



सर्वभूत जयते  
Department of Industrial Policy and Promotion  
Ministry of Commerce and Industry  
Government of India



Creative India  
Innovative India



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# Teachers' Manual

## Understanding Intellectual Property Rights

THINK. CREATE. INSPIRE. LET'S TAKE INDIA HIGHER.

# DISCLAIMER



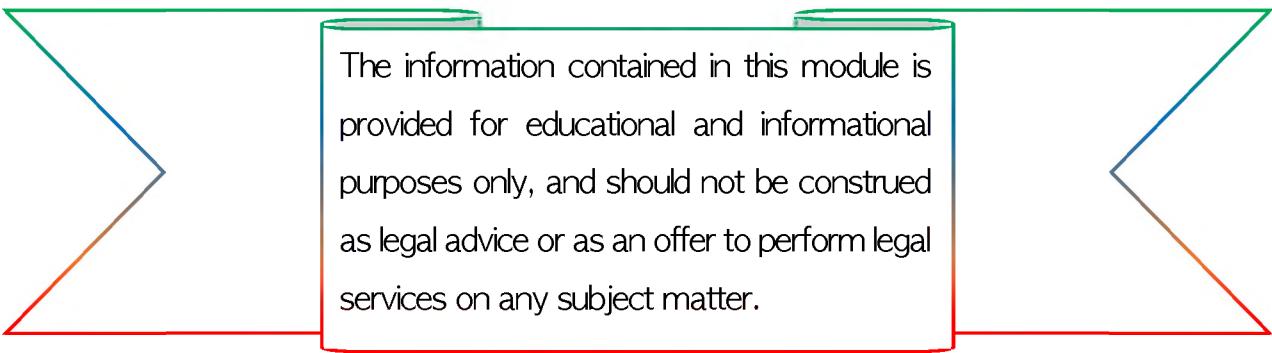
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# About the Manual



This manual is to aid you to understand the importance of Intellectual Property Rights as an academician and a teacher. This manual will also help as a tool in conducting the presentation.

If you are teaching intellectual property for the first time or looking for new ways to teach about the protection of ideas in your social studies, science, art, music, technology, media, law, or language arts courses, this module will provide you with content, strategies, and resources that will bring this topic to life for your students.

This module will build the capacity of teachers to understand intellectual property, use these tutorials in classrooms, organize projects and events, implement local teacher training sessions, and connect to the national IPR campaign.

## **National Intellectual Property Rights (IPR) Policy, 2016**



IPRs are increasingly becoming crucial drivers of social and economic growth by encouraging creativity and innovation. Realizing the importance of IPRs, the National IPR Policy, was approved by the Union Cabinet on 12<sup>th</sup> May 2016, with the slogan **“Creative India; Innovative India: रचनात्मक भारत; अभिनव भारत.”**

It is a vision document that aims to create and exploit synergies between all forms of intellectual property (IP), concerned statutes and agencies. It sets in place an institutional mechanism for implementation, monitoring and review. It aims to incorporate and adapt global best practices to the Indian scenario.

This policy shall weave in the strengths of the Government, research and development organizations, educational institutions, corporate entities including MSMEs, start-ups and other stakeholders in the creation of an innovation-conducive environment, which stimulates creativity and innovation across sectors, as also facilitates a stable, transparent and service-oriented IPR administration in the country.

A comprehensive National IPR policy has been approved that will not only stimulate innovation and creativity across sectors, but also provide a clear vision regarding IPR issues. The Policy document is available on the website of the DIPP <http://dipp.nic.in>.

## Cell for IPR Promotion and Management (CIPAM)

To take forward the implementation of the National IPR Policy, the Cell for IPR Promotion and Management (CIPAM) was created in the year 2016 as a professional body under the aegis of DIPP to ensure focused action on issues related to IPRs. CIPAM works on addressing the 7 identified objectives of the National IPR Policy and assists in simplifying and streamlining of IP processes, apart from undertaking steps for furthering IPR awareness, commercialization and enforcement.

### Creating IPR Awareness

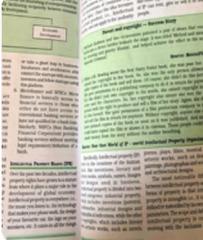
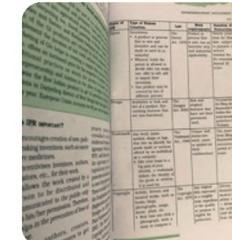
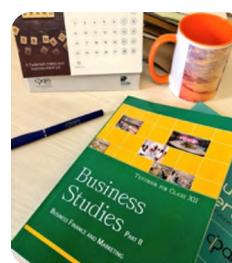
CIPAM in partnership with industry associations and stakeholders has been conducting IPR awareness workshops in schools, universities and the industry across the country. CIPAM has and is continuously curating and updating audience appropriate content to ensure a better understanding of IPRs.



### IPRs in School Syllabus

- Content on IPR has been included in the NCERT curriculum of Commerce for Class XII. Also, a chapter on 'IPR, Innovation & Creative Works' is being included in NCERT's "Handbook on Entrepreneurship for Northeast Region (NER)".

### Intellectual Property Rights, Innovation & Creative Works



## IP Mascot & Tie-Up with Entertainment Industry

- 👉 CIPAM launched an IP Mascot titled 'IP Nani', who is a tech-savvy grandmother helping the government and enforcement agencies in combating IP crimes with the help of her grandson "Chotu" aka Aditya.



- 👉 IP Nani spreads awareness about the importance of Intellectual Property Rights (IPRs) among people, especially children, in an interesting manner.



- 👉 CIPAM launched an Anti-Piracy Video Campaign in collaboration with Viacom 18 Media Pvt. Limited using the popular cartoon characters – Motu and Patlu, to raise awareness in kids on piracy.



- 👉 CIPAM launched an Anti-Piracy Video Campaign in collaboration with Film and Television Producers Guild of India using the popular actors like Amitabh Bachchan, Ranbir Kapoor, Alia Bhatt, Vidya Balan and Varun Dhawan, to raise awareness on piracy.



**THINK. CREATE. INSPIRE. LET'S TAKE INDIA HIGHER.**

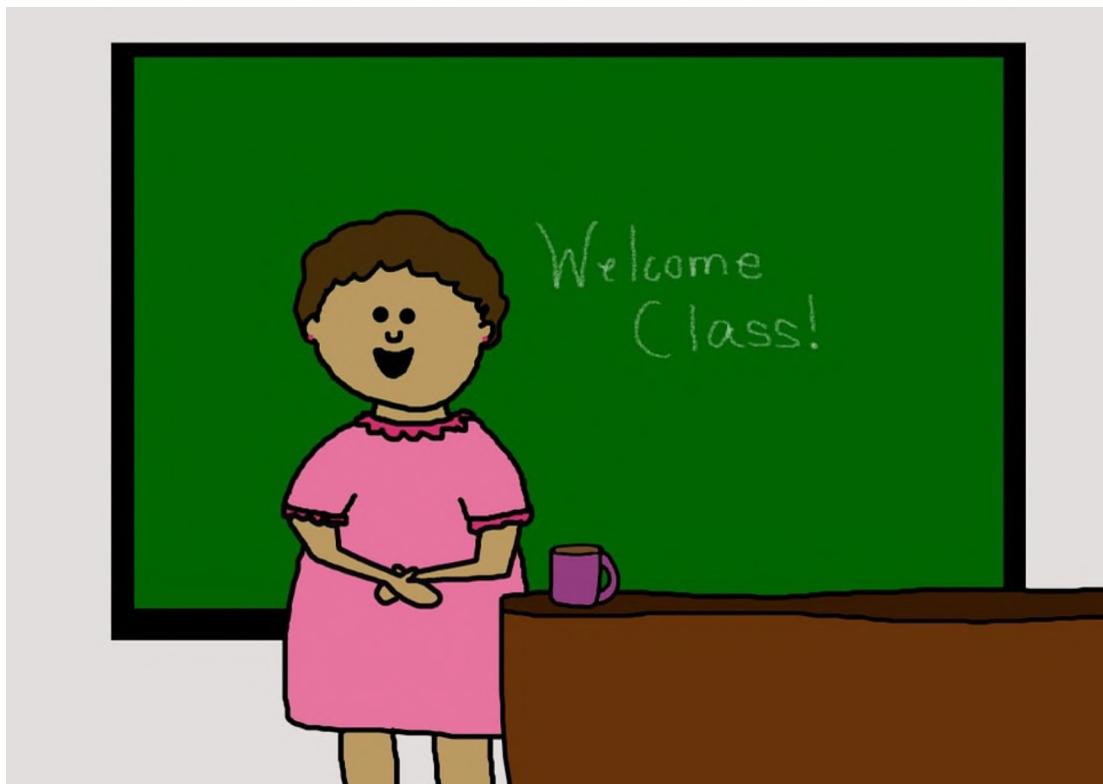
Various other initiatives have been taken to strengthen the IPR regime in India by streamlining processes and make them more user friendly. Updates on all recent initiatives can be found on [www.cipam.gov.in](http://www.cipam.gov.in) , the Twitter handle (@[CIPAM India](#)) and the Facebook page (@[cipamindia](#)).

