

Anjuman-i-Islam's Kalsekar Technical Campus, New Panvel
Knowledge Resources & Relay Center (Central Library) &
Dept. of Civil Engineering

WELCOMES

WORLD
INTELLECTUAL
PROPERTY DAY 2018

Date: 26th April 2018
Time: 2:00pm – 3:00pm



Disclaimer

© *not* a lawyer

© *not* providing legal advice

Content

- What is Intellectual Property Rights (IPR)
- Patent
- Copyright
- Plagiarism
- CE List of Journals
- Impact Factor
- Scopus | Web of Science | Thomson Reuter
- Experience of Reviewed Articles

Shaheen Momin
LIBRARIAN

Dr. R. Magar
HoD-CE

World Intellectual Property Day 2018

- World Intellectual Property Day is observed annually on **26th April**.
- The event was established by the **World Intellectual Property Organization (WIPO)** in **2000** to "**raise awareness of how patents, copyright, trademarks and designs impact on daily life**" and "to celebrate creativity, and the contribution made by creators and innovators to the development of societies across the globe".
- 26 April was chosen as the date for World Intellectual Property Day because it coincides with the date on which the Convention Establishing the **World Intellectual Property Organization (WIPO)** entered into force in **1970**.

Each year, a message or theme is associated with the event...

- Creating the Future Today
 - Encouraging Creativity
 - Make Intellectual Property Your Business
 - Encouraging Creativity
 - Think, Imagine, Create
 - It Starts With An Idea
 - Encouraging Creativity
 - Celebrating innovation and promoting respect for intellectual property
 - Green Innovation
- 2010** – Innovation – Linking the World
 - 2011** – Designing the Future
 - 2012** – Visionary Innovators
 - 2013** – Creativity – The Next Generation
 - 2014** – Movies – a Global Passion
 - 2015** – Get Up, Stand Up. For Music.
 - 2016** – Digital Creativity: Culture Reimagined
 - 2017** – Innovation – Improving Lives
 - 2018** – Powering Change: Women in Innovation and Creativity



Powering change: Women in innovation and creativity

World Intellectual Property Day 2018
April 26

In World Intellectual Property Day this year, WIPO's focus is on promoting **POWERING CHANGE: WOMEN IN INNOVATION AND CREATIVITY** as the key to a secure future.

"K now Y our R ights"

INTELLECTUAL PROPERTY (IP)

- IP refers to the **human creations**, in which a person uses his/her **brain, labour and capital**.
- **Copyrights** and **Patents** are two rights that provide **protection** to Intellectual Property.



Types of IPRs

Intellectual Property



Industrial Property

Copyrights and related rights

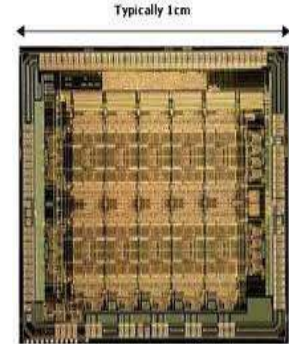
- Industrial Designs
- Patents
- Trademarks
Service marks
- Trade Secrets
- Geographical Indications
- Layout Designs of Semi Conductor ICs
- Plant varieties & Farmer's rights



Coca-Cola



Typically 1cm



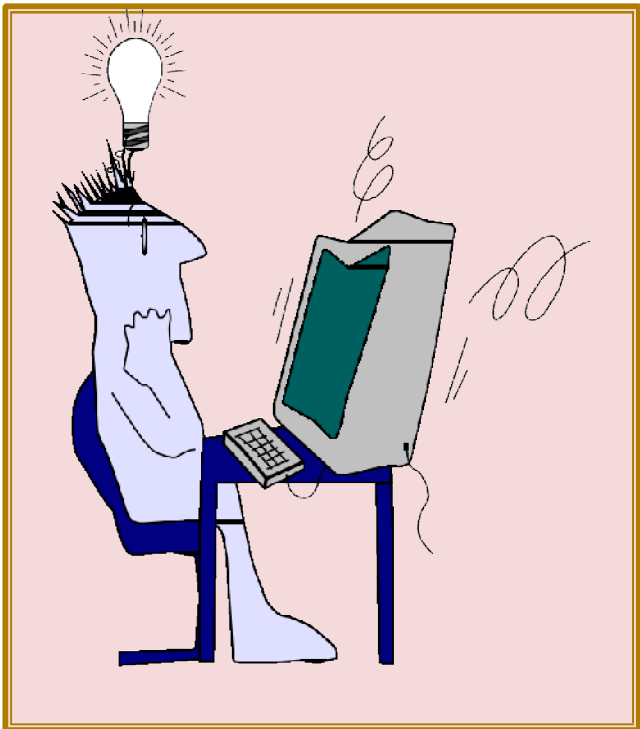
Containing up to 1 million components



PATENTS

Definition:

*A patent describes an **invention** for which the inventor claims the exclusive right.*



Invention Patentable If.....

