



ACS COLLEGE OF ENGINEERING

DEPARTMENT OF COMPUTER SCIENCE & ENGINEERING

(Affiliated to VTU, Belagavi, Approved by AICTE, New Delhi and ISO 9001:2015)

Organized

WORLD IPRs DAY 2022

“Workshop on IPRS & Its Protection in India”

(Undernationalintellectualpropertyawarenessmission)

The Department of CSE, ACSCEorganized Workshop for Faculties on**“Workshop on IPRS & Its Protection in India”**on 28-04-2022. The detailed report of workshop as follows:

Chief Patron:Dr.A C Shanmugam

B.A.L.L.B, FISMA, FRCPS (Glasgow, UK)
Chairman, RajaRajeswari Group of Institutions

Er.A.C.S. Arun Kumar

B.Tech (Hons)., LMISTE.,MIET.,(UK).,LMCSI
Vice Chairman, RajaRajeswari Group of Institutions

Chief Guest: Dr. Abhishek Singh

Examiner of Patents & Designs, Patent Office, Chennai
Ministry of Commerce & Industry, Govt. of India

Organizers: Dr. S. Vijayanand., M.tech, Ph.D

Executive Director,RRGI

Sri. C.N Seetharam., Retd.IAS

Chief Executive Officer, RRGI

Dr.S. Jeyabalan., Ph.D

Special Officer, RRGI

Dr.M.S Murali

Principal

Dr. V. Mareeswari

SPOC

Total Number of Participants: 269

Introduction:

Introducing IPR, Discussion about what IPR means? What are the types of IPR? Where and how the application forms to be filled? What is there requirement of IPR?

What is intellectual property?

A property which has been created by exercise of intellectual faculty, innovation, literary, artistic works, etc. Anything that can be created using brain it's called IP.

Why is Intellectual property rights required?

Intellectual property rights are required to avoid commercial exploitation and help us to gain recognition.

For a common person it is a matter of pride and is used for academics purpose and in terms for a business man it is used for commercialization and it is very much important to in business point of view.

Invitation Poster:

NIPAM NATIONAL IP AWARENESS MISSION
ACS COLLEGE OF ENGINEERING
Affiliated to VTU, Belagavi, Approved by AICTE, New Delhi & Govt. of Karnataka
#207, Kambipura, Mysore Road, Bengaluru - 560 074

The Management, Staff & Students Cordially invite you all
Department Of Computer Science & Engineering
Organizing

WORLD IPRs DAY - 2022
"Workshop on IPRs & Its Protection in India"

Chief Patron
Dr. A. C. Shanmugam B.A.L.L.B, FIMSA, FRCPS (Glasgow, UK) Chairman, RajaRajeswari Group of Institutions
Er. A.C.S. Arun Kumar B.Tech (Hons), LMSTE, MIET, (UK), LMCSI Vice Chairman, RajaRajeswari Group of Institutions

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Registration Link
<https://forms.gle/d2ETnLsrpvof4Qu29>

28th April 2022 (Thursday) @ 10:45am Venue: ACSCE Auditorium

Dr. S. Vijayanand, M.Tech, Ph.D Executive Director RRG
Sri. C.N.Seetharam, Retd. IAS Chief Executive Officer RRG
Dr. S. Jeyabalan, Ph.D Special Officer RRG
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Department of Computer Science & Engineering
Organizing

World IPR Day - 2022
Workshop on: IPRs & its Protection in India

Dr. A. C. Shanmugam B.A.L.L.B, FIMSA, FRCPS (Glasgow, UK) Chairman, RajaRajeswari Group of Institutions
Dr. Abhishek Singh Examiner of Patents & Designs, Patent Office, Chennai. Ministry of Commerce & Industry, Govt. of India
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Dr. M.S. Murali Principal, ACSCE
Dr. V. Mareeswari SPOC

Date: 28th April 2022 Time: 10:45AM Venue: ACSCE Auditorium

Intellectual property is everywhere.

