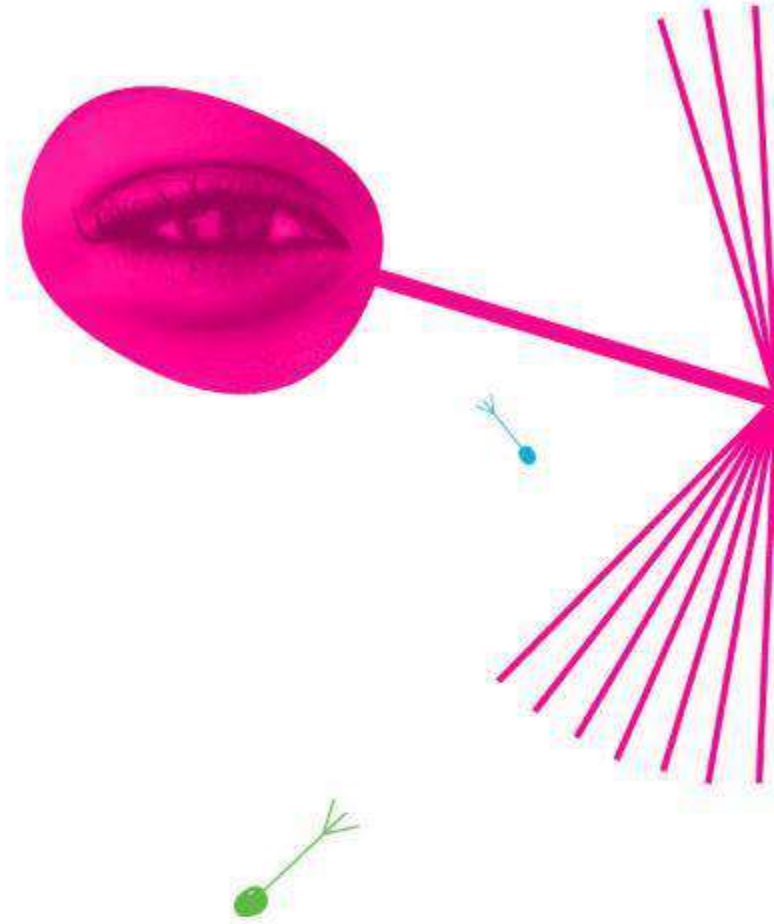
Creations of the mind



Treated as personal property



May be assigned or licensed





TYPES OF IP

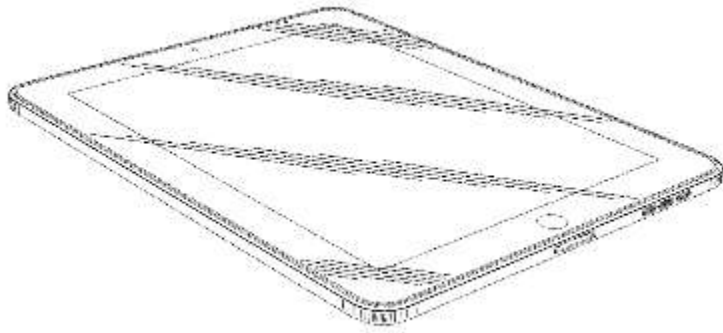
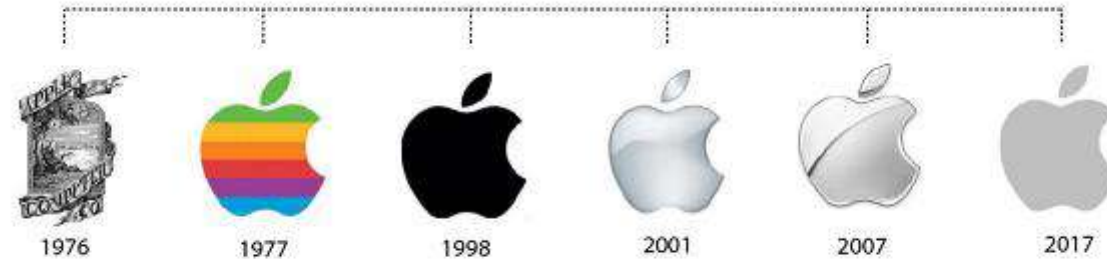
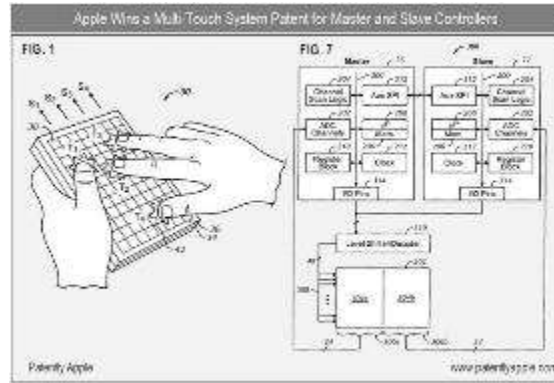
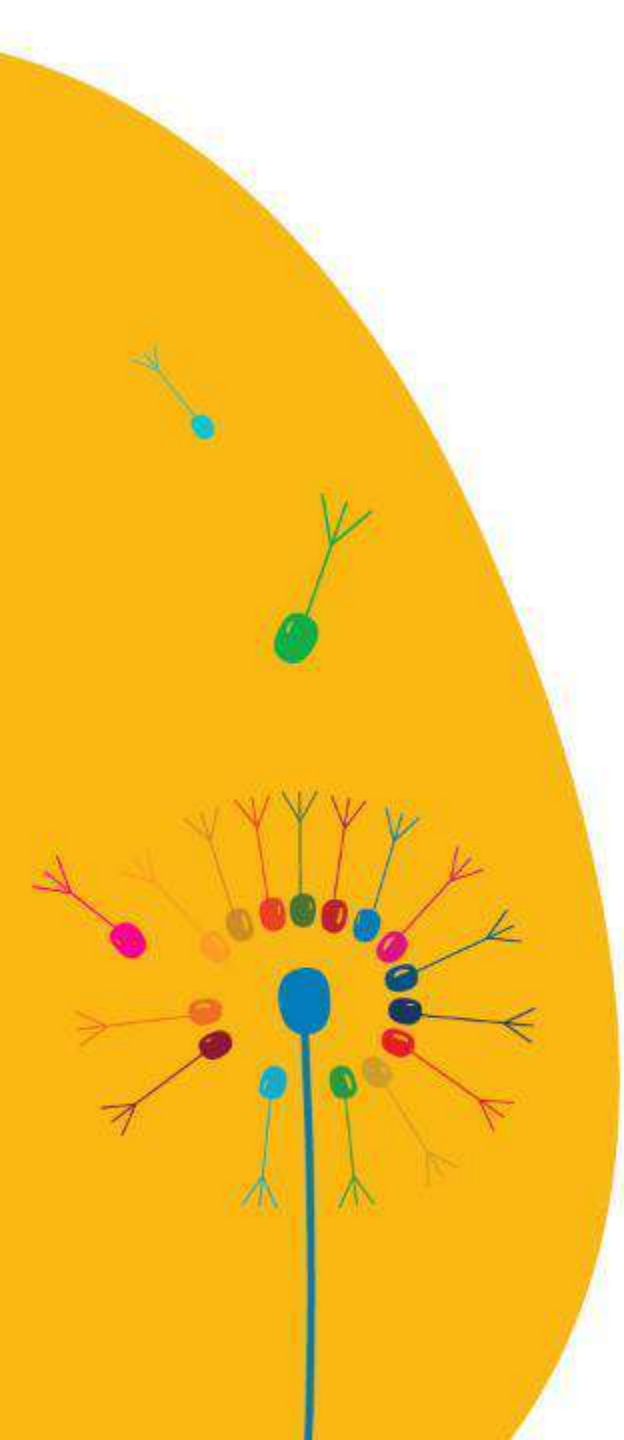


