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Do you know your Business Assets?

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Do you know your Business Assets?

In this article, we will briefly introduce and explain about copyrights, one elements of Intellectual Property.

Intellectual Property (IP) is an intangible property. It is something you, your mind has created. It can be a design, a logo, a name, a number, a business model, a novel, a story, an article, a music composition, lyrics, research, and so on...

Broadly IP can be classified into three different categories. Trademark, Copyrights and Patent.

What are Copyrights?

A copyright is a legal right over original artistic or literary work. Copyright is an expression of ideas or creation. Any original work in the form of paper; architectural drawings; paintings; sound; visual and music recording on tape, disc, or any other format; maps; sculptures; dramatic work; movies; novels; songs; poems; music composition; musical notes; lyrics; computer programs; data sets; photographs; designs; pictures; etc. can be copyrighted.

Copyright can get tricky. One small creation creates many derivative rights and one needs to be aware of complexities to protect it commercially. Let's try to understand it this with an example: a song with a video can have a bundle of copyrights. First, the lyrics, then the composition of music; the visual effects for the same song; taping audio/video of the song, each creates one more set of copyrights and so on. Once a copyright is created, one cannot use it without the proper authorization from the legal owner of that copyright with some exception like fair use. Fair use is a very complex term and one need to seek legal assistance to understand it that exception applies to your particular scenario better before taking shelter of it.

Use of ©:

You can use symbol © immediately once you have finished a creation. One does not have to wait for the registration of that copyright before they can use the notice mark ©. The only pre requisites is that the creations is in a tangible form which is visible directly or visible with help of any device or machine.

How to protect Copyrights?

Ownership of Copyrights vests in the person who creates first. Copyright does not need registration but registration helps to give legal protection to your ownership. It helps in bringing legal action if anyone uses work similar to your work or infringes your right in the creation. Registration of Copyrights helps to ascertain date of creation and authorship of creation which is a crucial element to create exclusive rights in your favor. One can challenge an existing copyright if they believe that their date of creation or authorship was before an existing copyrights holder.

Where to register Copyright?

Unlike, Trademark, copyright is registered only federally i.e. at Library of Congress. There are no two types of registration like state and federal.

The life of every Intellectual Property Rights (IP), i.e. Trademarks / Copyrights / Patents, varies from Country to Country. Some rights expire in some years and some are for subject to renewal. One must take legal help to protect and enforce their rights.

If your business is global in nature then you might want to protect your IP worldwide, if so, then one needs to register their IP in different countries and comply with each country's law.

It is very important that you protect your rights. You can protect your rights by registering your rights, taking opposition action against the registration of identical or confusingly similar mark before respective registry, raising objection to register some other author's rights similar to your rights, or by taking infringement action before appropriate authorities.

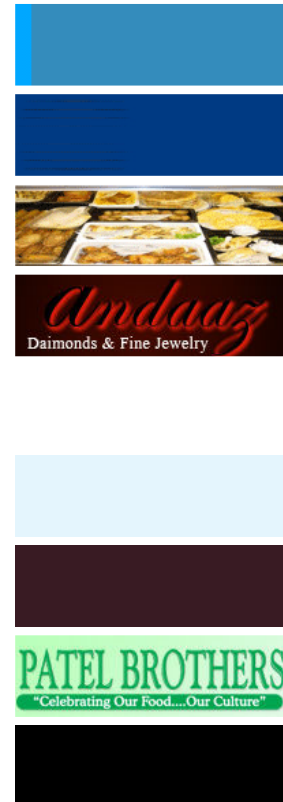
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Heena N. Kampani, Esq.

Registered to practice before US Patent & Trademark Office

heena@kampanilaw.com



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