- Are you writing a novel these days?
-Go for a copyright.
- Are you planning a startup?
-Register for a trademark
- Do you like designing or naming?
-Go for a design registration

Global Innovation Index (GII)

The ranking of the countries respect to GI:

1. Switzerland
2. Sweden
3. United States
4. United Kingdom
5. South Korea

Types of intellectual property:

There are different types of intellectual property. They are

- Patents
- Designs
- Trademarks
- Copyright
- Semiconductor integrated circuits layout
- Geographical indication
- Protection of undisclosed information/Trade Secret

Patent

What is patent? Who to file? Who to approach? Where to find? What forms should I fill? How much is the fee?

A patent is given only to an invention and is an exclusive right excluding others from “using, making, exercising, vending and importing” one's inventions without their permission. It is given by sovereign or state. The life time of patent rights is 20 years.

To apply for patents, we can register in <https://ipindiaonline.gov.in/e-patentfiling/goFor1.com>. While applying for patent first one must do a PRIOR SEARCH if the similar project or the work has already been given a patent using the keywords of the work in the website patents.google.com.

There is no International Patent. The rights given are territorial. For example, if the patent has been given by the Government of India then it is valid only in India. If a person wants the patent also to be valid in US then the patent has to be applied according to the US government rules.

The patents are given even for simple inventions and can bring huge profits. For example, spin brush was invented by Osher and his several partners in 1999 and then in 2001 sold the rights to Procter and gun bell for \$475,000,000. This proves that even if the invention is simple but innovative and not common then we can try to apply for patent.

Another example is ring pull cans. the inventor licensed the patent to Coca-Cola at 1/10th of a penny per can. During the validity of the patent the inventor obtained 1,48,000 UK pounds a day.

The most important thing while applying a patent is to be careful about publishing aspect before filing the application. We should not publish the work before patenting. The reason is when officer checks for the Documents similar do the applicants work and if it is found the work has already been published then the patents are not issued. For example, Mr. Millstein had publicized his work before applying for the patent and was rejected but was awarded the Nobel Prize for his work.

Criteria of granting a patent has three aspects. It should be in new/novelty that is the work should be not published before date of patent application. Inventive step means a feature of an invention that involves technical advancement as compared to the existing knowledge or having economic significance or both that makes the invention not obvious to persons skilled in the art. Capable of industrial application means the invention is being made used in an industry.

The filing procedure is done by submission to be in the appropriate Patent Office through post or by visiting the office Or it can be done by online filing through portal by providing E-comprehensive file at <https://ipindiaonline.gov.in/epatentfiling/goFor1.com> requires digital signature or e-sign.

The forms to be filled by the applicant and their costs is:

- Form 1: details of application, applicant fees to be paid of about 1600 rupees phone natural person or startup or small entity or educational institute but As for company or other than natural is 8000 rupees.
- Form 2: details of invention like title, background of invention, particulars brief description, claims, etc. Fees not required.
- Form 3: details of foreign filing of similar invention. Fees not required.
- Form 5: declaration as inventorship. Fees is not required.
- Form 18: request for examination. The fees is 4000 please for natural person and ₹20000 for a company.

The examination consists of formal examination and technical examination. In the first examination report gist of Objections are communicated to the applicant. The examination is

conducted after checking the applicants reply for the objections and checking the documents which are required. Technical discussions are made and then the decision of acceptance and refusal is done.

There are certain basic timelines which is provisional to complete specification is 12 months and withdrawal of application is 15 months, for the publication is 18 months and request for the examination is 48 months, Reply to FER is six months and hearing submission is 15 days.

Designs:

a design is the outer outlook of an article that a naked eye can see. The definition of a Design as per the act provides that a design means only the features of shape, configuration, pattern, ornament or composition of lines or colours applied to any article whether in two dimensional or three dimensional or both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye, but does not include any mode or principle of construction or anything which is in substance a mere mechanical device, and does not include any trademark or property mark or artistic work.