FIG. 1

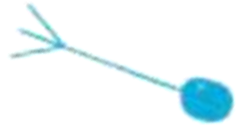
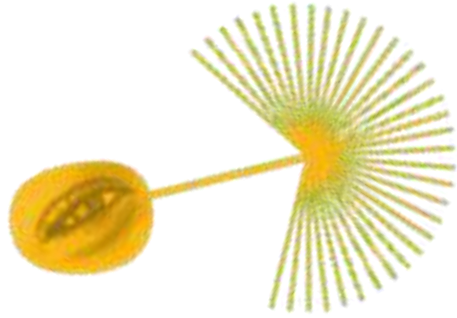


Apple Logo History



DESIGNS

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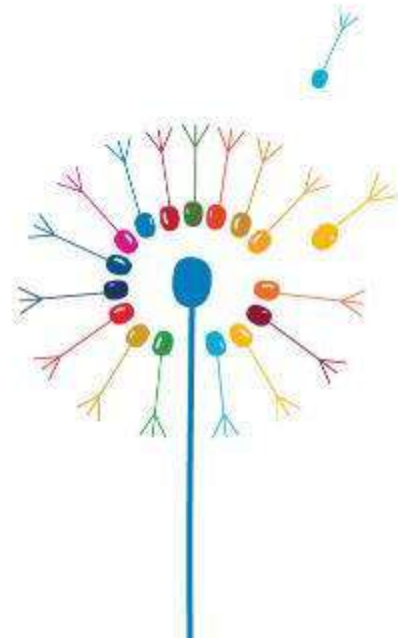
Protects the way a product looks

Granted if a product has some unique configuration and/or distinct surface ornamentation

Registered by extension of a UK right for up to 25 years

Registration fee: \$150.00

**Design Right
Industrial Design
Design Patent**

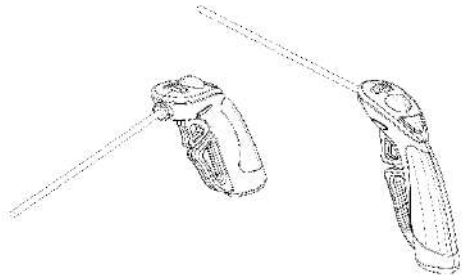




DESIGNS

May be applied to a variety of industrial products.

**Technical
and medical
instruments**



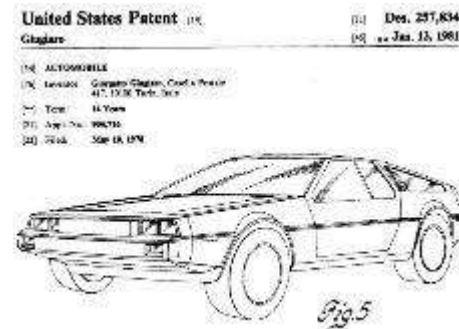
**Watches
and
Jewellery**



**Housewares
and
Electrical
Appliances**



Vehicles



**Leisure
Goods
and
Textile
Designs**

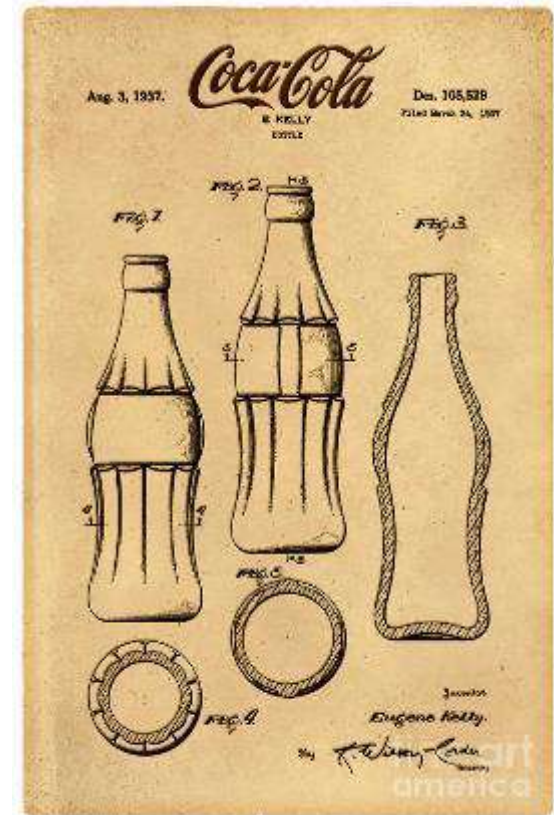




Can you guess some of the most famous product designs in the world?



Most Famous Design



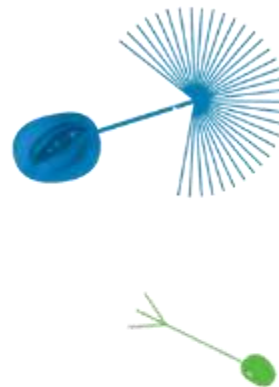
The outer border of the cuff is defined by its metallic frame.

