



INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE

Intellectual Property Office of Singapore

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Dear Young Inventors,

Tan Kah Kee Young Inventors' Award: Know the Intellectual Property of Your Invention

It is heartening to know that you are amongst Singapore's pool of budding inventors brimming with ideas and creativity. Your invention is not only the fruit of your creativity, but also your intellectual property (IP).

IP laws are put in place to protect the fruit of your creativity. An invention may be protected by various forms of intellectual property rights (IPR). While some forms of IPRs are automatic, like copyright, others require additional steps before it can be effected. Patents, designs and trade marks are such examples.

I would like to highlight 2 forms of IPRs that may be relevant to your invention; patents and registered designs. A patent is a monopoly right that allows the owner to prevent others from using, copying or making the invention without his consent. A registered design entitles the owner of the design an exclusive right to produce or import into Singapore for any commercial purpose, articles bearing the protected design. One pre-requisite of filing for a patent or registering a design is - novelty. An invention or design is new provided it has not been made known to the public in ANY way anywhere in the world. Otherwise the novelty of the invention/design may be lost.

Prior to your submission for the Tan Kah Kee Young Inventors' Award, we hope you would seriously consider the novelty aspect of your invention. Think about its potential commercial value and whether a patent or a registered design makes sense. You may wish to take steps to protect your invention prior to entering it. For more information, we have attached a brief write-up on the various forms of IPRs for your reference.

All the best to you on your entry!

Thank you.

Yours faithfully

Liew Woon Yin
Director-General

A statutory board of the Ministry of Law



I. Intellectual Property Rights (IPRs)

Intellectual property rights (IPRs) is a category of rights to protect and promote intellectual creations, science and innovative ideas. Intellectual property (IP) includes patents, trade marks, registered designs, copyright, trade secrets and confidential information. IPRs give monopoly to the IP right holders and create obligations in relation to uses that infringe on these rights.

II. Common Forms of IP

Patent

A **patent** is a right given by the Government, to the owner of an **invention**. An invention can be a product or a process that provides a solution to a technical problem.

A patentable invention must meet three criteria:

- The invention has to be **new** or **novel**. This means that the invention must not have been publicly disclosed or existed elsewhere.
- The invention must involve an **inventive step**. That means that the invention must be something that is not obvious to an expert in the field of the invention.
- The invention must be capable of **industrial application**. This means the invention has to have some form of practical use. Other people must find it useful and be able to use it to achieve a concrete end result.

Trade Mark

Heard of Nokia, Canon and Adidas? They are examples of **trade marks**. A trade mark is a sign used by a trader to help him identify or **distinguish** his goods or services from those of other traders.

® and ™ are common symbols associated with trade marks. ® shows that the mark is a registered trade mark. ™ on the other hand, is a symbol used to show that the mark is used by the company as a trade mark. It does not mean that the mark has been registered.

A registrable trade mark has to be distinctive so that people can tell the difference between your product or service from those of other traders. A trade mark can come in the form of:

- letters,
- words,
- names,
- symbols,
- signatures,
- numerals,
- shapes,
- colours,
- sounds,
- smells,
- aspects of packaging or
- a combination of any of the above

Design

Design refers to the appearance of objects we see everyday. It protects the shape, configuration, pattern or ornament applied to your students' invention by industrial process. A design can be 2-dimensional or 3-dimensional.

Examples of 3-dimensional designs include shape of toys, electronic equipment, furniture and even food items like ice-creams or cookies. An example of 2-dimensional design is the pattern on a piece of fabric or carpet.

A registrable design must be **new**. New means that the designs must not have existed anywhere else in the world until you have created them. A design is not new if any person other than the designer has knowledge of the design before it has been registered. It is also not new if the design or any article bearing the design is published or sold in Singapore or anywhere else in the world.

A design must also be capable of **industrial reproduction** to be registered. This means that more than 50 copies of each object to which the design has been applied, must be made for sale or hire.

Copyright

Copyright is a bundle of rights given to creators of **works of expression**. Copyright protection is **automatic** and needs no registration. It exists once the work is created in a material form such as in a recording or in writing.

Copyright is based on **originality**, meaning that there is independent effort in the creation of a work. Let's assume that 2 artists were to paint a portrait of the same subject (e.g a boat on a river) and both paintings look similar. Both paintings would be considered as individual works (assuming no copying was done from each other) and would be entitled to separate copyright protection.

Copyright helps to protect works such as:

Literary works: Books, essays, lyrics of songs, newspaper articles, computer programmes, web-sites

Dramatic works: Scripts, dance choreography

Musical works: Musical, i.e. melody

Artistic works: Paintings, sculptures, drawings, photographs, buildings

Published Editions: Typographical layout, arrangement of newspaper columns and books

Sound Recordings: Sound recordings on tape or compact disc

Films: Motion pictures on videos, VCDs, DVDs and on films

Television and Radio broadcasts

Cable Programmes

Performances

The © symbol indicates that someone has claimed copyright of the work. The symbol will help anyone using the work to know who is claiming copyright and alert him to the claim. If you had not used the © symbol, it does not mean you do not claim copyright or have lost your copyright.

For more information on IP and IPRs, you may refer to www.ipos.gov.sg or www.iperckidz.gov.sg .

A b o u t I P O S

The Intellectual Property Office of Singapore or IPOS is the lead agency that formulates and regulates intellectual property (IP) laws, promotes IP awareness and provides the infrastructure to facilitate the greater development of IP in Singapore. With IP fast becoming a critical resource in today's new economy, IPOS vision is to foster a creative Singapore where ideas and intellectual efforts are valued, developed and exploited. Formerly known as the Registry of Trade Marks and Patents, IPOS was established as a statutory board of the Ministry of Law on 1 April 2001.

Website: www.ipos.gov.sg
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A statutory board of the Ministry of Law