The acts relating to industrial designs are The designs Act 2000, The designs rule 2001, The designs (amendment) rule 2021.

Requirements to file an ordinary application are a fee of ₹1000 for individual or small entity and 4000 for others and an application form and it also requires two sets of representation illustrating various views of article. The timeline is initially for 10 years from the date of filing and extendable by another five years. The request for reliable to be filed within 10 years and request for restoration of lapsed design to be filled within one year from the date of cessation.

Copyrights

Copyright refers to **the legal right of the owner of intellectual property**. In simpler terms, copyright is the right to copy. This means that the original creators of products and anyone they give authorization to are the only ones with the exclusive right to reproduce the work.

For example, when the copyrights are given to the author of the book no one can sell, distribute, copy or translate or without the permission of the person who has copyright.

Subject matter of copyright is literature, dramatic work, sound recording works, artistic works, musical works, cinematograph works

For example, the computer programs and algorithms the copyrights are given under literary work, for the websites it depends upon the component, separate application is required for each component such as back ground process under literary work and for the front end such as pictures is given under artistic works, And apparel given the copyrights under literary work.

For a literary or dramatic work the author has the rights for the copyright whereas for music work music composer and for artistic work other than a photograph is artist, for photograph the person who is taking photographs has the rights and for a cinematography film or sound producer has the rights for copyright.

If a Article belongs to a person who is under company and has done related to his job then the ownership or the copyrights Will be given to the employer or the company but not the employee.

Idea and plot can be copied but not the expression. the copyrights are not given based on the idea and the plot it is mainly given for the expression. For example in 2003 Karishma the miracles of destiny idea copy the idea and Barbara Tylor had filed a case against Sahara TV but the Supreme Court declared that the idea cannot be given copyright.

Right so spotters of copyrighted works can be divided into economic rights and moral rights. The economic rights are related to commercialization of the article and Moral rights are related to the right against distortion and right of recognition that is the publicizing house cannot remove the author's name without his permission.

The rights can be transferable and non transferable. The transferable rights may be assigned to other owners for a sum of money or royalties depending on the proposed usage of the work and non transferable rights are the right which remains with the original author.

Trade-marks

Subject matter of trademarks are invented words, numerals, combination of both, arbitrary dictionary words, marks constituting 3D design, shapes, sound marks.

Usually trademark registration is not necessary. We can have our own trademarks and an unregistered trademark is protected only in its own geographical area of business. Infringement of the Unregistered trademark is to prove similarity and geographical presence but put

example Elon Musk has bought trademark of Tesla Motors for \$75 million in late 2004.

Semiconductor Integrated Circuits Layout-SICLD

Topography of integrated circuit is not patentable but can be given SICLD. SICLD Act defines the following as:

- "**Semiconductor integrated circuit**" means a product having transistors or other circuitry elements, which are inseparably formed on a semiconductor material or an insulating material or inside the semiconductor material and designed to perform an electronic circuitry function.
- "**Layout-design**" means a layout of transistors, and other circuitry elements and includes lead wires connecting such elements and expressed in any manner in a semiconductor integrated circuit.
- "**Commercial exploitation**" in relation to the SICLD means to sell, lease, offer

or exhibit for sale or otherwise distribute such semiconductor integrated circuit for any commercial purpose.

Geographical Indication-GI

GI is a sign used on products that have a specific geographical origin and process qualities a reputation that is due to that origin. For example, Tirupati laddu and Kolhapur jagghery.

Where/whom to approach for protection?

Website of CGPDTM –www.ipindia.gov.in

The Patent Office is in Kolkata (headoffice), Delhi, Chennai, Mumbai. Trademark registry is in Mumbai (headoffice), Delhi, Kolkata, Chennai, Ahmedabad. Design works office is in Kolkata and geographical indication registry is in Chennai.

