

# Protection of Intellectual Property Rights

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# What is Intellectual Property?

***The product or result of intellectual activity  
in the industrial, scientific, literary or artistic  
fields.***

# Intellectual Property

- ***Copyright***
- ***Trade Marks***

# Copyright

- ***What is copyright***
- ***Categories of copyright works***
- ***Term of protection***

# Copyright ©

- ***“The right of authors to prevent unauthorized copying or exploitation of their work”***

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➤ ***Protection extends to :***

***Authors Works***

- ***Literary works***
- ***Dramatic works***
- ***Musical works***
- ***Artistic works***

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## ***Entrepreneurial Works***

- ***Sound recordings***
- ***Cinematographic films***
- ***Television and Sound broadcasts***
- ***Cable programmes***
- ***Published editions of works***

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# Copyright ©

- ***Copyright created at the instant of creation of the work***
- ***Does not require registration***

- **Term lasts for**  
***Author's works – life + 70 years***

***Entrepreneurial works***

- ***sound recordings & cinematographic films – 70 years from first publication***
- ***Broadcasts and cable programmes – 50 years from making of broadcast or inclusion of the cable programme in the cable programme service***
- ***Published editions of works – 25 years from the first publication of the edition***

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# What is a Trade Mark?

- *a representative sign by which your product/service will be identified, recognised and remembered*
- *a vehicle you use to differentiate your product/service and influence purchase decision*

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# What is a Trade Mark?

Under the Singapore Trade Marks Act, “**trade mark**” means any **sign** capable of being represented graphically and which is capable of distinguishing good and services ... by a person from goods and services ... by any other person

“**sign**” includes any letter, word, name, signature, numeral, device, brand, heading, label, ticket, shape, colour, aspect of packaging or any combination thereof

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# Types of Trade Mark

*Plain work mark*      NESTLÉ

*Stylised word*      Nestlé      Nestlé

*Device mark*      

*Word & Device*                  

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# Types of Trade Mark

## *Slogan*

**Don't leave home without it**

**Just do it**

**A great way to fly**

**Finger licking good**

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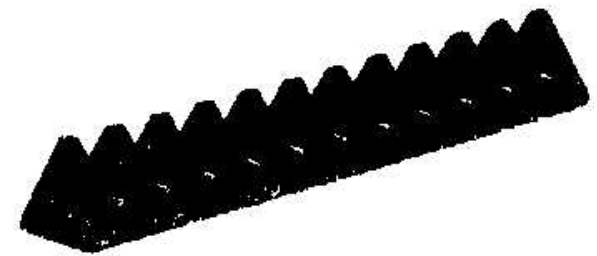
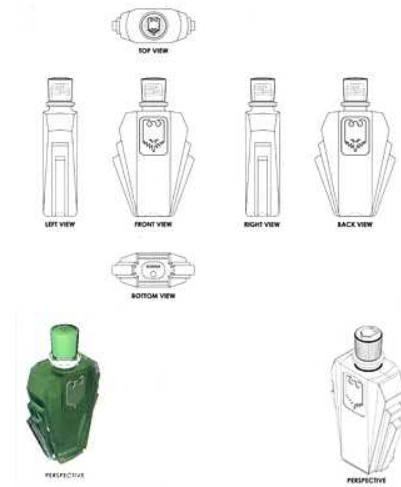
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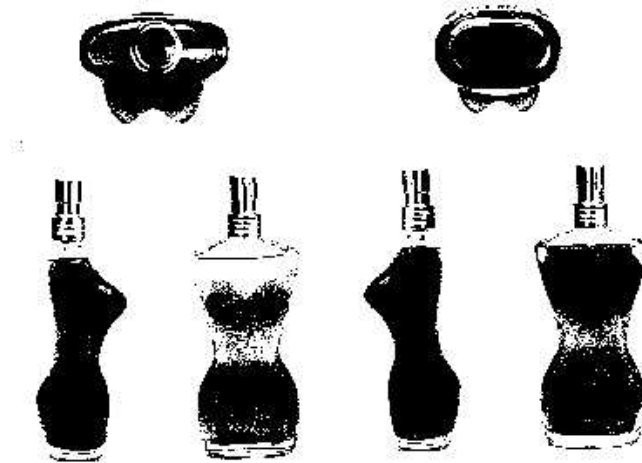
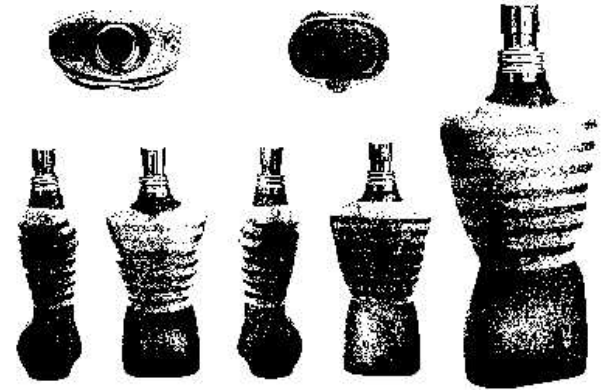
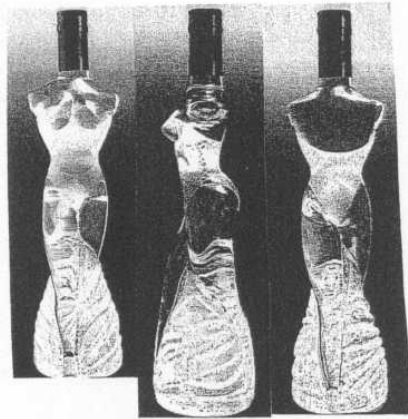
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# Types of Trade Mark

