

Ochrana duševního vlastnictví a design

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předmět „*Právní ochrana designu*“

- **Dvě velké skupiny práv duševního vlastnictví**
 - **Autorská práva a práva související s právem autorským** (*copyright and related rights*)
 - Práva k autorským dílům, uměleckým výkonům, zvukovým a obrazovým záznamům apod.
 - **Průmyslová práva** (*industrial property rights*)
 - **Práva k**
 - Ochranným známkám, označení původu
 - Vynálezům
 - Designům
 - Odrůdám rostlin
 - Topografiím polovodičových výrobků




 UNITED STATES PATENT AND TRADEMARK OFFICE

United States Patent (4)
Kivshin et al.

(1) **Patent Number:** 6,084,296
 (2) **Date of Patent:** Dec. 21, 1999

(3) **INVENTOR:** LEO G. KIVSHIN, Olga Kivshin, 11011 17th Street, San Diego, CA 92120
 (4) **ATTORNEY:** MICHAEL D. COOPER, 11011 17th Street, San Diego, CA 92120

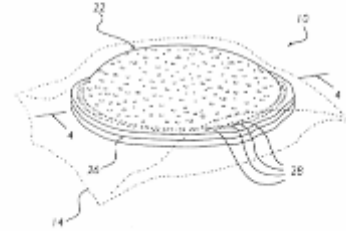
(5) **CLASS.:** No. 4, 199

(6) **FIELD OF INVENTION:** FOODS
 (7) **BACKGROUND:** The present invention relates to a method and apparatus for preparing a sandwich or burger.

References Cited

U.S. Pat. No.	Patent No.	Date
4,123,456	1,234,567	12/12/98
5,678,901	2,345,678	03/05/99
6,789,012	3,456,789	07/10/99
7,890,123	4,567,890	11/15/99
8,901,234	5,678,901	02/20/00
9,012,345	6,789,012	05/25/00
1,013,456	7,890,123	08/30/00
1,114,567	8,901,234	11/05/00
1,215,678	9,012,345	02/10/01

(8) **Claims:** A method for preparing a sandwich or burger.



Statistika...

• IP Survey 2006 – UK

Table 3 - % of respondents rating method of protecting innovations as "Essential"

No. Employees	0-9	10-49	50-249	250+	10-249	10+	Total
1. Patents	13.2	13.1	10.5	18.4	12.7	12.9	13.2
2. Trademarks	12.8	14.8	20.6	32.8	15.7	16.3	13.2
3. Copyright	22.5	16.3	16.5	20.5	16.3	16.4	21.9
4. Registered Designs	10.1	11.0	6.5	9.2	10.3	10.2	10.1
5. Confidentiality agreements	26.6	29.6	29.7	40.9	29.6	30.0	26.9
6. Secrecy	18.9	21.5	18.0	33.4	21.0	21.4	19.2
7. Complexity of Design	7.3	5.3	5.9	9.1	5.4	5.5	7.2
8. Lead-time over competitors	14.3	18.2	17.4	21.2	18.1	18.2	14.8

Statistika...

Table 7 – Replies to the question “If you pay a subcontractor to design your website or promotional literature would copyright exist in that material?”

Size (No. of Employees)	Yes	No	Don't Know
0-9	41.6%	12.7%	45.7%
10-49	45.9%	10.5%	43.6%
50-249	59.1%	14.1%	26.8%
250+	75.6%	7.5%	16.9%
Total	42.4%	12.5%	45.1%

Table 8 – Replies to the question “In the absence of any assignment who would own any copyright created?”

Size (No. of Employees)	Your Company	The Subcontractor	Don't Know
0-9	31.0%	24.5%	44.5%
10-49	33.0%	28.2%	38.8%
50-249	35.7%	35.8%	28.5%
250+	31.4%	52.3%	16.3%
Total	31.3%	25.1%	43.6%

Statistika...

Table 13 – Replies to the question “Has your company ever licensed in intellectual property from other parties (to allow your company to use intellectual property owned or controlled by others)?” (% of firms).

No. Employees	0-9	10-49	50-249	250+	Total
Yes	12.3%	17.2%	29.4%	55.8%	13.2%
No	82.8%	75.8%	61.1%	31.3%	81.7%
Don't Know	4.9%	6.9%	9.5%	12.9%	5.2%

Table 14 – Replies to the question “Has your company ever licensed out intellectual property to other parties (to allow others to use intellectual property owned or controlled by your company)?” (% of firms).

No. Employees	0-9	10-49	50-249	250+	Total
Yes	8.3%	12.0%	19.1%	42.2%	8.9%
No	88.2%	81.9%	73.3%	45.0%	87.3%
Don't Know	3.5%	6.1%	7.6%	12.8%	3.9%

○ Ochrana designu

- průmyslové vzory
 - zapsané
 - národní
 - EU
 - Haagská dohoda
 - nezapsané
 - EU
 - UK
- autorská díla
- ochranné známky
- ochrana proti nekalé soutěži