

Law of Confidence			Trademark			Trademark (cont)			Patents	
Quality of Confidence	Relation of Confidence	Unauthorised use of information	Elements	Absolute Grounds for Refusal	Relative Grounds for refusal	From goods and services provided by any other person	Consists exclusively of signs or indications which are customary in current language or trade	Trademark conflicts with well known ones (doesnt have to be in same course of trade but the well known one has to prove that there is confusion in the public)	Requirements?	
Information must NOT be trivial (Must be confidential)	Obligation of confidence?	'public interest' defence	Capable of being represented graphically	Not distinctive	Trademark is identical to competitor's earlier trademark & deal in the same course of trade	Honest concurrent use - mark will not be refused on grounds of S8 if applicant is honest concurrent user.			Novelty (new, not made public)	
Ideas can be protected as long as it is sufficiently developed to be saleable and is able to be realised			capable of distinguishing goods and services with or provided in the course of trade	Consists exclusively of signs of kind, quality, intended purpose, value, geographical origin, time of production, characteristics	Trademark is identical to competitor's current one	Both marks have been in use for a similar period of time, no intention of part of concurrent user to take unfair advantage of the applicant mark			Inventive Step (cannot be obvious) - Test is whether a person skilled in the art would say that the invention is obvious	
Government Secrets, Trade Secrets, Personal Information, Artistic & Literary information						Law of Passing Off			Industrial Application (can be industrially manufactured & used)	
Anton Pillar order - order made against defendant to allow a plaintiff to enter the defendant premises and remove documents or evidence which are essential to the legal proceedings						Elements			For the patent application, there must be clear and complete disclosure	
<b>Registered Designs</b>						Defences			<b>Patent Infringement</b>	
What is a design?						Goodwill (within country)			What constitutes patent infringement	
Features of shape, configuration, pattern or ornament applied to an article by industrial process						Defendant made a misrep			What are the Defences?	
What can be registered?						Misrep is made in the same course of trade			Disposing of/ use/ import/ keeping product	
Any design which is new (Novel)						Misrep must/ is likely to cause damage			Using/offering process for use in SG when he knows that the use without the consent would be an infringement	
What cannot be registered?						Public is not confused between the 2 products			Done privately & not for commercial purposes	
'Must fit' / 'Must Match' / Computer program									Experimental purpose	
Defences?									For a medicine in accordance with a prescription	
If the person was not aware of the registered design, then no account of profits/ damages									consists of use on aircraft, hovercraft or vehicle	
									Prior use defence (need in good faith)	



### Copyright

What can be Copyrighted?      Connecting factors for protection in SG

Literary Work      Work is first published in SG

Dramatic Work      Author is Singaporean/ ordinarily resident

Artistic Work

Musical Work

### Copyright Infringement

Primary	Secondary	Fair Dealing defence
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eg. making an unauthorised copy of a book	eg. selling an unauthorised copy of a book	Research and study
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Criticism and review

Reporting current events



By **elementhalo**

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Page 2 of 2.

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