

SUPPORT NOTES

UNIT 3: INSIDE THE LINES

PRODUCT DESIGN

Including video interviews with experts, this activity encourages students to reflect on the difference between trademarks, patents and registered industrial designs. The example of a watch is used to bring together these different aspects of IP rights within a single product, showing how the trademark, the design and the patent combine to create the brand experience and protect the manufacturer’s investment. Activities lead students through the stages involved in registering a new product design.

Signposting key research links in order to deepen students’ knowledge and understanding of intellectual property rights, this task is suitable for those studying business studies, media studies, psychology, law, and art and design.

The interactive drag and drop task reinforces students’ understanding of the differences between laws governing trademarks, patents and industrial designs.

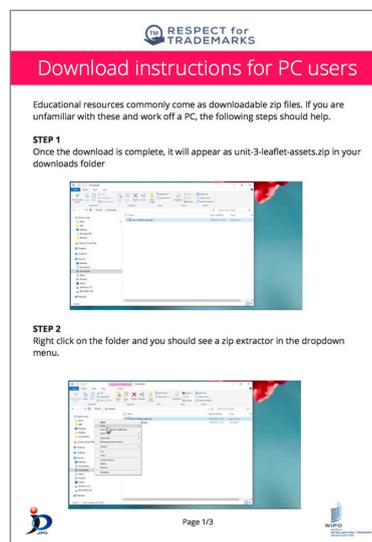
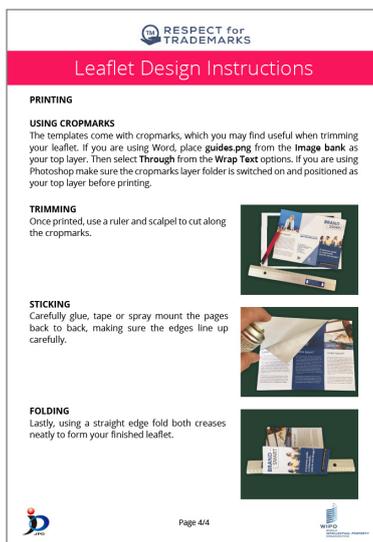
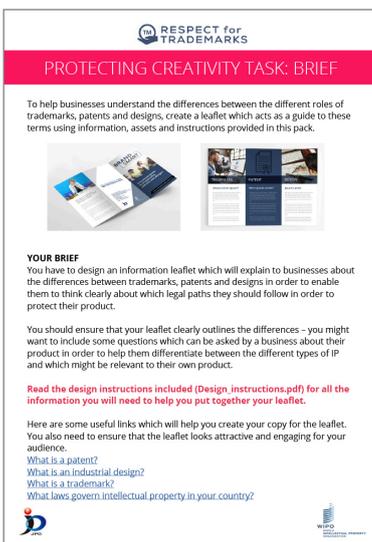
Correct answers are as follows:

ASPECTS OF THE NEW PRODUCT	HOW IS THIS INTELLECTUAL PROPERTY PROTECTED?
A clothes brand called ‘Fireball’	TRADEMARK RIGHTS
An ice cream called ‘Zkal’	
A dynamic human powered flying suit that is modelled on a bat’s style of aviation.	PATENT RIGHTS
A drug to cure a disease.	
A stylish sports car.	INDUSTRIAL DESIGN RIGHTS
A piece of jewellery.	

PROTECTING CREATIVITY - DESIGN A LEAFLET TASK

Students are then tasked with the production of a leaflet using materials contained in the downloadable pack. (Instructions are provided for those unfamiliar with downloading .zip files on a PC).

The pack consists of a brief, setting out the task; instructions for the design of the leaflet; leaflet templates; and a portfolio of images. The templates are provided in both Photoshop and Word formats. The task requires students to clarify and formulate what they have learned so far, so as to be able to explain the differences between the main types of industrial property to a third party, and to use their creativity to produce an effective communication tool. Links are provided to WIPO resources to allow them to deepen their understanding of trademarks, patents and industrial designs.



The benefits of inventors, producers and manufacturers registering IP rights include:

- Registering a trademark, gives you legal remedies against unauthorised misuse of your trademark
- Registering a patent give you the legal right to stop others from copying, manufacturing, selling or importing your invention without your permission
- Registering an industrial design allows you to prevent others reproducing your design and calling it their own
- Trademarks, patents and industrial designs are legal assets belonging to individuals or companies. They can be traded and hold value.
- Right holders have legal ownership of their invention or creation.

PROTECTING THE PUBLIC

Linking to a range of relevant sources, this activity stimulates debate around the key issues for the public when the rights of creators and inventors are affected by infringement. There is a strong emphasis on the legal avenues open to those whose intellectual property rights might be infringed by counterfeiters. Extension activities relating to the dangers of counterfeiting pharmaceutical products make this sub-section especially relevant to students of business studies and law.

The reading activity requires students to process the information in two articles relating to the importance of enforcing intellectual property laws and the strategies used by companies to ensure their products are not counterfeited.

“Jollibee” - Importance of enforcing intellectual property – key points from article:

- Trademarks increased the business’s value
- The trademark makes the product distinguishable from others in the market and easily recognisable. If successful, it will build a relationship through which consumers know they can trust the quality of the product
- If intellectual property is not enforced, consumers may purchase sub-standard products believing them to be the genuine article and may therefore lose trust and confidence in the brand
- If intellectual property is not enforced, a brand image will become diluted over time
- If trademarked businesses could not protect their reputation for quality, this would undermine public trust in the market and so have an impact on society as a whole.

“Smiffys”- Company strategies to prevent counterfeiting – key points from article:

- Trademarking a company name and logo
- Registering design rights for a company’s products
- Ensuring copyright protection for imagery used in sales, packaging, promotional material and company website
- Purchasing specialist software to review other websites and to identify infringing content
- Purchasing sample goods from online shops to ensure a product is not a copy of a company product
- Through lawyers, taking civil and criminal action against those suspected of infringing the company’s intellectual property rights

The first task invites students to consider which reasons for protecting intellectual property rights strike them as the most important. There are no correct answers to this task but students should be encouraged to give reasons for their choice of priorities.

The thinking activity requires students to sort into the correct sequence the necessary actions for an individual or company which suspects its intellectual property rights have been infringed. The correct order is:

- COLLECT EVIDENCE
- COMPLAIN
- CLAIM
- GO TO COURT

The task focusing on how the law is enforced aims to support students' understanding of the basic ways in which IP rights are enforced in practice, depending on the nature of the case and the role of the person undertaking the enforcing. The 'drag and drop' flow chart is correctly completed as follows:

Scenario 1: Right holder in court

Scenario 2: Customs

Scenario 3: Police

Note that in the case of a criminal violation, such as that referred to in Scenario 3, officials of other agencies, such as consumer protection (trading standards), food safety or medicines regulatory agencies, might undertake criminal enforcement actions.

The 'Find out More' and 'Extension' activities illustrate some of the most dangerous consequences of counterfeiting, in particular with relation to organised crime and counterfeit pharmaceuticals. The purpose of the activities based on this content is to build an awareness of the dangers and wider impact on society of counterfeiting.

VIEWPOINT

Based on video interviews with experts about the problems of counterfeiting in the digital age, this sub-section opens with an active listening task offering students an opportunity to develop a broader, deeper appreciation of the key issues. Including links to further reading, the focus of learning is on the challenge of protecting intellectual property for online traders, making it particularly suitable for students of business studies and media studies.

Building on their study of previous units, the final writing activity is designed for students to consolidate their knowledge and understanding of the importance of protecting intellectual property rights both for individuals, companies and wider society. Links to further research are offered.