1. NEW (Novel)
2. Useful
3. Not Obvious
4. Pertains To Patentable
5. Subject Matter

Patentable Subject Matter

Inventions:

- Relates To a **Process** or **Product** or Both
- Involves an **Inventive Step**
- Be Capable of Industrial Application
- A Machine

Life and Duration

- **Term Of The Patent Is *20 Years*** From The Date Of Filing For All Types Of Inventions. **[annual renewal fee]**
- **Priority Date-** First To File
- **The Date Of Patent** Is The Date Of Filing The Application For Patent.
- **The Term Of The Patent** Is Counted From the patented date **[annual renewal fee]**

Youngest Patent Holder on Wheelchair



Drawing inspiration from scientist Stephen Hawking, a wheelchair-bound nine-year-old boy here has invented a game of six-player circular chess. The boy, **Hridayeshwar Singh Bhati** from **Jaipur, India**, has got the game's design patented in his name.

What Does a Patent look Like?



www.shutterstock.com - 82418218



Certificate of Grant of Patent

COPY

Patent Number: GB2399473
Proprietor(s): Nicholas P Le Feuvre
Inventor(s): Nicholas P Le Feuvre

This is to Certify that, in accordance with the Patents Act 1977,

a Patent has been granted to the proprietor(s) for an invention entitled
"Loudspeaker with low distortion precise imaging and deep bass"
disclosed in an application filed **8 March 2004**.

Dated 19 October 2005




Ron Marchant
Comptroller General of Patents,
Designs and Trade Marks
UNITED KINGDOM PATENT OFFICE

The attention of the proprietor(s) is drawn to the important notes over

COPYRIGHT

- **copyright** protects creative and intellectual works, which covers artistic, literary, musical and dramatic work, as per law, for a definite number of years.
- it protects the rights of the creators of original work and the rights includes:
 - To reproduce the work.
 - To communicate the creation to general public.
 - To make a cinematographic film, on the creation.
 - To make an adaptation of work.
 - To issue copies of work to the public.

Indian Copyright Act 1957

- ◎ *Indian Copyright Act 1957*

- ◎ W.E.F. 21 January 1958

- ◎ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 1983

- ◎ member of the **Berne Convention and the United Copyright Convention**.

- ◎ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 1984

- ◎ inclusion of **video film**, introduction of duplication equipment, protection of **computer programme**, empower the police to search without warrant, enhancement of punishment and **declaration of the infringement** of copyright and related rights as an economic offence etc.

- ◎ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 1992

- ◎ imposing a levy and collection of a cess on copying equipment and for the transfer of them to the **owners of rights**.

- ◎ total period of copyright become **life plus 60 years** .

- ◎ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 1994

- ◎ to bring the Indian Copyright law in conformity with **TRIPs agreement**.

Indian Copyright Act 1957

- ⊙ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 1999

- ⊙ also to conform to the principles of **TRIPs agreement** in India.

- ⊙ INDIAN COPYRIGHT LAW AND AMENDMENT ACT, 2012

- ⊙ **extension of copyright protection in the digital environment** such as penalties for circumvention of technological protection measures and rights management information, and liability of internet service provider and introduction of statutory licenses for cover versions and broadcasting organizations; ensuring right to receive royalties for authors, and music composers, exclusive economic and moral rights to performers, equal membership rights in copyright societies for authors and other right owners and exception of copyrights for physically disabled to access any works.

- ⊙ **Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired or Otherwise Print Disabled Persons, 2013.**

What is Covered by Copyright

Literary



Films



Dramatic



Musical



Artistic



Sound Recording



What is Not Covered by Copyright?

- Ideas
- Facts
- Recipes
- Works lacking originality (e.g. The phone book)
- Names, titles or short phrases



Copyright Protection

Literary dramatic, musical and artistic works	lifetime of the author + sixty years from the beginning of the calendar year next following the year in which the author dies.
Anonymous and pseudonymous works Posthumous work Cinematograph films Sound records Government work Public undertakings International Agencies photographs	until sixty years from the beginning of the calendar years next following the year in which the work is first published

Who owns copyright?