Internal part of the cuff made from silver thatch palm using traditional braiding techniques.

By local jewellery designer Rachel Christ

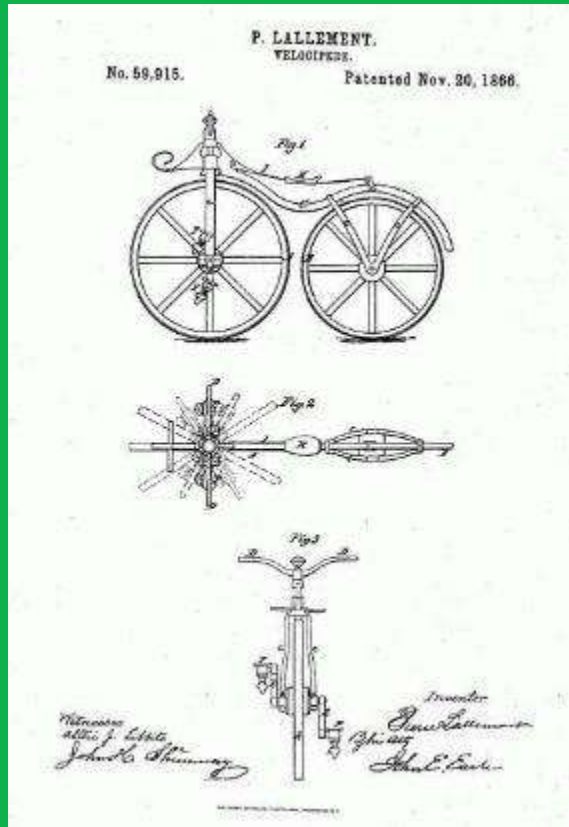


CIPO
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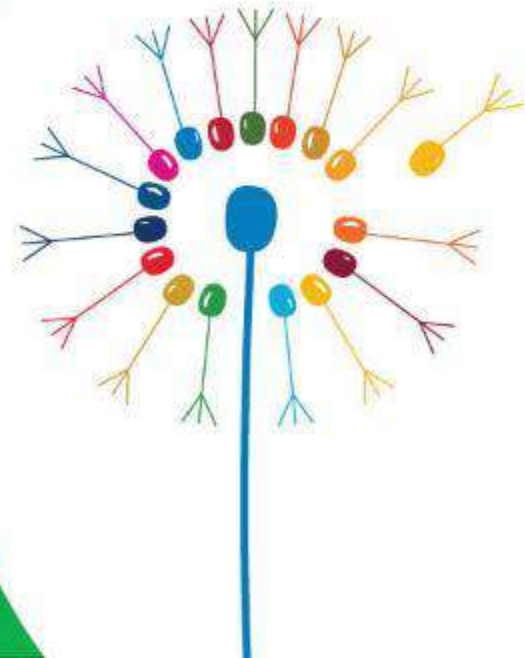
Local Registered Design