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# IPR Session with Kids

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CIPAM kicked off an IPR awareness campaign in schools across the country in early 2017 in the Delhi NCR region. The campaign has been launched in collaboration with the International Trademark Association (INTA). The program is vital in creating an IP environment which is conducive to encourage innovation and creativity in country. School children are one of the key focus area as it is important to nurture and encourage creativity in individuals from a young age.



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## PRESENTATION

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The session, about 45 minutes – 1 hour, is an interactive power point presentation, which includes various games and activities to help educate students about the basics IPRs in a fun way, with speakers from CIPAM and IPR experts from the industry, suitable for students from Grade 6 to Grade 12. Given below is a tutorial plan for each aspect of the slide to help you further understand the concepts.

## TUTORIAL PLAN

The parts range from basic intellectual property topics such as copyright, patent, trademark and design to more specific topics plagiarism and counterfeiting.

Use of these portions will:

- provide practical understanding of intellectual property and the legal system useful to everyone in their everyday lives;
- encourage effective and informed decision making about law and public policy related to intellectual property, creativity and innovation;
- improve understanding of government's role in implementation of intellectual property laws and trying to assure justice while maintaining creativity and innovation;
- improve basic skills including creative and critical thinking, communication, observation, and problem-solving.

### ***In which courses can these parts be used?***

Teachers can use this tutorial in art, music, technology, media, language arts, science, humanities, civics, law, history, and economics subjects.

Given below is the tutorial structure for this module that you will be following to understand the concept of IPRs as well as successfully conduct the presentation in the classroom;

PARTS	PART TITLE	TIME DURATION
Part 1	Introduction to IPRs	5-7 Minutes
Part 2	Importance of IPR	5-7 Minutes
Part 3	Types of IPR	15-20 Minutes
Part 4	Conclusion	10 Minutes

While, the presentation is for a duration of 45 minutes to 1 hour, the aforementioned structure has been planned in such a way, so as to aid you, as a teacher, to explain the concept. The timelines against each part are not of a restrictive nature and may be extended as per your convenience.

Please note that additional material like comic books, videos and a supplementary book with various classroom activities and games shall be provided separately. You shall conduct activities every month for to ensure children understand and apply concepts of IP.

## Materials required for Presentation

- Notepad/ Paper & Pen/ Pencils
- School Pamphlet by CIPAM
- Activity Pamphlet
- CIPAM Giveaways (Bands, etc.)

**Though not all material listed above are mandatory, but they would aid in teaching the session successfully.**

## Teachers' Role in IP Protection

Being an educationist, you will understand that teaching is the only profession that creates and nurtures other professions. In your class, apart from exceptionally intelligent students, there exists a poet, an artist, a singer, a dramatist, a writer, a dancer, an inventor, a creator, a photographer, and many other individuals, who may one day become an A.R. Rehman, M.S. Subbulakshmi, Gulzar, Zoya Akhtar or Amitabh Bachchan. Given below is the pedagogy for the way forward.

## PEDAGOGY

Pedagogy refers to the interactions between teachers, students, and the learning environment and the learning tasks.<sup>1</sup> This term broadly means how teachers and students relate to each other and the teaching approaches implemented in order to bring out the best learning in the classroom.

Learning is reliant on the pedagogical methodologies teachers use in the classroom. A mix of methodologies is normal in schools; however, a few approaches are more viable and fitting than others.

The acceptability of a teaching method relies upon the specific topic to be taught, in this case, Intellectual Property Rights which is a technical subject yet extremely important in everyday life. It is important to use a range of approaches to ensure each student is learning. The following pedagogies would be useful in connecting with the students and educating them on IPRs:

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<sup>1</sup> *Defining Pedagogy*, K. Hall, P. Murphy & J. Soler (Ed.), PEDAGOGY AND PRACTICE: CULTURE AND IDENTITIES, at p. 28-39, London: SAGE Publications, 2008.

### Teacher-Centered Pedagogy:

In this pedagogy, the teacher is the main focus and positions the teacher at the helm of the learning process and relies on approaches like whole-class lecture, chorus answers etc. however, this method is often criticized in settings where the students are not comfortable or afraid of asking questions. This method works extremely well when the teacher encourages the students to frequently ask questions and explain/ elaborate on idea and concepts they are being taught.

### Student-Centered Pedagogy:

In this method, the learner or the student is critical for the learning process. Students use knowledge acquired through past experience as well as new experiences to create knowledge. The teacher makes this possible by ensuring a well-structured environment is created for learning with the focus being the students. It may sometimes be hard for the teacher to shift from teacher-centered pedagogy to the student-centered pedagogy, however, research has shown this method can be extremely effective.

### Learning-Centered Pedagogy:

Learning-centered pedagogy, is relatively a new method, which acknowledges that both teacher-centered and student-centered pedagogies can be effective in imparting knowledge, however, the teacher should keep in mind the local setting, like, the number of students in a classroom, the physical environment, the availability of teaching resources and materials, etc. The teacher should adapt and use the pedagogy most suitable according to the classroom's environment.<sup>2</sup>

The Learning-Centered Pedagogy which uses both the teacher-centered and student-centered pedagogy is the most suitable for teaching students Intellectual Property Rights. The teacher should be flexible and adapt to the situation by giving appropriate examples the students can relate to in order to explain vital concepts of IPRs.

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<sup>2</sup> Effective and Appropriate Pedagogy, U.(a.n.d.), *Last accessed on: March 20, 2018, IIEP Learning Portal.*

### Scenario 1:

A teacher teaching in a school in a rural area without a projector facility may use the teacher-centered pedagogy to ensure the right message is put across to all students and at the same time use aspects of the student-centered pedagogy to ensure active participation from the students.

### Scenario 2:

A teacher should explain vital IP topics by giving examples from what they see in the classroom or by giving examples of products that the kids of the region are aware of and can relate to.

The following tips may be kept in mind while conducting the session:

- ✓ Adapt to the classroom setting and use of the right pedagogical approach
- ✓ Encourage discussions and questions from the students
- ✓ Use of local terms, language and examples the students can relate to
- ✓ Effective use of activities and learning material

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# Part One: Introduction to IPRs

## General Overview

In this part, students focus on the basic building blocks of intellectual property law. They will participate in an interactive strategy and connect intellectual property with everyday life.

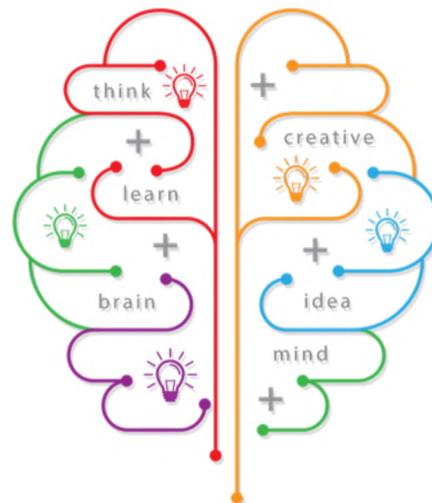
## General Outcome

As a result of this part, students will be able to:

- Identify reasons to protect intellectual property;
- Define intellectual property;
- Identify patents, copyrights, trademarks and designs found in everyday experiences;

## Slide 1

# What is Intellectual Property?

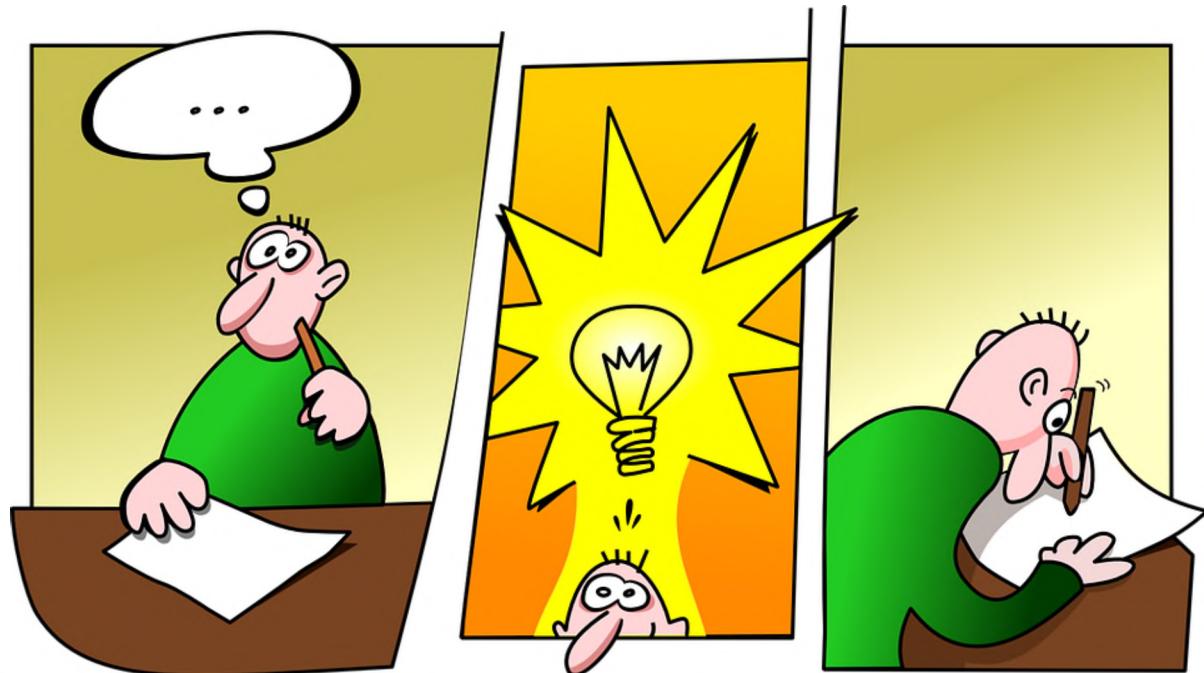


## Notes:

Intellectual property (IP) is all about the products of the human mind. All inventions or creations begin with an “idea”. However, ideas by themselves hold little value; they

need to be developed, converted into novel products or services and commercialized successfully to earn profits and benefits. When an idea is given an expression, it becomes your 'Intellectual Property' (IP). IP refers to the product of human creativeness and skill.