Term of protection

Published literary or dramatic artistic and musical work is for life of an author + 60 years, Cinematography film and sound recording is for 60 years from the date of publication, Broadcast reproduction rights is for 25 years from the year following the year of broadcast and performance right is for 50 years from the year following the year in which performance is made.

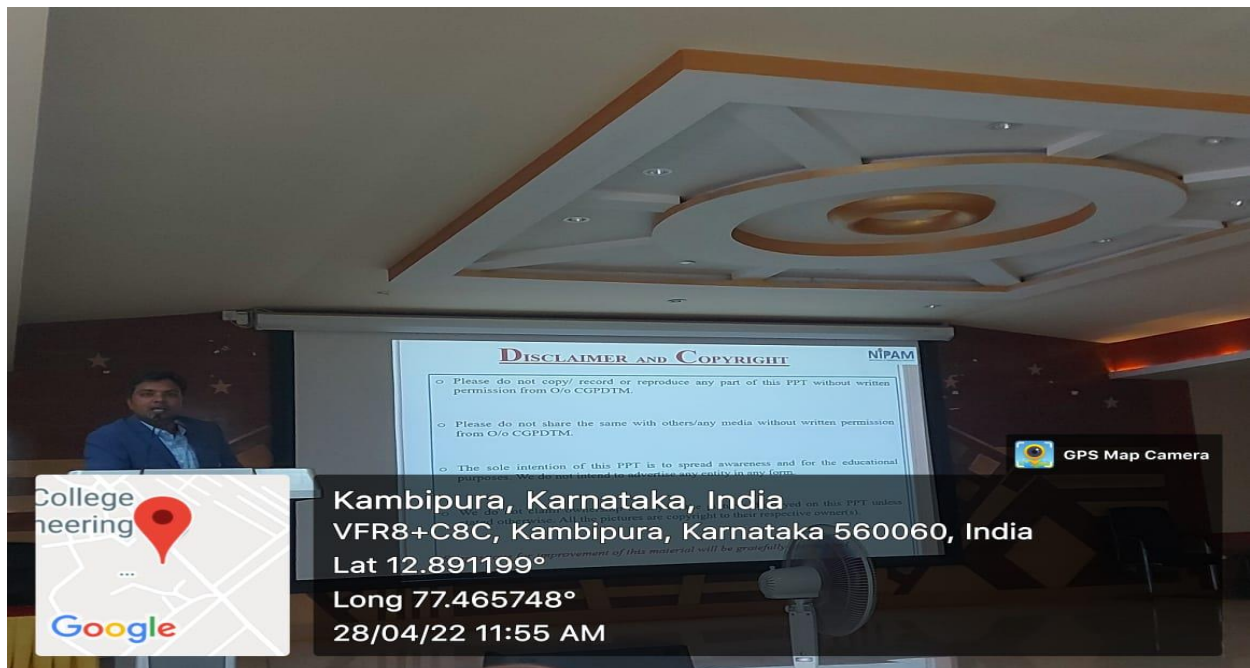
Conclusion

IPR is nothing but a bundle of rights given to an author or a person for his work or article and to preventing others of making copies of the work. The Intellectual property rights are monopoly rights that grant their holders the temporary privilege for the exclusive exploitation of the income rights from cultural expressions and inventions. There must be good reasons for a society to grant such privileges to some of its individuals, and therefore the proponents of these rights have provided three widely accepted justifications to defend the interwoven global intellectual property rights regime we have in place today.

Snapshots



S1: Introduction of IPRS



S2: Declaration and Copyright



Kambipura, Karnataka, India
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 Lat 12.891697°
 Long 77.465614°
 28/04/22 01:26 PM



S3: Photography with resource person



Kambipura, Karnataka, India
 Acs College Of Engineering, RAJARAJESHWARI MEDICAL COLLEGE AND HOSPITAL, Bengaluru, Karnataka 560060, India
 Lat 12.891658°
 Long 77.465582°
 28/04/22 11:57 AM



S4: IPR Awareness Program

COORDINATORS

HOD, CSE