

A Report on “Industrial Design Rights”

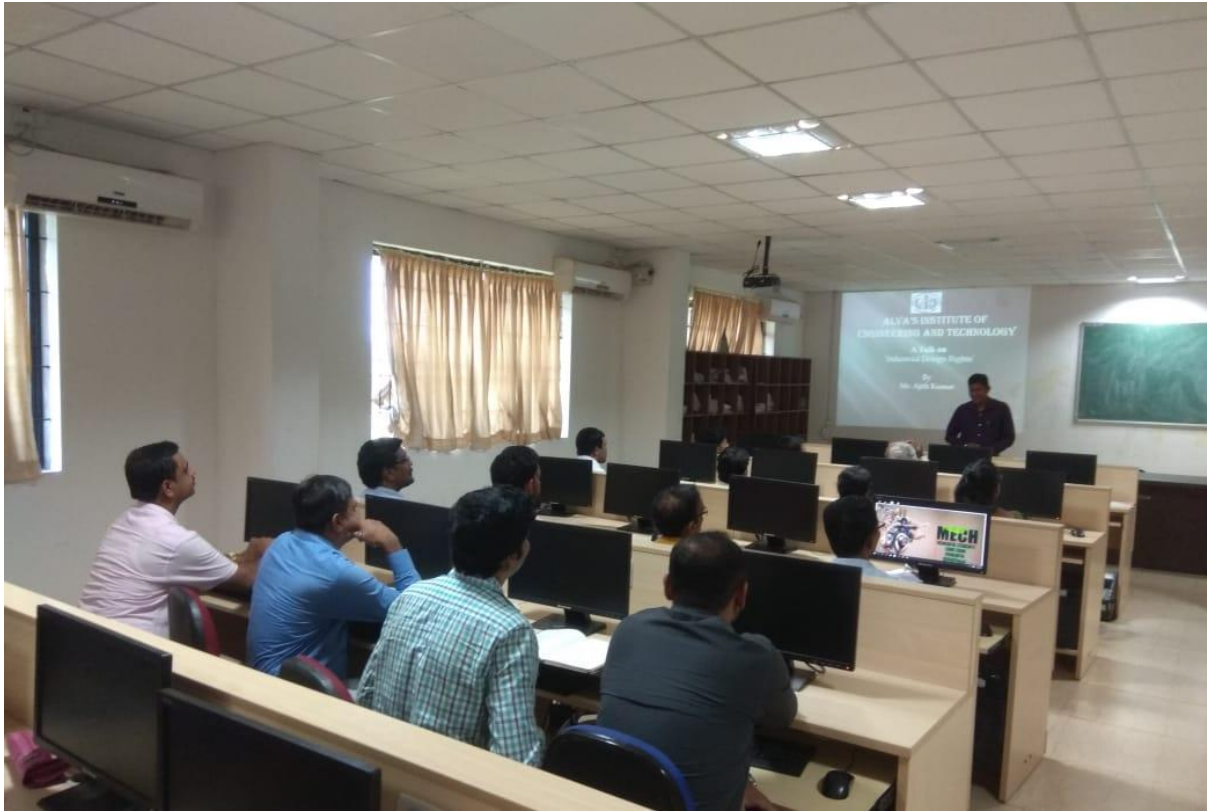


Mr Ajith Kumar during the Session

A talk on “*Industrial Design Rights*” was conducted by the department of Mechanical Engineering as a part of IPR awareness on 13th December 2014 by Mr. Ajithkumar, Advocate and Professor. An industrial design right is an intellectual property right that protects the visual design of objects that are not purely utilitarian. An industrial design consists of the creation of a shape, configuration or composition of pattern or color, or combination of pattern and color in three-dimensional form containing aesthetic value. An industrial design can be a two- or three-dimensional pattern used to produce a product, industrial commodity or handicraft.

Intellectual Property India and its registration

The registration and protection of industrial designs in India is administered by the Designs Act, 2000 and corresponding Designs Rules, 2001 which came into force on 11th May 2001 repealing the earlier Act of 1911. The industrial design recognizes the creation new and original features of new shape, configuration, surface pattern, ornamentations and composition of lines or colours applied to articles which in the finished state appeal to and are judged solely by the eye.



Faculties during the session

Advantages- following are the advantages of registration of the Design

1. Increases the commercial value of the product- when any design is registered its market value increases
2. Helps to take purchase decision- As the design is subject to be judged solely by the eyes, therefore a good design or the aesthetics of the product helps the consumer to make a purchase decision.
3. Safeguard the aesthetic value of the product- In order to gain market share, the companies which manufacture the Counterfeit product usually copy the design, therefore, registration is important for the protection of the design.
4. Helps in increasing creativity- Registration and protection of the design help to boost the creativity of the industrial field.
5. Evidentiary value – the registered design is recorded in the Register of Design which is kept at Patent Office. These contain details of the details of the proprietor of the registered design. Therefore, it acts as a prima facie evidence if at any time the ownership is in question.

What is Intellectual Property Crime?

Intellectual Property Rights (IPR)



Industrial property

- inventions (patents)
- trademarks
- industrial designs
- geographical indications of origin
- plant variety rights



Copyright

- literary and artistic works
- performing artists in their performances
- producers of phonograms in their recordings
- broadcasters in their radio and television programmes

Intellectual Property Crime is any breach of intellectual property rights



Counterfeiting

The manufacture, importation, distribution and sale of goods which falsely carry the trade mark of a genuine brand without permission and for gain or loss to another



Piracy

An unauthorised copying, use, reproduction, distribution of materials protected by intellectual property rights

The session included the discussion on IP crime and its consequences. The session was informative and interesting as it was necessary discussion for securing a new design for any research scholar.