Intellectual Property is of two types –



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- 💡 **Intangible Property:** Products which cannot be touched but remain a fundamental part of our minds. It includes ideas traversing in diverse fields.  
Examples: Music, Lyrics, Inventions, Poem, etc.
- 💡 **Tangible Property:** Products that can be touched or felt in physical form.  
Examples: Phones, Cars, Homes, Land, etc.

The following types of Intellectual Property Rights are recognized in India:

<b>Design</b>	<b>Copyright</b>	<b>Patent</b>	<b>Trademark</b>	<b>Geographical Indication</b>	<b>Plant Variety</b>	<b>Semi-Conductor Integrated Circuit Layout Design</b>

## **Additional Information:**

For the purpose of this presentation, the school children will only learn and understand the following IPs: Patent, Trademark, Copyright and Design. Additional information will be provided by CIPAM upon request. Other information can be read at: <http://www.cipam.gov.in/>.

## **Slide 2**

## **Who can create Intellectual Property?**

The slide features three circular icons, each containing a photograph of a person creating intellectual property. The icons are colored orange, pink, and blue. The background is light with faint text and a lightbulb icon.

- Orange icon: A woman in a red sari is stitching a piece of fabric.
- Pink icon: A young boy in a blue shirt is holding a small model airplane.
- Blue icon: Two men are working together on a laptop.

### **Notes:**

Anyone can create IP!

A teacher, student, driver, banker, your friend, any company; big or small, literally anyone can create intellectual property! There is no age limit to create something original or to be innovative.

If we are to succeed in realizing the country's innovative and creative potential through effective use of IP, we need to change people's attitudes toward innovation and the incentives and safeguards that IP rights provide. And we need to promote understanding of the concrete benefits that can flow from effective use of these rights. While laws, regulations and efficient enforcement mechanisms are all necessary, they do not in themselves

cultivate respect for IP among the general public. We need to win their hearts and minds.

And what better way to do this than to reach out to schoolchildren? After all, it is far easier to build understanding of the role of IP in supporting innovation and creativity and to engender greater respect for IP rights at an early age than it is to change deep-rooted misperceptions down the line. That is why through this module, our aim in doing so is both to inspire children about innovation and its limitless possibilities and to build respect for IP rights.

There are several young children, from many parts of the world who are IP trailblazers, who with the help of their innovative and creative ideas have created intellectual property for the benefit of the society.

Here is one such young IP trailblazer from India, who used his intellect to create something unique for India;

***The Universe is a very fascinating aspect of our lives; the planets, stars, galaxies, aliens, unidentified flying objects, etc. have not only intrigued scientists but has also inspired many blockbuster movies and films for space escapades and intergalactic travelogues. Likewise, Indians have been over the moon in this sphere as well, credit to space stalwarts like Rakesh Sharma, Kalpana Chawla, A.P.J. Abdul Kalam and now 18-year-old Rifath Sharook from Pallapatti, Tamil Nadu. He has created history by making the world's smallest ever satellite, KalamSat, which he has named after India's nuclear scientist and former President, late Shri APJ Abdul Kalam. His satellite is lighter than a smartphone, which National Aeronautics and Space Administration (NASA) launched on June 21, 2017 on an SR-4 rocket from Wallops Space Flight facility at Virginia, USA. A Class 12 student with an avid and unquenchable thirst for space, he developed the 64-gram satellite while participating in a contest, 'Cubes in Space', organised by NASA and iDoodleLearning Inc., where his satellite was chosen from 86,000 designs submitted by teams from 57 countries. He said the satellite, is made of reinforced carbon fibre polymer, which will act as a technology demonstrator in its 12-minute flight and provide impetus to plan economical space missions in future. The mission span will be for 240 minutes, with KalamSat operating for 12 minutes in a micro-gravity environment, transported by a sub-orbital flight. The satellite falls in the category of "femto" group as it weighs less than 0.1 kg. The main role of the satellite will be to demonstrate the performance of 3D-printed carbon fibre. It will have a new kind of on-board computer and eight indigenous built-in sensors to measure acceleration, rotation, and the magnetosphere of the earth.***

## Additional Notes:

You may use the material on CIPAMs website which is specially curated for school children.

## Activity

Arrange for the students to watch the "IP Nani" animated movie titled 'What is Intellectual Property?' available on CIPAMs website. This will be helpful in helping students realise that IP is everywhere.

See the following **slide 3**:

### Young IP trailblazers in India and the world

- ★ Hridayeshwar Singh Bhati (Jaipur, India)
- ★ Edmund Thomas Clint (Kochi, India)
- ★ Rujhaan Chaudhary (Haryana, India)
- ★ Sam Houghton (UK)
- ★ Aelita Andre (Australia)
- ★ Theresa Thompson and her sister, Mary (USA)
- ★ Dorothy Straight (USA)



Divide the students into groups of 5 or 6 and ask them to identify various inventions and creative works made by/ created by children in India.

## Revision

You may ask the following questions to the students for revision purposes to ensure that these are the key learning outcomes of this tutorial:

- Who do you think can create IP? Is there an age restriction to create IP?
- What are the types of properties? What is the difference between them?

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# Part Two: Importance of IPR

## General Overview

In this part, students focus on the importance of intellectual property rights and why it requires protection. They will participate in an interactive discussion on infringement of intellectual property rights.

## General Outcome

As a result of this part, students will be able to:

- Identify reasons to protect intellectual property rights;
- Understand the harm caused by piracy and counterfeit;
- Define piracy and counterfeit;

## Slide 4

### Why is IP important to Us?

- New and Exciting Inventions
- Jobs for you and your family
- Stronger Economy
- Helps you find your favorite products
- Helps authors and artists to be rewarded for their work
- Helps household items to be useful and look good

## Notes:

Intellectual Property Rights reward inventors, authors, artists, and entrepreneurs for their innovation, creativity and hard work. If their rights are not protected, anyone would be able to copy their work and make a profit. This would leave no incentive for them to create or innovate. By respecting the Intellectual

Property Rights of others, you also help to create an environment where creativity and originality can flourish!

IPRs are extremely essential for fostering creativity and contribute towards the economic growth of a nation. Such rights allow creators and inventors to have control over their creations and inventions. These rights create incentives for artists, entrepreneurs and inventors to further research, develop, and market new technology and creative works.

### **Additional Notes:**

The changing global economy is creating unparalleled challenges and opportunities for continued progress in human development. There are business opportunities to market or sell IP worldwide. Today, people from all walks of life, especially the youth enjoy instantaneous access to almost everything. At such enthusing times, it is important that we are aware about the importance of IPRs and how it affects day-to-day life.

### **Slide 5**

How would you feel if someone copied your poem without your permission and got praised by the teacher?



Now, imagine how an Intellectual Property owner feels when someone copies their novel, invention or trademark without their permission and makes money from it?

### **Notes:**

Intellectual Property Rights reward inventors, authors, artists, and entrepreneurs for their innovation, creativity and hard work. If their rights are not protected, anyone would be able to copy their work and make a profit. This would leave

no incentive for them to create or innovate. By respecting the Intellectual Property Rights of others, you also help to create an environment where creativity and originality can flourish!

But in our daily lives, we might sometimes knowingly or unknowingly break Intellectual Property laws (also known as "infringement of IP rights). Here are some examples of IP infringement:

- ✿ Downloading or buying pirated movies, music or games
- ✿ Copying images or text from the internet and using them in assignments without seeking permissions from the owner of copyright
- ✿ Selling/ offering for sale products with fake trademarks
- ✿ Buying pirated books or photocopying an entire novel and distributing it to your friends

You may think that doing these things is harmless, but it is not. Imagine yourself sitting at your desk during the curriculum planning and you are writing your notes and creating lesson plans through MS Office tools. After uploading it on the school's online portal, you are praised for your time, efforts and hard work that you put in to make the subject interesting and easier to understand. The school principal also appreciates and recognizes this and promotes you. You later find out that another teacher, from a different school, downloaded it after hearing amazing things about your lesson plans, from a mutual friend and uses it, unchanged and unedited, in her own classroom. Did that teacher violate your rights?