## Shape

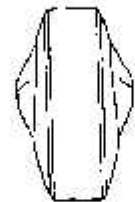
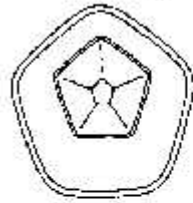




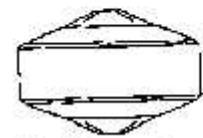
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TOP VIEW



VERTICAL VIEW



HORIZONTAL VIEW



12

12



Front



Back



Sides

# Types of Trade Mark

## *Colour*



# Types of Trade Mark

## *Sound*



## Types of Trade Mark

***Smell?***

**“Smell of freshly cut grass” for tennis balls**

**“The mark is a high impact, fresh, floral fragrance reminiscent of Plumeria blossoms” for sewing thread and embroidery yarn.**

**“Scent of roses” for tyres**

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# Selecting a Trade Mark

## - When?

- *development of a new product or service*
- *new use of an existing product*
- *expansion of range of products/services*

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# Selecting a Trade Mark

## - What?

- ***To highlight functional aspects***  
***- ingredients, efficacy, safety, administration***
- ***To convey emotional ideas***  
  
***“stood the test of time”***  
***“improves your quality of life”***  
***“for the modern woman”***
- ***To be remembered***

# Selecting a Trade Mark

## -What to avoid?

- *Laudatory terms*
- *Purely descriptive terms*
- *Terms that have become common to the trade*
- *Deceptive terms*
- *Obvious sound alike or mis-spellings of the above*
- *A mark that is similar to another's trade mark*

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# Trade Mark Rights

***Right to exclusive use of a Trade Mark acquired through***

- ***Substantial commercial use (Common Law rights)***
- ***Trademark registration (Statutory rights)***

# What is required for filing a Trade Mark application?

- *Name and address of owner*
- *Trade Mark*
- *Goods/Services to be claimed*
- *Class*

# International Classification of Goods & Services

***34 classes of goods***

***11 classes of services***

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# **Class Headings**

## **Class 1**

Chemicals used in industry, science and photography, as well as in agriculture, horticulture and forestry; unprocessed artificial resins, unprocessed plastics; manures; fire extinguishing compositions; tempering and soldering preparations; chemical substances for preserving foodstuffs; tanning substances; adhesives used in industry.

## **Class 2**

Paints, varnishes, lacquers; preservatives against rust and against deterioration of wood; colorants; mordants; raw natural resins; metals in foil and powder form for painters, decorators, printers and artists.

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## **Class Headings**

### **Class 3**

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

### **Class 4**

Industrial oils and greases; lubricants; dust absorbing, wetting and binding compositions; fuels (including motor spirit) and illuminants; candles and wicks for lighting.

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## **Class Headings**

### **Class 5**

Pharmaceutical and veterinary preparations; sanitary preparations for medical purposes; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth, dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

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## **Class Headings**

### **Class 35**

Advertising; business management; business administration; office functions.

### **Class 36**

Insurance; financial affairs; monetary affairs; real estate affairs.

### **Class 37**

Building construction; repair; installation services.

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## **Class Headings**

### **Class 38**

Telecommunications.

### **Class 39**

Transport; packaging and storage of goods; travel arrangement.

### **Class 40**

Treatment of materials.

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## **Class Headings**

### **Class 41**

Education; providing of training; entertainment; sporting and cultural activities.

### **Class 42**

Scientific and technological services and research and design relating thereto; industrial analysis and research services; design and development of computer hardware and software.

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Motor car, parts and fittings thereof - class 12

Repairs of motor vehicles – class 37

Insurance and financial services relating to the purchase, rental, ownership and use of motor vehicles - class 36

Rental of motor vehicles; transportation by motor vehicles - class 39

Model vehicles, golf balls, games - class 28

Tire inflation pressure gauges, cables, detectors, alarms, radios, tape recorders, compact disc players, compact disc cartridges, video players, loudspeakers, amplifiers, sensors, plugs, measuring instruments, calculating machines, eye glasses, sunglasses, extinguishers - class 9

Key holders, key rings, key fobs; all of common metal, tin, tin cans – class 6

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- class 14 - watches, cuff links, ash trays (of precious metals), badges (of precious metals),
- class 16 - card holders, document cases, memo pads, notebooks, pencils, ball-point pens, felt pens, fountain pens, playing cards, jigsaws, paper knives, maps, books,
- class 18 - pocket wallets, card cases, harness for animals, bags, suitcases, brief cases, attache cases, purses
- class 22 - bags of textile material
- class 25 - body warmers, parkas, anoraks, jogging suits, sports jerseys, jackets, sweat shirts, t-shirts, sweat pants, jumpers, hats, caps, sweaters, scarves, neckties, polo-shirts, belts (clothing)
- class 34 - Lighters (for smokers), ash trays (not of precious metals), cigarette cases (not of precious metals)

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## **Scope of a registration**

***The scope of a registration is determined by the goods/services for which the mark is registered.***

***Registration allows owner to prevent others from using same or similar mark in relation to same or similar goods or services***

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# Protection Process

- ***Pre-filing Search***
- ***Filing Trademark Application***
- ***Examination, Opposition, Grant***
- ***Docket for Maintenance***

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# Thank You

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