

What is intellectual property?

Intellectual Property Law is the legal right assigned to your ownership of mental labours.

Innovation

Patent

Contains-

1. Abstract
2. Detailed description
3. 1 or more Claims

"freedom to operate"

Must be new	Can't patent something that already exists
Involve an inventive step	cannot be obvious to skilled person
Capable of industrial action	sold or applied in workplace

Trade Secrets

Force contractually that people cannot share information e.g. NDA and Law of confidentiality

Trade Secrets

Pros	Cons
No registration	Once secret out cannot enforce against others not in contract
Manufacturing kept secret	Patents are stronger
Lasts indefinitely	Doesnt protect against others doing the same thing
Not exposed to competitors	

General duties

2. General duties of employers to their employees.
 3. General duties of employers and self-employed to persons other than their employees.
 4. General duties of persons concerned with premises to persons other than their employees.
 5. General duty of persons in control of certain premises in relation to harmful emissions into atmosphere.
 6. General duties of manufacturers etc. as regards articles and substances for use at work.
 7. General duties of employees at work.
 8. Duty not to interfere with or misuse things provided pursuant to certain provisions.
 9. Duty not to charge employees for things done or provided pursuant to certain specific requirements
- Other -
- Not affect non employees
 - In charge of premises - best practice prevent emission
 - Cannot interfere with safety
 - Employer cannot charge you for things required for safety

Documents, software, drawings and data

Copyrights

Protects written and artistic materials from being copied or disseminated

It is Automatic - moment you right or record it copy right comes into existence

Includes -

- Literature, photography, music, art
- software, web content

Copyrights (cont)

- sound and music recording
- film tv or broadcast
- layout of published work

Design rights

Physical appearance of the physical product - functions from a non technical perspective

Database rights

- 1) In this Part "database" means a collection of independent works, data or other materials which--
 - a) are arranged in a systematic or methodical way, and
 - b) are individually accessible by electronic or other means.
2. and only if, by reason of the selection or arrangement of the contents of the database the database constitutes the author's own intellectual creation.

H&S inspectors

After the inspector has finished looking round your workplace, they might:

- offer advice (either verbal or in writing);
- give you a notification of contravention;
- give you an improvement notice;
- give you a prohibition notice;
- or prosecute you for breaching health and safety laws.

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Why use Design rights

- Quick to register
- no long review
- Don't have to keep using to keep rights
- register many variants of one design e.g. colour etc.

Brands

Trade marks

Identify the origin of goods and services
About creating a brand identity + reputation
Protects consumers from fakes and inferior quality
R = registered trade marks - 45 diff classes reviewed every 10 years
To register a trade mark it must be:

- A sign
- Capable of being represented graphically
- Capable of distinguishing goods and services
- Not descriptive and not customary

TM passing off - protect a brand from use by competitors

IP

Statutory	Common
Patents	Trade secrets
Copyright	Passing off
Design rights	design rights
Trade marks	Data base rights

Health and Safety at Work etc. Act 1974

Three important principles of the Act:

- General duties
- Duties of employers
- Duties to Non-Employees
- Duties of Employees at Work
- The Health and Safety Executive
- with powers to enforce legislation
- Health and safety regulations and approved codes of practice
- Powers for the, now, Department of Work and Pensions to create detailed legally binding regulations to cover particular hazards (delegated legislation)
- Approved codes of practice



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Page 3 of 2.

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