**Ask the class:** How would a child feel if one wrote a poem and someone stole it and got all the praise for it from the you, their teacher?

That's exactly how the author of a novel would feel if someone made illegal copies of their novel and sold them without their permission! Not only would the author feel very disappointed, but they would lose their profits as well!

In both situations, you will feel that the situation has altogether been unfair for you as well as your student. It is here, why you as a teacher should care about IPR, as well as instil this sentiment in the minds of all your students. That is why it is important for you to learn about the basics of Intellectual Property Rights and tell your children, friends and parents too.

### Additional Notes:

**'Piracy'** is a term used to refer to unauthorized copying, distribution and selling of copyrighted works.

**'Counterfeiting'** is imitation of original goods that misleads people to mistake it for the real product.

As mentioned earlier, like any other property, stealing, copying or imitating another's IP causes personal and national loss. Both piracy and counterfeiting are the bane of any society, as they discourage innovation and creativity. Further, today in the age of internet, physical barriers have ceased to act as a sufficient deterrent to trade in illicit goods and services; online IP crimes pose an even greater challenge.



<https://pixabay.com/en/copyright-stealing-asset-bag-3197524/>



<https://pixabay.com/en/real-fake-typography-type-text-3166209/>  
<https://pixabay.com/en/real-fake-typography-type-text-3166208/>

### How can you help?

Now that you've seen some of the ways in which intellectual property affects your life everyday, think about how valuable intellectual property is to you and your world. Without it, the world would be a much less interesting place. For

this reason, we should all work together to protect the rights of those who create and innovate.

Creativity and innovation is the world's greatest natural resource. We shouldn't waste it. The next time you want to download a song from the Internet without paying for it, or buy counterfeit jeans, THINK about the rights of your favorite artists who have worked so hard to create your favorite tunes, and the designers who create the clothes you like. And then IMAGINE what the world would be like if such people were not around to CREATE the products you love so much.

## Activity

Round up the students to provide some/ few examples of Indian movies which have been 'copied' / 'inspired from' international movies.

## Revision

- ❖ Why is IP important to us?
- ❖ Give some examples of IP infringement.
- ❖ \_\_\_\_\_ is a term used to refer to unauthorized copying, distribution and selling of \_\_\_\_\_.
- ❖ \_\_\_\_\_ is \_\_\_\_\_ of original goods that misleads people to mistake it for the \_\_\_\_\_.

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# Part Three: Types of IPR

## General Overview

In this part, students focus on the various types of intellectual property rights and how they work.

## General Outcome

As a result of this part, students will be able to:

- Identify the types of intellectual property rights;
- Define each type of intellectual property rights
- Identify the timelines of patents, copyrights, trademarks and designs;

## Slide 6



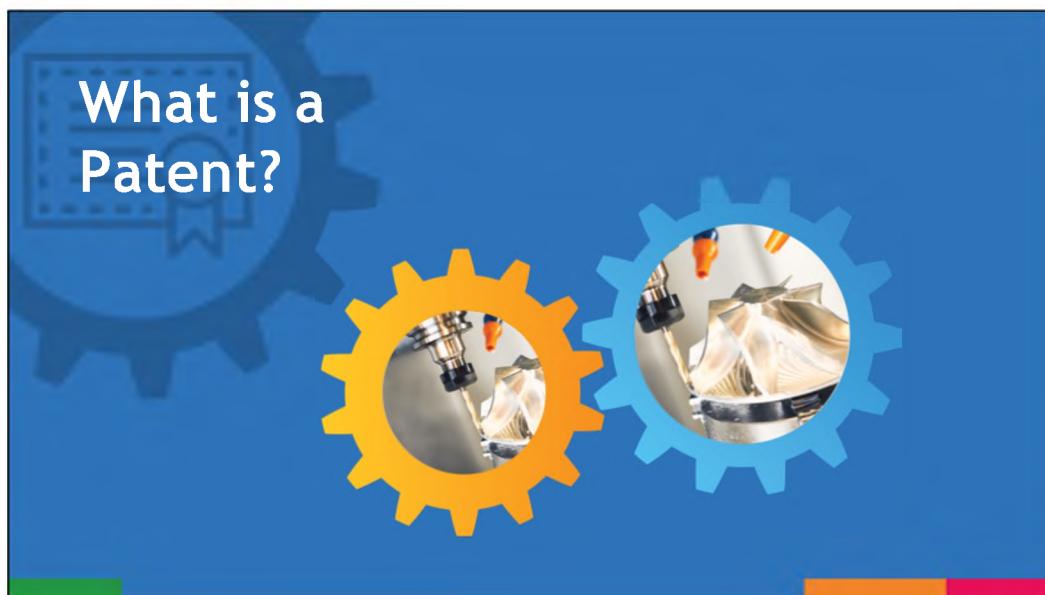
### **Notes:**

Intellectual Property Rights matter because it helps our favourite designers, musicians, artists, writers, film-makers and inventors carry on creating the things they create, and that we enjoy. Without IP, those creators wouldn't be able to make a living from their work. Anyone else could immediately copy whatever they created. So IP needs protecting. This protection happens in different ways:

- **Patents** protect inventions.
- **Trademarks** protect logos, names and brands.
- **Copyright** protects the works of artists, musicians and writers.
- **Designs** protect the look, shape and feel of products.

Let's find out more about how IP works.

## Slide 7



### Notes:

All inventions begin with an "idea". Once the idea becomes an actual product, you can protect it by registering it as a 'Patent' to protect the product so as to prevent anyone from stealing your invention and claiming that it was them that came up with that idea in the first place. The most common and efficient way of protecting an invention is by obtaining a 'patent'.

### What is a patent?

A patent is a type of IPR which protects the scientific inventions (products and or process) which shows technical advancement over the already known products.

A 'patent' is an exclusive right granted by the Government which provides the exclusive right to 'exclude others' and prevent them from making, using, offering for sale, selling or importing the invention. You can also get a patent

for a new process of doing something. **E.g. A new mechanical process for making jalebis.**

### **Does a patent have a term?**

A patent lasts for **20 years**, after which your invention becomes free for anyone to use. During these 20 years, you can give a “license” and ask for a fee from those who want to use your invention.

### **What can be patented?**

- 💡 An “invention” and not a “discovery”
- 💡 Something that is new or “novel” – For example, Square wheels instead of round

Something that has a “use” and can be “made” in an industry or on a commercial scale – **A doctor cannot patent a method of treating a patient.**

Safety Pin, Medicines, Polaroid Camera, Light Bulb and Telephone are a few examples of patents which we see every day.

### **Why protect inventions as a ‘patent’?**

Patents provide incentives to people by offering them recognition for their innovativeness and reward for their marketable inventions. These incentives encourage innovation, which assures that the quality of human life is continuously enhanced.

### **Additional Notes:**

Some more examples of famous inventions and their inventor;

Electric light bulb – Thomas Alva Edison  
Mechanical Television – John Logie Baird  
First petrol – or gasoline-powered automobile – Karl Benz  
First Mechanical Computer – Charles Babbage

*Inventions versus Discoveries* – As discussed, only inventions can be patented, and NOT discoveries. Differentiating between both will help your students better understand the concept of patents.

Discovery: Uncovering, unearthing, finding something that was already in existence. Christopher Columbus “discovered” America in 1492. Isaac Newton “discovered” gravity in 1665. Ruins of the Indus Valley Civilization was “discovered” by Alexander Cunningham in 1856. America, the Indus Valley Civilization and gravity had all existed. It took Columbus, Cunningham and Newton to find out about their existence for the first time.



<https://pixabay.com/en/caveman-primitive-man-159359/>



<https://pixabay.com/en/map-discovery-america-ship-train-3409359/>

Invention: A new thing that has been made by someone for the first time. The telephone did not exist in nature. It is a mechanical object that was “invented” by Alexander Graham Bell.

## How do I register a patent?

- 👉 Go to [www.ipindia.nic.in](http://www.ipindia.nic.in) - the website of the Indian Patent Office. It will tell you all about how you can apply for a patent.
- 👉 You need to contact a “patent agent” who is an adult who is trained to “write” your patent application and apply on your behalf to the government. A list of patent agents is provided on the website.
- 👉 You need to pay a fee.
- 👉 Your application will be “examined” and if it satisfies the tests of a patentable invention, you will be granted a patent.

### Notes:

Patents can be filed online on the given website. A special session for the same may be organized with CIPAM officials for you, with regard to filing, fees and related information.