- Generally, the creator owns copyright
- Employment relationship: generally the employer owns
- Joint creators: both own
- Can be modified by agreement: transfer to publisher

Types of limitations and exceptions

Personal or private use of works

Reproduction of works in Braille or by other special means for blind and visually disabled persons (**Marrakesh Treaty 2013**)

Use of works by **libraries and archives**

Use of works by educational institutions for **classroom instruction** and teaching

Scholarship, study, research

Quotation from published works- Berne Art. 10(1)

Public uses such as comment, criticism, parody, satire

Fair use/fair dealing/use according to fair practice [**Section52**]

Fair Use Exceptions

Certain quantities are 'deemed' fair:

Hardcopy = 10% of **pages** or 1 chapter

Electronic = 10 % of **words** or 1 chapter

Periodicals = 1 article (more than 1 if it relates to the same research or course of study)

If you wish to copy more, or are copying an artistic work... need to consider a number of factors to decide if it's fair.



Take action against Infringements



What constitute Infringement?

- Any reproduction, use , distribution, performance, etc. of the work without the permission of the owner.
- An ***identical or substantial similar*** reproduction is also covered
- Infringement – Damages - Injunction

Remedies for Patent Infringement



- A **suit** can lie in the District or High court.
- It may issue **an injunction** either to **prevent** the infringer from any further use & **award damages** to the patent owner **or** will pay the patent owner **royalties** for further use.
- A suit can lie in the district court or a high court u/s 63 of the copyright act, 1957
- Punishable with imprisonment **upto years and fined as per the claims.**

PLAGIARISM

Plagiarism — the practice of taking someone else's work or ideas and passing them off as one's own (read cheating) — has been gnawing away at Indian academia for years; even top academicians have been caught at it.

Example | Pondicherry University vice-chancellor **Chandra Krishnamurthy** was removed in 2016 after a prolonged stand-off with the ministry of human resource development, following allegation that she plagiarised large parts of one of her books.

Rajput, the vice-chancellor of Kuamron University, was found to be a serial plagiarist. Eventually, seven Stanford University professors wrote to the then president APJ Abdul Kalam about him.

Rao Podile, vice-chancellor of the University of Hyderabad, was accused of plagiarising from not one, but three scientific papers.

Source: <https://www.hindustantimes.com/editorials/what-the-ugc-ruling-on-plagiarism-means-for-indian-academia/story-E4JViz05BklkUGIRr918EL.html>

PLAGIARISM

Plagiarism is not the same as copyright infringement

Plagiarism and copyright each address the legitimacy of copying, but in very different ways.

Plagiarism is concerned with the protection of ideas (not just the particular expression of an idea).

Plagiarism is the act of misrepresenting the origin of an idea. In other words, it involves passing off someone else's ideas as your own.

Plagiarism is dishonest and can lead to serious, negative consequences in an academic or professional setting, but it is not directly connected with copyright.

Plagiarism can be avoided by properly citing sources. Copyright infringement cannot be avoided simply by citing sources.

Plagiarism & AICTE

• To check plagiarism, AICTE tells education institutions to adopt tech tool

• AICTE Circular on **“Promotion of academic integrity & excellence & prevention of plagiarism” dt. 30th Nov. 2017.**

- in case of 'Level 1 and 2' offences, the researchers would get a chance to revise their work, 'Level 3' offence, which is '60% similarities' would result in cancellation of the researcher's registration.
- Whereas for plagiarism in core areas, there will be 'zero tolerance'.

Source: <https://timesofindia.indiatimes.com/city/hyderabad/to-check-plagiarism-aicte-tells-education-institutions-to-adopt-tech-tool/articleshow/61888034.cms>

References

- <http://www.ipindia.nic.in/>
- <http://www.copyright.gov.in/>
- http://shodhganga.inflibnet.ac.in/bitstream/10603/61938/11/11_chapter%204.pdf

Conclusions

- Create yourself, rather than using other's creations
- Do not use competitor's mark in such way that it harms competitor in unfair way
- No comparisons that are likely to cause confusion

*Technological advancement made the job of the CREATOR easy
.....it also made the job of the COPY-er. easy.*

Disclaimer

Disclaimer (Images)

- The images used in this presentation are found from different sources all over the Internet, and are assumed to be in public domain and are displayed under the fair use principle for education purpose.

Copyright @ Presentation

- The said presentation is copyright under **Copyright @ afrozkhan2018 & shaheenmomin2018**
- The presentation is for **education purpose only**, don't use the same for any legal perspective.



DISCLAIMER

Thank you ...

- Dr. Abdul Razak Honnutagi, Director, AIKTC
- Dr. R. Magar, HoD-CE, AIKTC
- Last not least to all PRESENTER for their patience hearing ME



**Any question
please?**



THANK YOU
for your attention!