PATENTS

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PATENTS

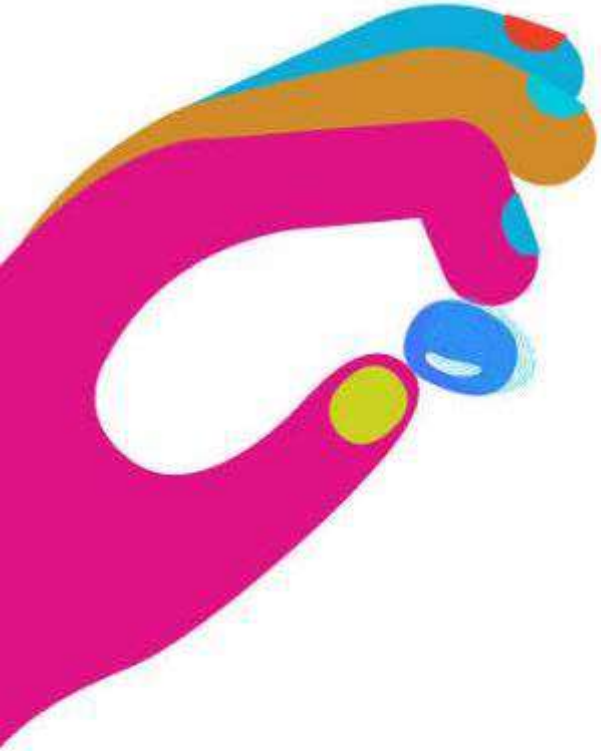
Title granted to protect an invention

Must be new, something that can be used and inventive

Registered by extension of a UK right

Protected for 20 years from the filing date

Registration fee: \$200.00



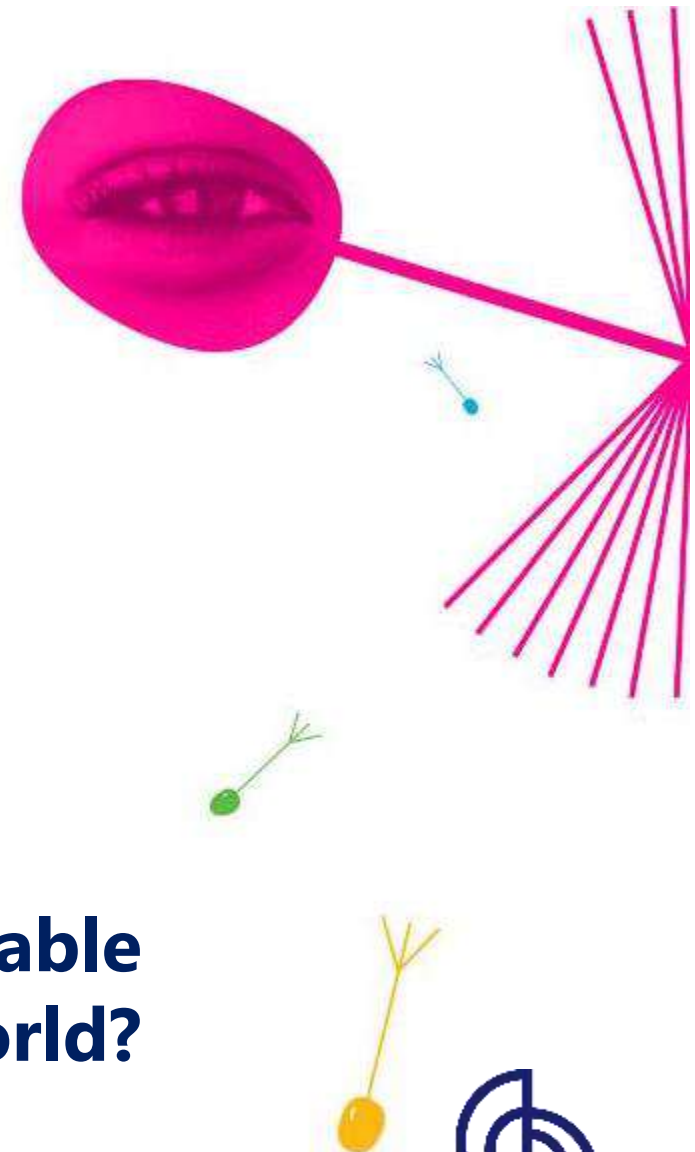
PATENTS

- An idea
- Literary, dramatic, musical or artistic works
- A way of doing business, playing a game or thinking
- A method of medical treatment or diagnosis
- A discovery, scientific theory or mathematical method
- New types of plants, seeds or animals
- The way information is presented.
- Computer programs



TRADE MARKS

Can you guess what is the most valuable brand in the world?





#1

\$880,455 \$mil



APPLE

Apple sits on top of the Kantar BrandZ Most Valuable Global Brands 2023 ranking for the second year in a row.

Google

 Microsoft

amazon



VISA

Tencent 腾讯

Top 10:

- 8. Louis Vuitton
- 9. Mastercard
- 10. Coca-Cola

Key Trends:

Coca-Cola (No.10) showed great resilience, increasing its brand value by 8% and breaking back into the Top 10 for the first time in seven years.

The Luxury, Fast Food and Food & Beverages categories proved to be the most resilient to market fluctuations.



Is protected for 10 years from the date of registration.

May be renewed every 10 years.

**Application fee is \$200 and includes 1 class of goods or service.
\$75 per additional class and \$50 publication fee.**



May include:

Words, letters, symbols, numbers, personal names, colours, and any combination of the above.

Needs to be registered to be protected under the law.



Application must be filed through a Registered Agent.

TRADE MARKS

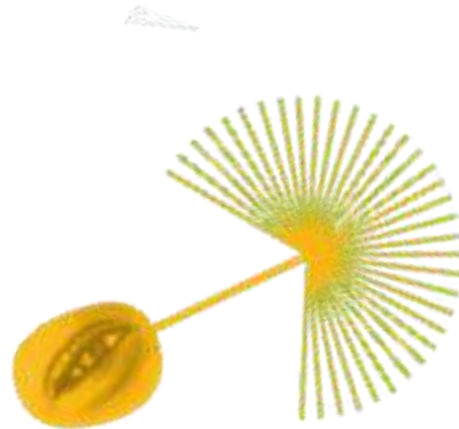


When Nike tried to register its now famous “Nike” mark, it found that in Spain, the word “Nike” had already been registered by its ex distributor, a Spanish company called Cidesport.

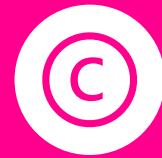
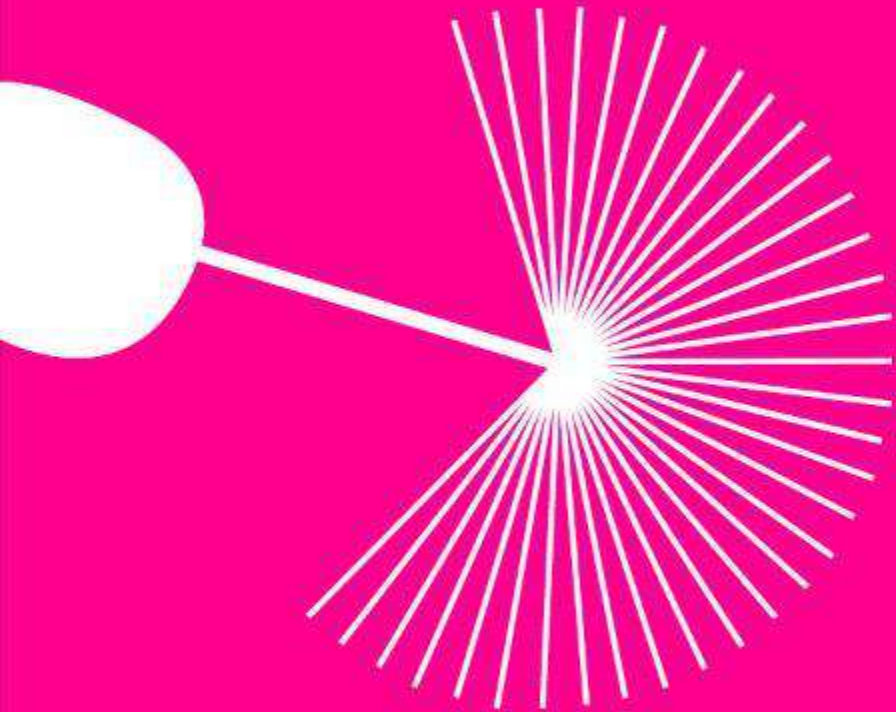
This was before Nike became famous.

For many years, Nike could only sell its products in Spain using the company’s “swoosh” logo, not the Nike name.

Key takeaway: check your freedom to operate by conducting a trade mark search locally and internationally before finalising your brand name and logo.



World IP Day 2024



COPYRIGHT



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wipo.int/ipday



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A stylized illustration of a hand with pink, orange, and blue fingers holding a small blue seed. The hand is positioned in the top left corner of the slide.