### Additional Notes:

Some more examples of famous inventions and their inventors –

- 💡 Electric light bulb – Thomas Edison
- 💡 Mechanical Television – John Logie Baird
- 💡 First petrol – or gasoline – powered automobile – Karl Benz
- 💡 First Mechanical Computer – Charles Babbage

## Game Time: Which of these are inventions?



### Notes:

This is a game slide and you may conduct this game in class. The answer key to this game is given below:

Cloud –

It is not an invention because it already existed in nature

Video Game –

It is an invention because it was created by someone and did not already exist in nature

Car –

It is an invention because it was created by someone and did not already exist in nature

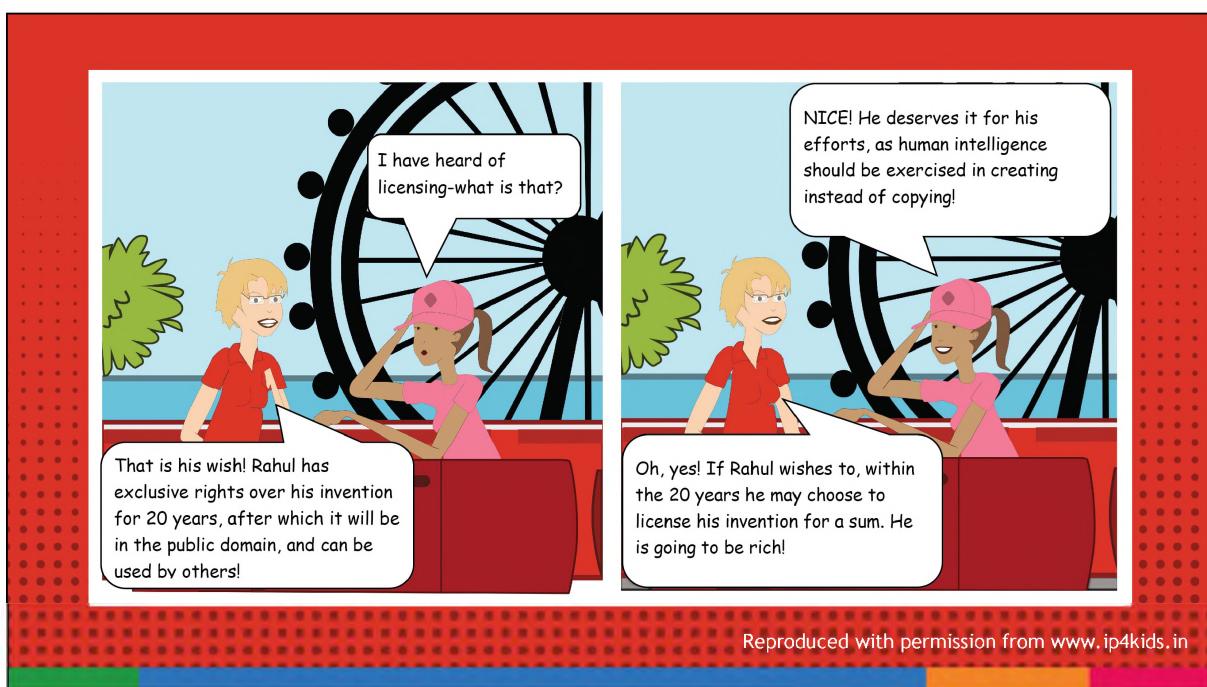
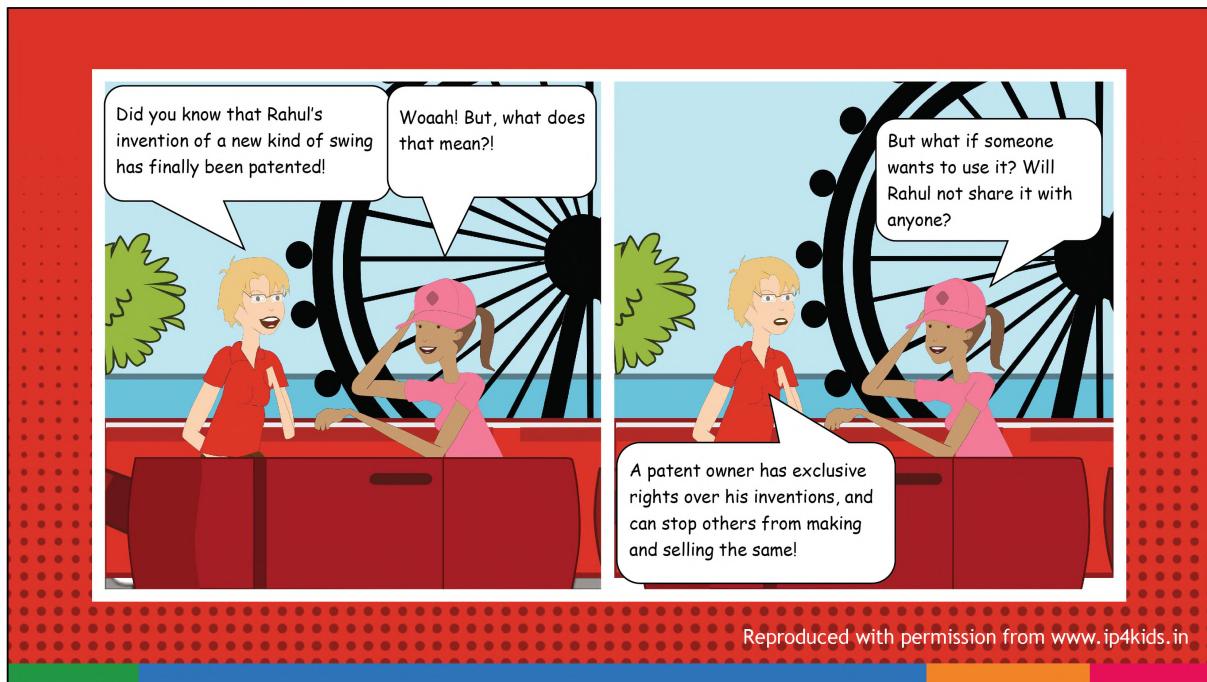
Fossil –

It is not an invention because it already existed in nature.

Alarm clock –

It is an invention because it was created by someone and did not already exist in nature

## Slides 10 & 11



### Notes:

For the cartoon strips, students from your class may be involved to enact the situation depicted.

## Activity

Have the class identify everyday objects/ inventions around them and find out who was their inventor.

## Revision

- What is a patent?
- What is the duration of a patent?
- What is the difference between an invention and a discovery?
- If Hyundai develop a new type of ball bearing to use in their wheels, what can they do to stop others copying their invention?

\*\*\*\*

## Slide 12



### Notes:

A trademark is any word, name, or symbol (or their combination) that lets us identify the goods made by a company. Trademarks also let us differentiate the goods of one company from the goods of another company. In a single brand or logo, trademarks can let you know many things about a company's reputation, products and services.

For example, “MAHARAJA MAC” is a word mark for burgers of the international fast food restaurant chain, McDonald's.

Since consumers link certain trademarks with certain products, prestige and reputation associated with the trademark are important. A well-received product will become a recognizable trademark, which will become better known and thus increase the overall value of the product – as well as other products with the same trademark. A trademark can also be used to create an image and/or a style for a product.

### **Other types of trademarks**

- 👉 A logo (for e.g., the “GOOGLE” logo on the slide)
- 👉 Packaging (for e.g. the “PEPSI” bottle packaging)
- 👉 A Service Mark (for e.g. “VODAFONE” for mobile phone services)

**Non-Traditional Trademarks:** Even a sound, colour, colour combination or a shape, can be a trademark under certain circumstances (presenter can give examples of the “COCA-COLA” bottle shape, “MGM” lion roar sound mark, “Caterpillar Yellow” colour of “Caterpillar Inc.”)

The term of protection of a trademark is 10 years. However, unlike any other IP, trademark has a unique feature and once the term of a registered trademark is over, one can keep renewing their trademark every 10 years, by depositing renewal fee.

### **Additional Notes:**

You must have come across ‘fake’ or ‘knock-off’ products of famous brands in various local markets, for example, NIKKI (for NIKE), Alipanby (for Alpen Liebe) and Maggiliscious (for Maggi). Do you know what this is known as? It is called infringement of trademark, wherein an individual purportedly tries to show that either he is the owner of the original product or is a licensed seller of the original product. Infringement of a trademark takes place when any party other than the trademark owner uses the trademark in the market without due authorization.

**What is Fake/ Counterfeit?**

A fake or counterfeit product is an exact copy of a genuine product, with the same trademark, logos and colours or so similar that leads you to mistake it for the real product.

Illegally making and selling fake products which are an identical or similar to a genuine product, with the same, similar, deceptively similar or phonetically similar marks that disguise the customers to mistake it for the real product is called Counterfeiting. Today counterfeiting is the biggest threat to trademark owners. Counterfeitors illegally use or copy registered trademarks to sell non-genuine goods under the guise of a recognizable trademark's reputation. For instance, copied consumer goods, such as clothing or accessories, are available for nearly all recognizable trademark brands; however, these imitations do not possess the same quality or craftsmanship as the originals.

