



**Topic
Brief 1**

**Intellectual property -
why it matters**

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Intellectual property – why it matters

Intellectual Property (IP) rights are legal rights that are available to inventors, authors, artists, designers and others wishing to protect the thought and effort that has gone into their work. The UK has taken a leading position in the world in many sectors that depend heavily upon IP, including pharmaceuticals, information technology, engineering, biotechnology, publishing and the music industry (the “knowledge-based” economy). The idea behind IP is that by rewarding intellectual endeavour with statutory protection against copying, society will benefit overall by encouraging new ideas, technical development and creativity.

Patents are a form of IP right that is granted for making an invention. A patent provides legal rights that can be used by its owner to prevent others from using or copying a patented invention. Patents last for up to twenty years. Protecting a new product or innovation with a patent allows the patent owner to recoup the money that it has invested in new products and technologies and to make a decent return. The benefit to the public is that it gets new, improved, products. In addition, a patent document contains a technical description of the invention that is published, allowing knowledge and technology to be shared and industry and commerce to move forward.

Brands are protected in various ways by IP rights. Brands allow consumers to repeat a purchasing experience easily: a strong Brand will stand out from the crowd and may serve to distinguish a product from other products in the marketplace.

Trade Marks and Design Rights, registered and/or unregistered, are particular forms of IP that can be used to protect a Brand. Trade Marks serve the wider public by operating as a badge of origin, guaranteeing to consumers that the Goods and/or Services that they purchase come from a particular source that they trust and that they are of a certain quality.

Design Rights can be used to protect the attractive design features of all kinds of products, ranging from mobile phones to kettles, bottles and many other common consumer items.

Copyright is an intellectual property right that arises automatically when an individual creates an original work, ranging from works of literature, songs, plays, TV scripts and so on. Copyright protection is very important to the creative and media industries, so that the commercial benefits from the exploitation of creators’ works can be protected.

Suggested further information

The IPAN website¹ at <http://www.ipaware.org> provides some general background and useful links to authoritative sources of detailed information about the different types of IP rights and how to protect them. An example is the website of the UK Intellectual Property Office, which contains much detailed information about IP rights and how they may be protected².

The websites of the Chartered Institute of Patent Attorneys (CIPA)³ and the Chartered Institute of Trade Mark Attorneys (CITMA)⁴ also provide useful guidance and an initial point of contact for those seeking professional help in protecting their IP.

The IPAN website⁵ also contains copies of other Briefs on topical IP matters – viz. *the IPAN Issue Briefs*. These are revised annually by experts associated with IPAN.

1 <http://www.ipaware.org>
2 <http://www.ipo.gov.uk/whyuse.htm>
3 <http://www.cipa.org.uk/>
4 <http://www.citma.org.uk/>
5 <http://www.ipaware.org/resources/ip-topic-briefs/>