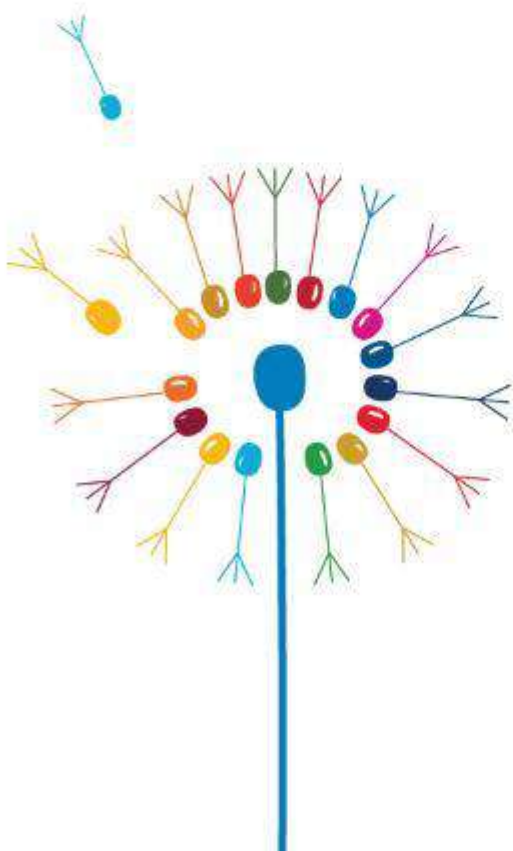
The legal protection given to the creator of an original work.

Protection is automatic.

Creator is the owner except for work created during the course of employment.

Commissioned works belong to the person commissioned.

Copyright



COPYRIGHT

Duration depends on the type of work

Type of work	How long copyright usually lasts
Written, dramatic, musical and artistic work	70 years after the author's death
Sound and music recording	70 years from when it's first published
Films	70 years after the death of the director, screenplay author and composer
Broadcasts	50 years from when it's first broadcast



Exceptions to Copyright or “Fair Dealing”

Legal term used to establish if use is protected by law.

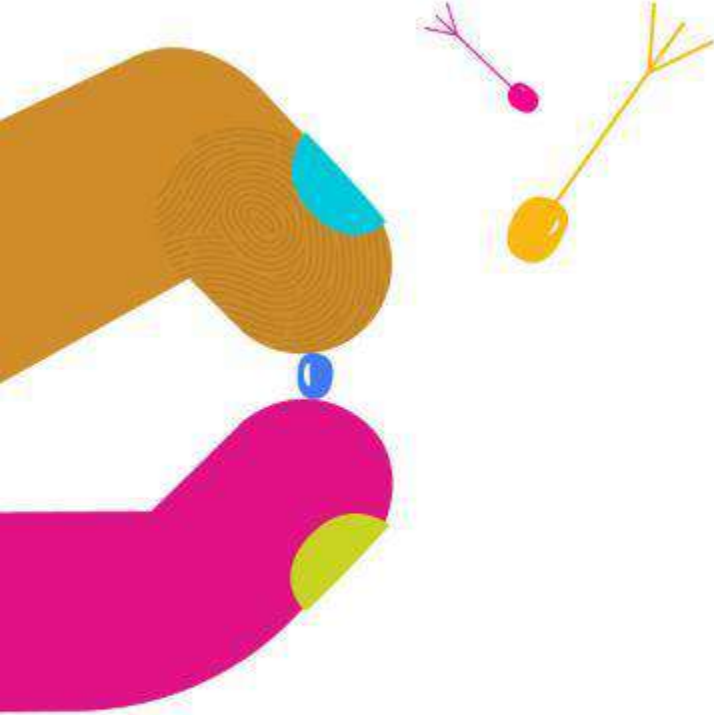
A matter of fact, degree and impression in each case.

Does the use affect sales of the work?

Is the amount of the work copied reasonable and appropriate?

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Categories of “Fair Dealing”



- **Non-commercial research or private study**
- **Text and data mining for non-commercial research**
- **Criticism, review and reporting of current events**
- **Teaching**
- **Helping disabled people**
- **Time-shifting**
- **Parody, caricature and pastiche**



Image Use

Images on the internet are not copyright free.

Always

- ✓ **seek sources that are royalty-free or in the public domain**
- ✓ **obtain written permission to use an image**
- ✓ **acknowledge your source**
- ✓ **never alter an image**



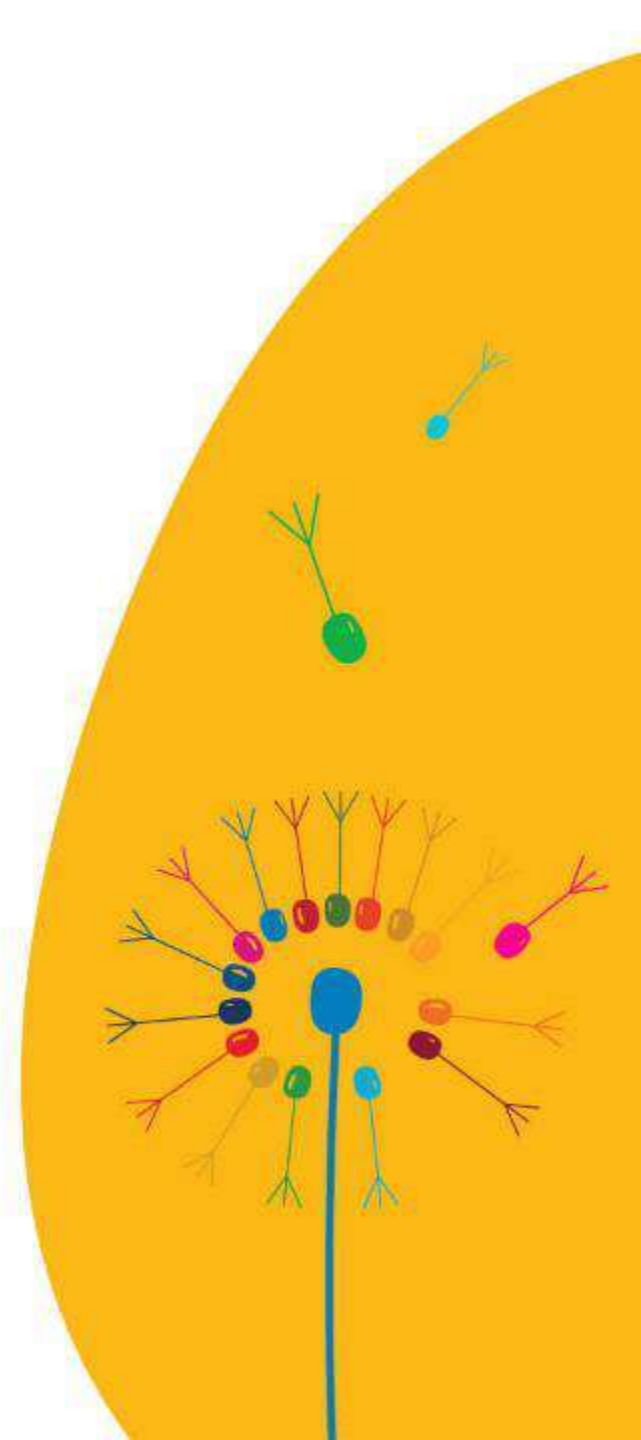
Your Due Diligence

- 1. Make your copyright conditions known (creator's name and date).**
- 2. If there are more than 1 authors, sort out © ownership BEFORE you create the work.**
- 3. Ensure that the person granting a license has the underlying rights.**
- 4. Get it in writing.**



TRADE SECRETS

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Angostura Bitters is protected using trade secrets.