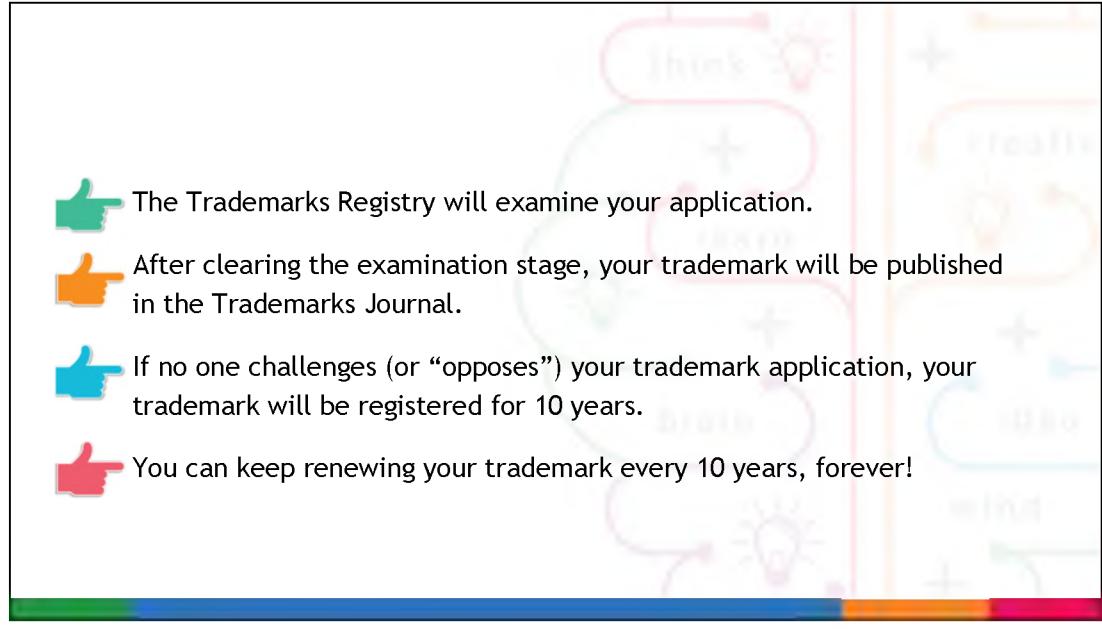
Sometimes the fake/ counterfeit products and goods are so well imitated that it becomes difficult to figure out which is the original and which is the counterfeit. Hence, it is important to be aware of all the distinctive features of a trademark and keep an eye out for all fake products and report it to the concerned authority immediately.

### **Slides 13 & 14**

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## **How do I register a trademark?**

-  You can file a trademark application at the Indian Trademarks Registry.
-  [www.ipindia.nic.in](http://www.ipindia.nic.in) is the website of the Indian Trademark Registry which contains all the information you need.
-  Your application must contain your trademark, your name and address, and the goods or services for which you use or will use your trademark.



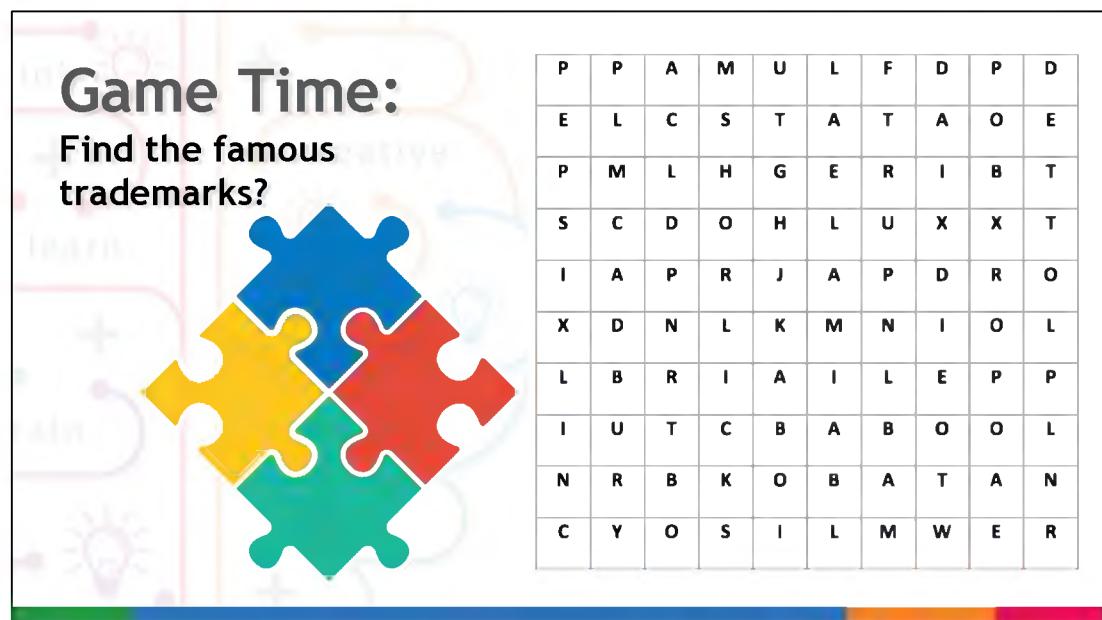
- 👉 The Trademarks Registry will examine your application.
- 👉 After clearing the examination stage, your trademark will be published in the Trademarks Journal.
- 👉 If no one challenges (or “opposes”) your trademark application, your trademark will be registered for 10 years.
- 👉 You can keep renewing your trademark every 10 years, forever!

### Notes:

Trademarks can be filed online on the given website. A special session for the same may be organized with CIPAM officials for you, with regard to filing, fees and related information.

### Slides 15 & 16

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**Game Time:**  
Find the famous trademarks?



P	P	A	M	U	L	F	D	P	D
E	L	C	S	T	A	T	A	O	E
P	M	L	H	G	E	R	I	B	T
S	C	D	O	H	L	U	X	X	T
I	A	P	R	J	A	P	D	R	O
X	D	N	L	K	M	N	I	O	L
L	B	R	I	A	I	L	E	P	P
I	U	T	C	B	A	B	O	O	L
N	R	B	K	O	B	A	T	A	N
C	Y	O	S	I	L	M	W	E	R

## Notes:

This is a game slide and you may conduct this game in class. The answer key to this game is provided below.

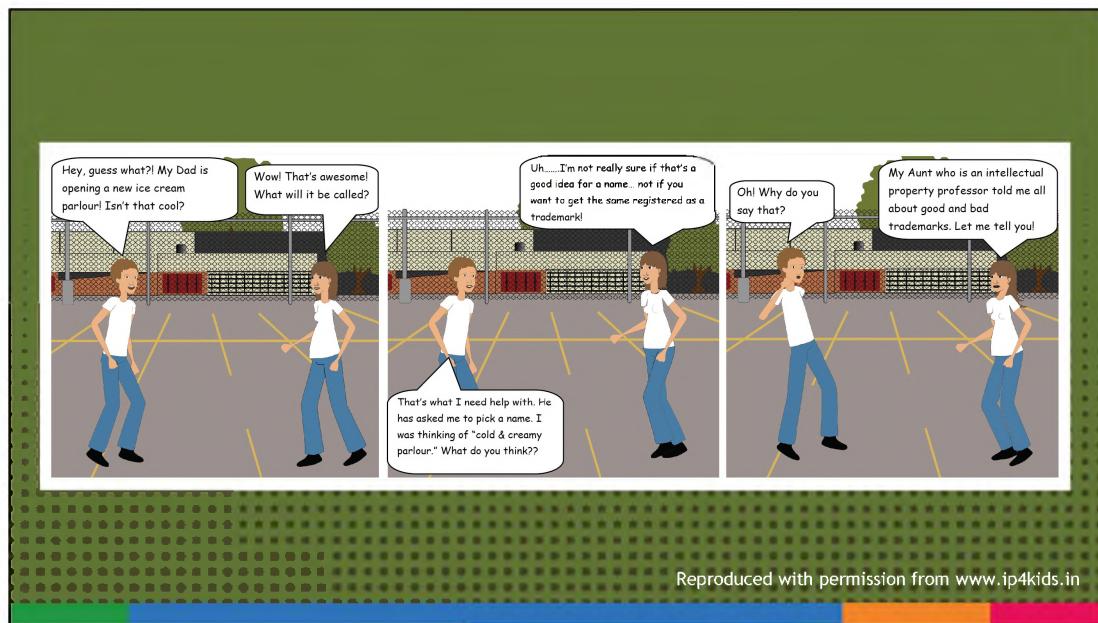
### Game Time:

