

Intellectual Property Reference Guide

Type of Intellectual Property (IP)	Patent	Trade Mark	Design	Plant Breeder's Rights	Copyright	Circuit Layouts	Trade Secrets/Confidential Information
What it means	The owner has exclusive rights to commercially exploit the invention for the life of the patent. The owner can use, sell or license the invention and can also stop others from manufacturing, using, copying and/or selling the invention	A trade mark is used to distinguish the goods and services of one trader from those of another. The owner has exclusive rights to use, sell or license the trade mark	The overall visual appearance of a product is protected, but not the way it works or how it is made. The owner has exclusive rights to use, sell or license the design	Plant Breeder's Rights protect new plant varieties by giving exclusive commercial rights to exploit a new plant variety or its reproductive material	The owner's original expression of ideas is protected, but not the ideas themselves. The owner has exclusive rights to use, sell or license the copyright work	These types of IP give certain rights depending on the type of IP protection regime, but generally, the owner has exclusive rights to use, sell or license the IP	
What is protected	Products, processes, inventions	Business identities, reputation, brands	2 and 3 dimensional product designs	New plant varieties	Original works of authorship	Original layout designs for integrated circuits and computer chips	Secret process, technique, method, etc used to advantage in a trade, business or profession
Typical items that may be protected	Functional items like machines, toys, games, computers, software programs, processes, methods, tools, and other items of utility	Letters, names, symbols, figures, numbers, words, colours, phrases and slogans, sound, smell, logo, shape, picture, or any combination of these	A fabric pattern, the shape of a chair	Orchids, trees, vines	Art, photographs, books, literature, sculptures, plays, drawings, music, film, broadcasts, computer programs and other items of original authorship		
Is registration required	Yes	Recommended	Yes	Yes	No	No	No
Duration	8, 20 or 25 years if annual fees paid	Initially 10 years, renewable every 10 years if fees paid and still in commercial use	5 years, renewable up to 10 years from date of application	20 or 25 years if fees paid	Life of author + 70 years	10 years from creation, and another 10 years from first commercial exploitation	Until no longer a secret
Renewable (payment of fees and commercial use may be required)	No	Yes	No	No	No	No	Not applicable