Has remained a secret since 1824 (main IP is nearly two hundred years old).

As few as five company directors are allowed to enter the room where the ingredients that make up Angostura Bitters are mixed.

Angostura Limited, Trinidad and Tobago



TRADE SECRETS

Any confidential business information which provides you with a competitive edge and is unknown by others.

IPRs on confidential information which may be sold or licensed.

Does not require registration.



What qualifies as a trade secret?



Commercially value

Information is valuable because it is a secret.



Known to a limited group

Information must only be known by specific persons in the company.



Reasonable steps taken

Information must be subject to reasonable steps taken by the rightful holder to keep it a secret, including use of NDA's.

EXAMPLES OF TRADE SECRETS

technical information:

- *manufacturing processes*
- *pharmaceutical test data*
- *designs and drawings of computer programs*

commercial information

- *distribution methods*
- *list of suppliers and clients*
- *advertising strategies*

combination of elements, each of which by itself is in the public domain, but where the combination, which is kept secret, provides a competitive advantage.

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Non-disclosure Agreements (NDA)

Non-compete Agreements (NCA)

Robust IT security infrastructure

Controlling the accessibility of important documents

How can I protect my trade secret?

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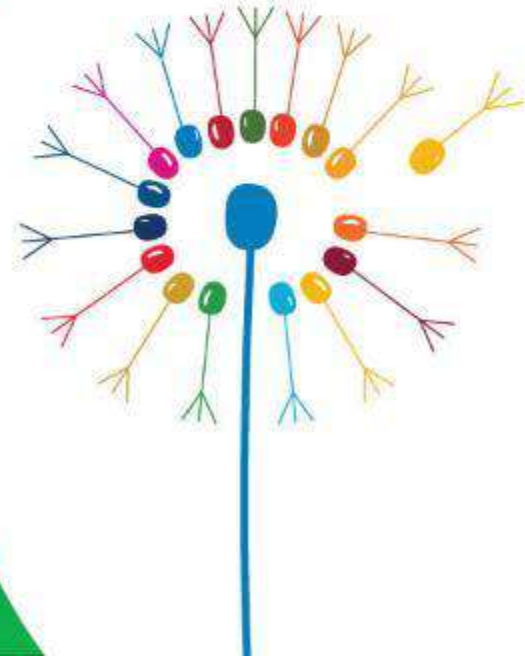


"After this nondisclosure agreement we also need you to sign this disclosure disagreement."

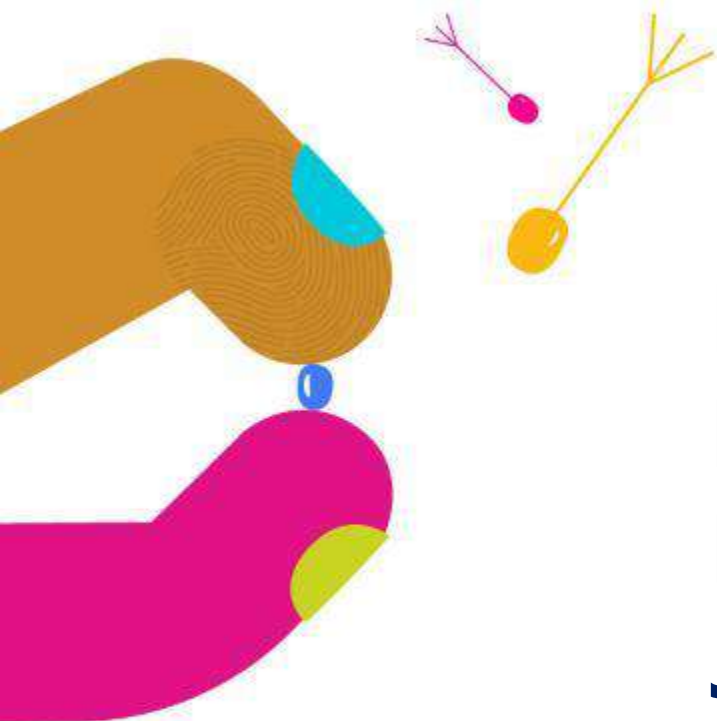


COMMERCIALISATION

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Ways to Commercialise Your IP



- Licensing**
- Franchising**
- Merchandising**
- Joint Ventures**
- Strategic Alliances**

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Licensing

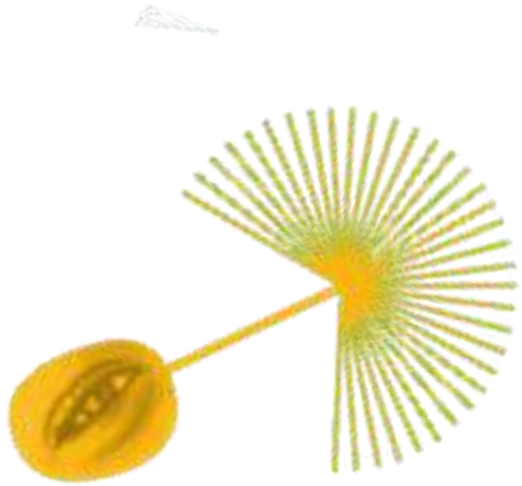
Permission to do something

Can be:

- **Exclusive - only the person who is granted the license, the licensee, can use the IP**
- **Sole – only the IP owner and licensee can use the IP**
- **Non-exclusive – the IP owner may use and license to more than one licensee**