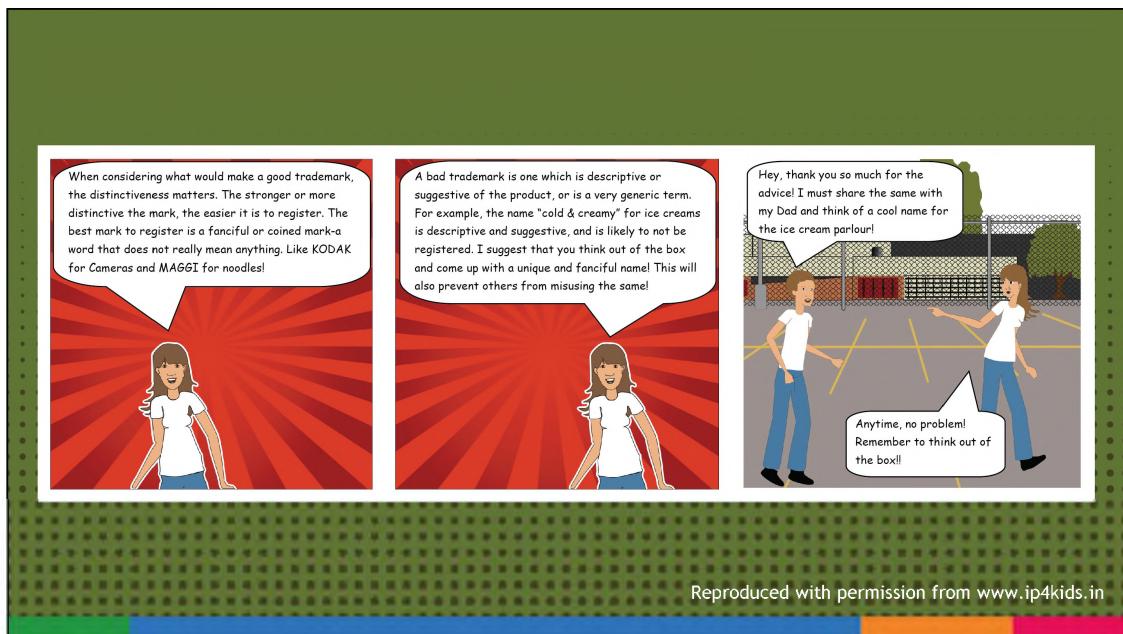
Find the famous trademarks?



P	P	A	M	U	L	F	D	P	D
E	L	C	S	T	A	T	A	O	E
P	M	L	H	G	E	R	I	B	T
S	C	D	O	H	L	U	X	X	T
I	A	P	R	J	A	P	D	R	O
X	D	N	L	K	M	N	I	O	L
L	B	R	I	A	I	L	E	P	P
I	U	T	C	B	A	B	O	O	L
N	R	B	K	O	B	A	T	A	N
C	Y	O	S	I	L	M	W	E	R

## Slides 17 & 18



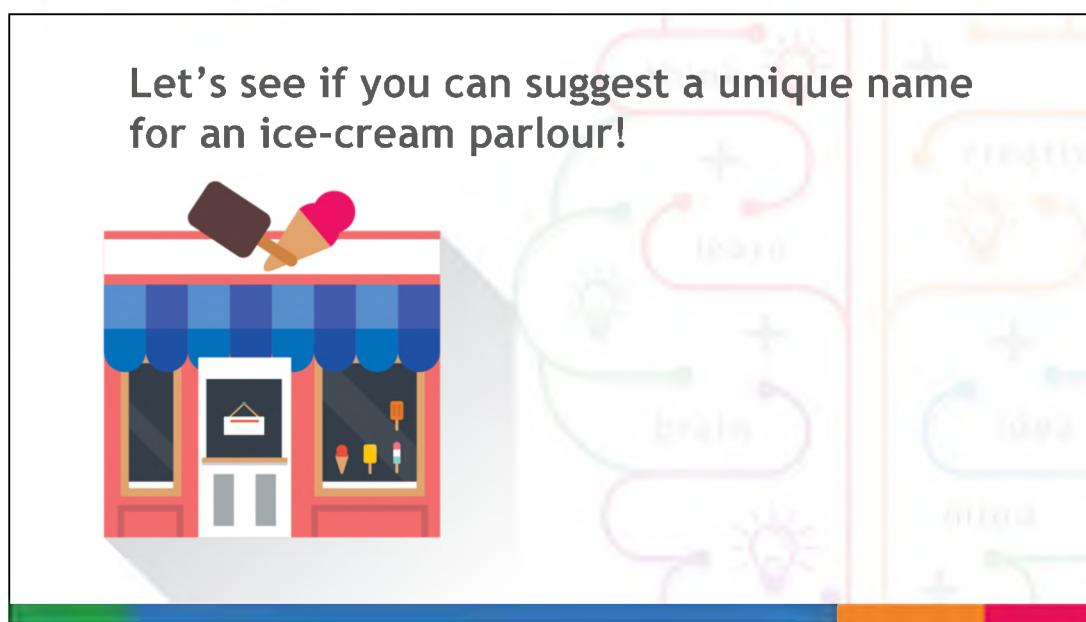


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### Notes:

For the cartoon strips, students from your class may be involved to enact the situation depicted.

### Slide 19



### Notes:

You may organize an interactive session in the classroom and ask the students to suggest/ come up with unique names for the ice-cream parlour. You are

encouraged to very briefly analyse the suggested trademarks from a distinctiveness point of view. This exercise should not be longer than 5-10 minutes.

**Please Note:** Avoid adjectives like 'nice', 'efficient', etc., or suggestive terms like creamy, snowy, cold, etc., names of person or places like India; Obscenity; Religious or Government words or symbols (like the Ashok Chakra); Common shapes (sphere), while applying for protection of a trademark.

- ✿ A good trademark must be distinctive in order to get registered. A distinctive mark is one which has a unique feature that distinguishes the mark from the rest.
- ✿ A bad trademark is one which is descriptive and suggestive of the product. Thus to make a good trademark it must be fanciful, like or a coined word like 'Maggi' for noodles or Kodak for camera.

## Revision

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- ✿ Using the internet, find out the "well-known trademarks" in India.
- ✿ What is a trademark?
- ✿ Imagine a footballer sets up his own company to launch and sell his own range of clothes. What can he use to prove that the clothes are made by his company?

\*\*\*\*

## Slide 20

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THINK. CREATE. INSPIRE. LET'S TAKE INDIA HIGHER.

## Notes:

Copyright is the right to "not copy". It is offered when an original idea is expressed by the creator or author. It is a right conferred upon the creators of literary, artistic, musical, sound recording and cinematographic film. Copyright is an exclusive right of the creator to prohibit the unauthorized use of the content which includes reproducing & distributing copies of the subject matter.

What is protected under Copyright?

- ✍ Literary work –  
Books, Poems, Song Lyrics, Computer Programme
- ✍ Artistic work –  
Drawings, Paintings, Sculpture, Technical Drawings, Maps
- ✍ Dramatic work –  
Dance, Mime, Screenplay, Films
- ✍ Musical Work
- ✍ Sound Recording
- ✍ Cinematographic films

An author gets the copyright in case of a literary work, an artist gets the copyright in case of an artistic work, a composer has the exclusive rights over his musical composition, a photographer, who clicks the photograph, owns the copyright over his photos and a producer, being the author, owns the copyright over his sound recording work or cinematograph films.

Who owns the Copyright?

The creator of the work gets the copyright. For example: the book *A Song of Ice and Fire* by George R.R. Martin. Here since George R.R. Martin is the author of the book, the copyright is conferred on him.

Term of Copyright Protection

- ✍ Literary, dramatic, musical, and artistic works enjoy copyright for 60 years counted a year from the death of their author.



<http://www.pixabay.com>

- ▀ Anonymous & Pseudonymous works enjoy copyright for 60 years from the year the work was first published.
- ▀ Works of Public Undertakings & Government works enjoy copyright for 60 years from the year the work was first published.
- ▀ Works of International Organizations enjoy copyright for 60 years from the year the work was first published.
- ▀ Sound Recordings enjoy copyright for 60 years from the year in which the recording was published.
- ▀ Cinematograph films enjoy copyright for 60 years from the year in which the film was published.

### *Unique Feature*

The unique feature of copyright is that, the protection of work arises automatically as soon as the work comes into existence. The registration of the content is not mandatory but is essential to exercise exclusive rights in case of an infringement.

### **Additional Notes:**

#### *Copyright Concerns, Plagiarism & Piracy*

Today, the youth is highly empowered with the power of internet and digital mediums are aplenty! But with great power, comes great responsibility; as a teacher, you must have come across copied/ plagiarized content provided by students in assignments and projects. It is very important to inform them here that whatever exists on the Internet is NOT free for use. They all belong to someone!

People think whatever is there on the Internet is free for use!

Do you –

- ▀ Take images, text, and animation files from websites and use them in your projects, without permission from the owner of the images, text, animation files?
- ▀ Download and share movies and music from the internet without paying?

Taking images, text, and animation files from websites and using them in projects, without permission from the owner of the images, text, animation files

is WRONG. Similarly, downloading and sharing movies and music from the internet without paying is WRONG too.

*Taking permission to use copyright materials*



<https://pixabay.com/en/legal-illegal-choose-choice-1149314/>

It is always advisable to obtain permission to use a work protected by copyright, by identifying the copyright owner of the material you want to use; therefore contacting them and asking for permission. If you use someone else's work (such as, copy the text of an article for a paper or a project) it is called **plagiarism** - a crime/ offence under the law. In some cases you may have to pay the owner a fee. Similarly, watching movies or listening to music from illegal websites is called **piracy**. Always watch movies and listen to music bought from legal websites. Everything on the internet is not "free for use".

## Slide 21

### How do I protect my copyright?

- 👉 Your copyright will arise in a work as soon as you create it. So, there is no legal need to register it.
- 👉 However, having a copyright registration is a strong proof that you are the actual owner of the work.
- 👉 You can file an application to register your copyright at <http://copyright.gov.in/>.
- 👉 If no third person objects to your application and your application passes the examination stage, the Copyright Office will grant copyright registration for your work.

#### Notes:

Copyright can be filed online on the given website. A special session for the same may be organized with CIPAM officials for you, with regard to filing, fees and related information.

## Slide 22

### Game Time: True or False

- 👉 It is right to watch Bajrangi Bhaijaan without paying for it.  
(True or False)
- 👉 I like how this story is written. I can copy it to get an "A" grade.  
(True or False)
- 👉 Everything on the internet is not free for use.  
(True or False)
- 👉 If there is no "©" (the copyright symbol) at the bottom of a painting or poem, it means that there is no copyright in that painting or poem.  
(True or False)

### Notes:

This is a game slide and you may conduct this game in class. The answer key to this game is provided below.

- False.
- False.
- True.
- False. Here, you can mention that a lack of the © symbol does not mean that there is no copyright in the work. Copyright in a work comes into existence as soon as that work is created.

### Slide 23



### Notes:

For the cartoon strips, students from your class may be involved to enact the situation depicted.

### Revision

- 💡 What protects the intellectual property created by artists?
- 💡 How long does copyright last for?
- 💡 How do we benefit from copyright?

- Can you think of any 2 ideas that have been expressed in different ways by three original works (Book, Movie & Video Game)?  
Here's one to get you started.

**Idea:**

Alien Adventures

**Original works expressing that idea:**

Charlie and the Great Glass Elevator novel by Roald Dahl.

E.T. the Extra Terrestrial movie by Universal Pictures.

Project X: Alien Adventures game by Beenox & Amaze Entertainment (Nintendo DS).

- IF A has an idea, but B also has an idea, C uses this idea to write a song on it, then can A & B have a copyright in C's song?

\*\*\*\*

**Slide 24**



**Notes:**

A 'Design' includes shape, pattern, and arrangement of lines or color combination that is applied to any article. It is a protection given to aesthetic appearance or eye-catching features.

Following are the prerequisites to obtain protection for design –

- It should be applied to an article

- It should be new or original.
- It should be solely judged by the eye.
- It should not be published anywhere before.
- It should be significantly distinguishable from known designs or combination of known designs.
- It should not comprise or contain scandalous or obscene matter.
- Anything that is registered as trademark or any artistic work under copyright doesn't qualify for design registration.

Can design be registered?

- The design should be new or original, not previously published or used in any country.
- Design means the shape or pattern applied to an article.
- Calendars, greeting cards, stamps and cartoons cannot be protected as designs.
- Normally, designs of artistic nature like painting, sculptures etc. which are not produced in bulk by an industrial process are not granted registration.

It is a protection given to eye-catching features that are not functional or useful. A design is registered by the Design Controller in the Indian IP office. The term of protection of a design is valid for 10 years, with can be renewed for further 5 years after expiration of this term, during which a registered design can only be used after getting a license from its owner and once the validity period is over, the design is in public domain.

#### **Additional Notes:**

The features of the design in the finished article should appeal to and be judged only by a person's eyes. A mere *functional* or *mechanical* feature cannot be registered as a design.

For example, a key having its novelty only in its shape at the portion intended to open the lock cannot be registered as a design under the law. It is both functional and mechanical.

Anything that can be registered as a trademark or copyright cannot be registered as a design.

## Game Time: Design a new...

-  Shoe
-  Chair
-  Pen
-  Rocket

**Notes:**

This is an activity slide and you may conduct this in class. Distribute paper and pencils for all of the students. Ask them to draw a new design for a shoe, chair, pen or rocket.

**Slides 26 & 27**



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### Notes:

For the cartoon strips, students from your class may be involved to enact the situation depicted.

### Revision

- ❖ What protects the intellectual property created by designers?
- ❖ What are the prerequisites to obtain protection for design?
- ❖ What is a design?
- ❖ What is the duration of a term of a design?
- ❖ Can Calendars, greeting cards, stamps and cartoons be protected as designs?

\*\*\*\*

# Part Four: Conclusion

## General Overview

This is a conclusion slide and the teacher may use the given slide as an example to sum up.

## General Outcome

As a result of this part, students will be able to:

- State reasons for protecting intellectual property;
- Explain the concept of Piracy and Counterfeiting;
- Way to protect intellectual property;
- Duration of protection of each intellectual property

## Slide 28

### Intellectual Property Example:



#### Notes:

We have already discussed the importance of intellectual property and the ways to protect it as intellectual property rights. Let us now see how this helps a business. Recall the old proverb 'necessity is the mother of all inventions'? If we were to trace the development of a wheel from the Stone Ages, the round wheel was invented as there

was a need felt to increase efficiency of work. This wheel underwent various technological advancements, and today, we know various successful business tyre giants; can you name a few?

Whether a business is establishing its presence in the marketplace or is already well-entrenched, protecting and managing its intellectual property is critical in ensuring its sustenance in the market, otherwise it will simply stagnate and wither away. It is equally essential to respect others' IP, not only on ethical grounds, but also legal. After all, respect for others' IP begets respect for one's IP.

To sum up, let us take the example of a single product that we all use every day – a smart phone. Let us look at the various types of intellectual property rights that might be involved here:

***\*This is a 5 minute exercise and you may conduct the same in class.\****

- ❖ PATENTS – Patent protection for new, inventive technology used in phone
- ❖ TRADEMARKS – Trademark protection for the trademark (or logo) on the phone
- ❖ COPYRIGHT – Copyright protection for the advertisement of the phone
- ❖ DESIGNS – Design protection for the eye-catching phone case or cover

#### **Additional Notes:**

As mentioned earlier, like any other property, stealing, copying or imitating another's IP causes personal and national loss. Both piracy and counterfeiting are the bane of any society, as they discourage innovation and creativity. Further, today in the age of internet, physical barriers have ceased to act as a sufficient deterrent to trade in illicit goods and services; online IP crimes pose an even greater challenge.

## Slide 29

What do you receive when you file and register a Patent, Trademark, Design or Copyright?



Trademark  
Certificate



Patent  
Certificate



Design  
Certificate



Copyright  
Certificate

## Notes:

This is a demonstration slide.

## Slide 30

How can you help intellectual property?

Be  
Innovative

Think  
Outside  
the Box

Buy Real

Produce  
Original  
Work

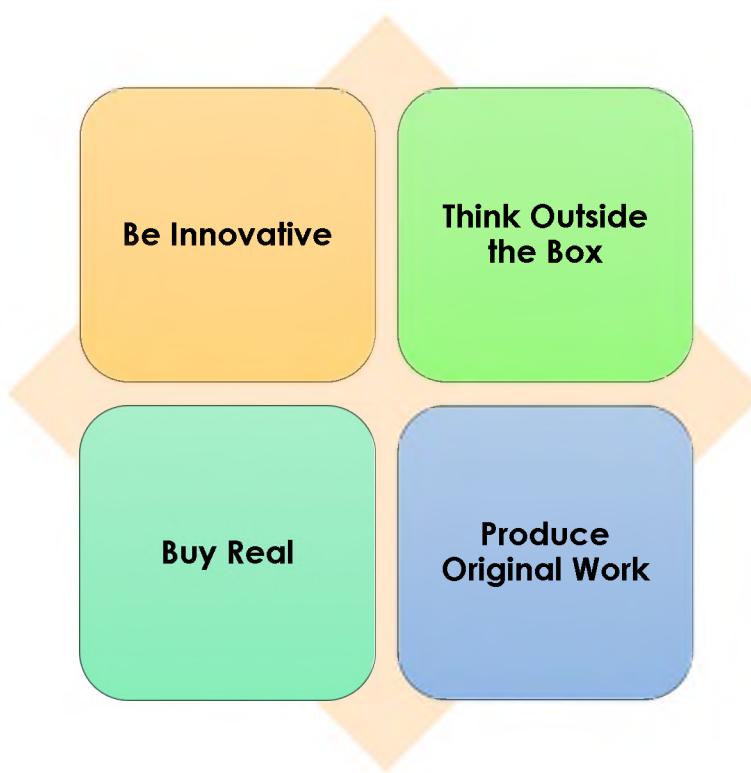
THINK. CREATE. INSPIRE. LET'S TAKE INDIA HIGHER.

### **Notes:**

Now that you've seen some of the ways in which intellectual property affects your life every day, think about how valuable intellectual property is to you and your world. Without it, the world would be a much less interesting place. For this reason, we should all work together to protect the rights of those who create and innovate.

Creativity is the world's greatest natural resource. We shouldn't waste it. The next time you want to download a song from the Internet without paying for it, or buy counterfeit jeans, THINK about the rights of your favourite artists who have worked so hard to create your favourite tunes, and the designers who create the clothes you like. And then IMAGINE what the world would be like if such people were not around to CREATE the products you love so much.

So keep in the mind the following!



\*\*\*\*