Franchising

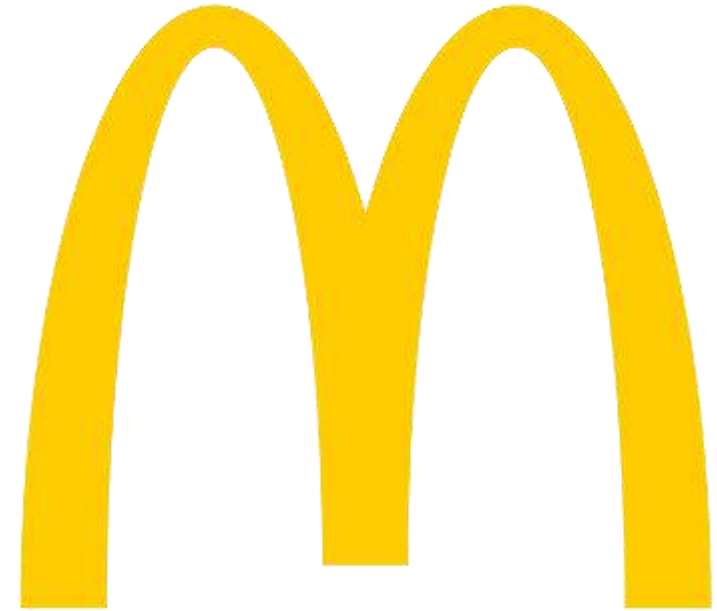
The franchisor has developed a system for conducting a particular business and allows another person (the franchisee) to use its proven business model.



A franchisee would need to use McDonald's IP, including:

- Trade marks for the McDonald's name and logo
- Copyright for the logo
- Any other graphical branding
- Know-how regarding recipes and cooking techniques

As of 2023, there were more than 38,000 McDonald's restaurants in more than 100 countries, and 93% of them are owned and operated by local business people.





The use of trade marks, logos, images of famous people, cartoons, famous paintings etc. on a range of products such as cups, adverts on cereal boxes, clothing and more.



**CHARACTER
MERCHANDISING**

Merchandising

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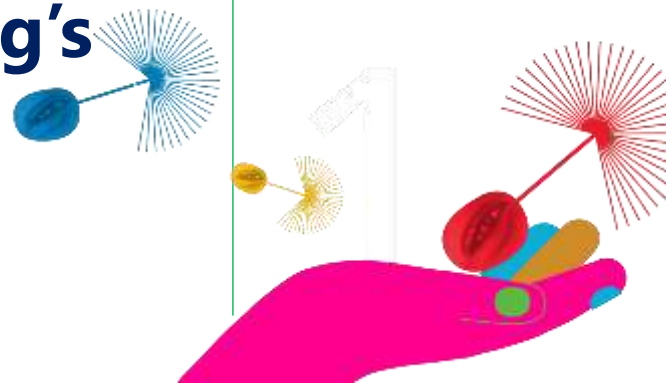
Joint Ventures

Usually when a MSME uses its patent products or valuable trade secrets to enter into a beneficial joint venture arrangement with an enterprise who has a strong trade mark so as to secure more sales.

In 2012, Kellogg joined forces with a Singaporean food processing company to get access to China.

50/50 joint venture made use of Wilmar's infrastructure and network in China.

Kellogg contributed its portfolio of globally recognised products and brands – including Kellogg's and Pringles.

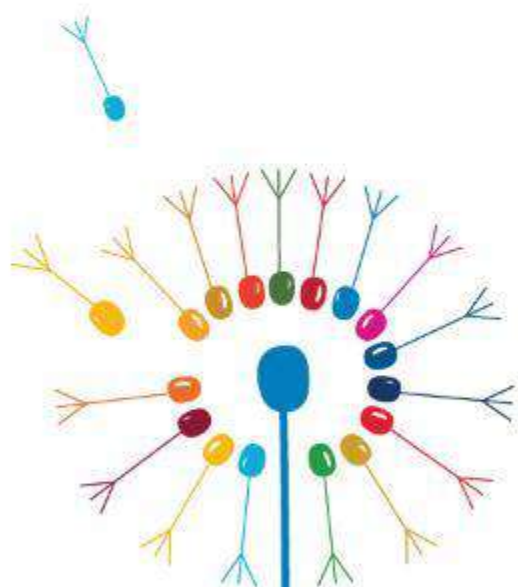




Formulation of a strategy that results in beneficial alliances with competitors.

For example, use of partner's R&D facilities or distribution and sales networks.

Strategic Alliances





KEY TAKEAWAYS



1. **All applications must be filed through a Registered Agent.**
2. **Trade marks are registered locally through CIPO.**
3. **Trade mark applications must be published for 12 weeks in the IP Gazette before registration.**
4. **Trade marks currently take between 3 - 6 months to be registered.**
5. **Designs and patents must first be registered with the UK IPO and a request for recording submitted to CIPO thereafter (extension of right).**
6. **Copyright protection is automatic.**
7. **Registration gives you the right to enforce your IPRs under the law.**

7 Key Registration Facts



8,000

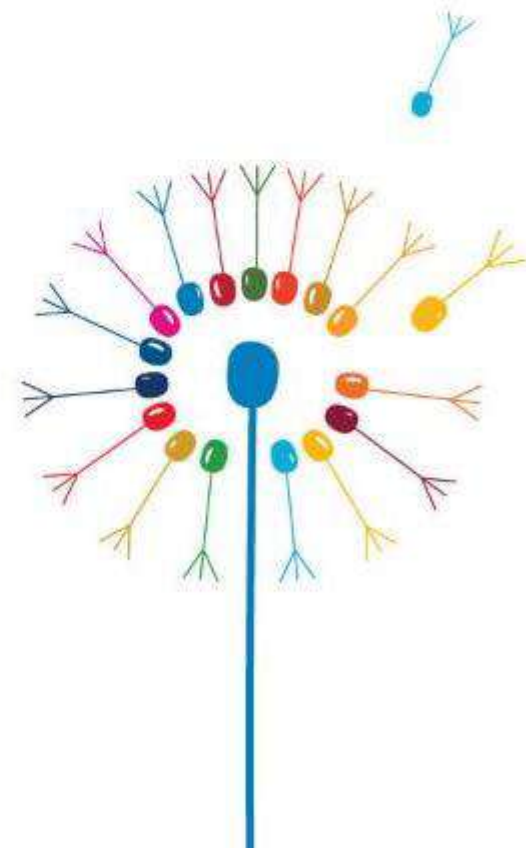
Items on the
Registers

3,773

Applications
processed

563

Received in
2023

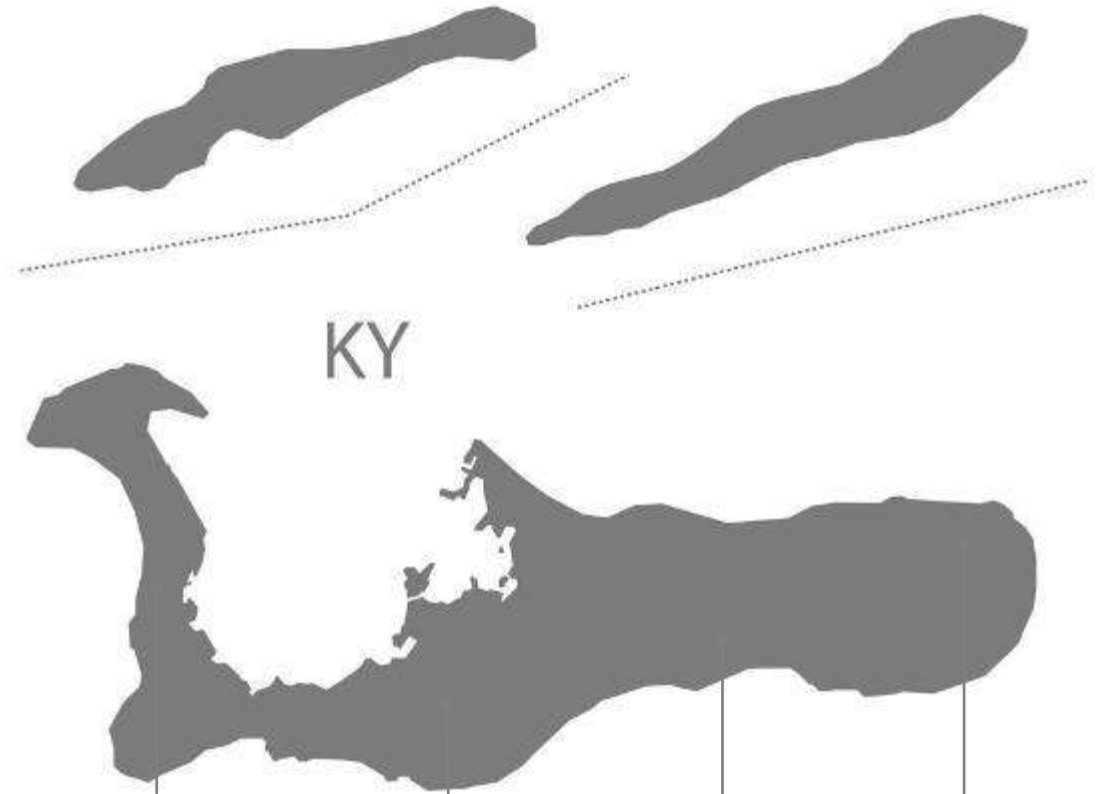


MEET THE CIIPO TEAM

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Contact us

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Email:	Intellectual Property Queries info@ciipo.gov.ky



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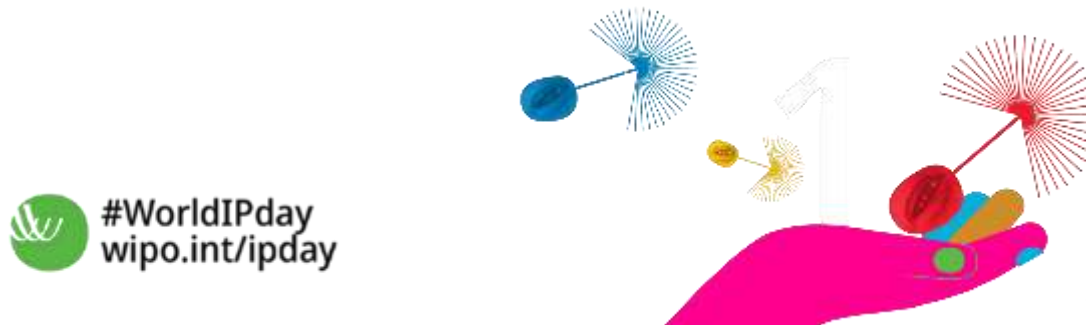
*Carolee Nunez
IP Examiner*



*Omara Whittaker
IP Registry Officer*



*Pamela Ebanks
IP Registry Officer*



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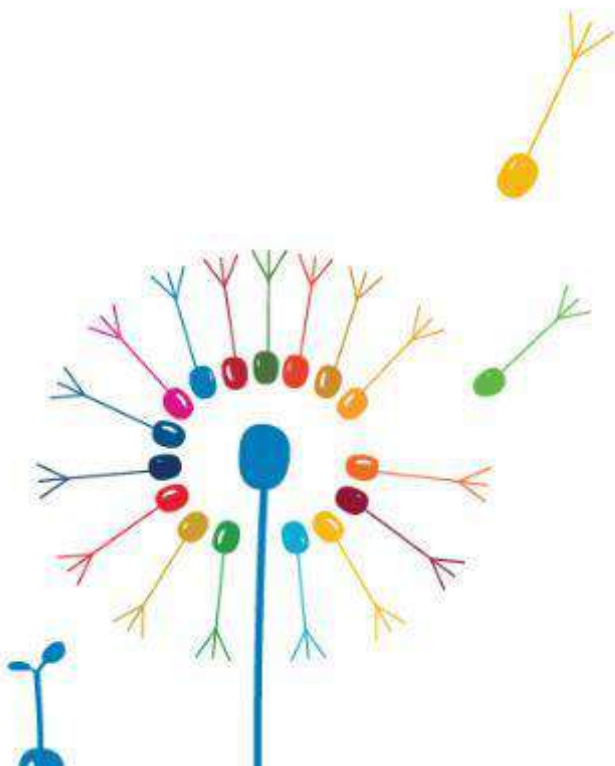


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THANK YOU

Any more questions?



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IMPROVE YOUR WELLNESS

with certified organic products

ORGANIC
MENSTRUAL CARE
PRODUCTS

