

# Creators of Intellectual Property

## General definition of Intellectual Property:

When anything original e.g. a drawing, a tune or a design, or something new and inventive e.g. a mechanism, product or industrial process is created so is Intellectual Property. There are ways to protect the Intellectual Property in original or new innovations and inventions, creating an Intellectual Property (**IP**) Right which you can keep, commercialise or sell on. Owning the **IP** Right means you can stop other people using it without your permission.

Brands like Virgin, Dyson, Coca-Cola, Nike and Tetrapak have become incredibly valuable companies through protecting and exploiting their Intellectual Property Rights over many years.

**COPYRIGHT** – arises automatically and can be used to protect your original work from being copied by others. Copyright can protect a wide range of subject matter including photographs, films, writing, software and sound recordings.

**PATENTS** – you apply for and invest in this protection to stop other people copying and commercially using your new and inventive process, mechanism or inventive product.

**DESIGN RIGHT** – the individual character of new designs can be registered but, like copyright, can also afford an automatic right, in original designs, which are protected without registration throughout the European economic area for three years.

**TRADE MARK** – Allows you to protect names, logos and even advertising jingles, slogans, shape of goods or packaging. This is the only type of **IP** that can last indefinitely if registered and renewed.

To learn more about the detail of Intellectual Property, how to apply to register your **IP**, how long it lasts, what it costs, which countries offer protection, etc. please go to [www.ipo.gov.uk](http://www.ipo.gov.uk)

## Objectives

### At the end of your visit to the Museum you will

- Appreciate the purpose of different **IP rights**
- Appreciate the role of **IP** in securing brand survival
- Have greater awareness of **IP** for your future career

## On the way to the Museum

**IP** protects the products all around us.

1. **Look at your phone, Apple iPod or MP3 player.** Think about how you use it, how it works and looks. Consider the different Intellectual Property Rights described above. **Which of these might apply to this product? How do you know which company made it?**

**IP FACT: Nokia claimed the first identifiable musical ring tone on a mobile phone as a sound trade mark. Nokia could use the 13 note phrase as this was composed back in 1902. By now copyright in the music has expired. Sing It!**

**2. Drop into a Starbucks and pick up a disposable beaker sleeve** (on Pembridge Road near Notting Hill Gate tube station). **What Intellectual Property Rights are protecting the sleeve?**

**Why do you think they advertise their Intellectual Property Rights in this way?**

**3. What is your current study programme?**

Identify ONE trade mark from the industry you expect to be working in

How has that trade mark been used to grow the business? (tick one or more)

- |  |             |
|--|-------------|
| <input type="checkbox"/> Made people aware of the product      | Other _____ |
| <input type="checkbox"/> Increased consumer loyalty            | Other _____ |
| <input type="checkbox"/> Guaranteed the quality of the product | Other _____ |

## At the Museum

Head into the museum's **'time tunnel'**. Look for decade signs and red numbers above the cases to answer questions 4 to 12. This exercise will take 20 to 30 minutes.

**4. Victorian – If you had enough money to buy a brand in Victorian times, which would you buy? Why choose that one?** (you would be buying the Intellectual Property that comes with this brand).

**IP Fact: the first UK registered trade mark was the Bass red triangle and it is still in use today as a trade mark**

**5. Edwardian – If you were launching the new brand 'Perrier' back in 1903, what aspects of the product might you think about protecting?**

**IP Fact: the name 'Perrier' is a protected trade mark, allowing this company to stop the manufacture of spoof water brand 'Pierre Eh!' in Canada in 1983.**

**Roughly sketch how you think a Toblerone looks – then find it in the 1930s**



**6. 1930s – This chocolate bar has hardly changed in 80 years.**

**What aspects of 'Toblerone' do you think might be registered as trade marks? Look at your sketch for ideas!**

**Why is it important for a brand owner to protect their Intellectual Property in this way?**

**7. 1940s – Why do you think applications to protect Intellectual Property were much lower during the war?**

**IP FACT: Undersea Oil Pipelines were invented and patented in 1942 by the British as a war tactic.**

**8. 1950s – Rowntree's patented the process of putting bubbles into chocolate back in 1939 for their brand Aero, giving them 16 years as the only company who could use this process. Why was this good for the brand owner?**

**9. 1960s – What features of the Heinz Baked Beans tin have made this a strong brand? What type of Intellectual Property**

**IP FACT: Cadbury have successfully registered a dark shade of purple as a trade mark in the UK, but only for use on chocolate bars or similar confectionary. Write down another brand and the colour you associate with it. Visit [www.ipo.gov.uk](http://www.ipo.gov.uk) to see if this is a registered trade mark.**

**10. 1970s – Pick two similar soap powder packs and list the visual elements that are the same and those that differ. If you owned one of these brands, why would you want the power to stop other people copying your packaging?**

**11. Branding – pick a product from these brand timelines with a distinctive shape. Sketch the outline and see if you can guess one another's chosen brand just by the silhouette. Name two other brands with a distinctive outline.**

**12. Intellectual Property case – Pick a product that is displayed next to a similar looking Own Brand. (Own Brands are products with the trade mark or label of the shop that sells them). How does the Own Brand pack mirror the original? If you were a supermarket owner, why would you want your pack to look similar to the manufacturers brand packaging?**

**Note:** Many of the brand names contained within this worksheet are registered trade marks. Registered trade marks have ® Unregistered trade marks might have TM (which has no legal significance) For more information on trade marks please visit [www.ipo.gov.uk](http://www.ipo.gov.uk)

We would love to see work inspired by your visit. Please photograph and share it on our twitter or instagram @museumofbrands #museumofbrands, or send it to [abbie@museumofbrands.com](mailto:abbie@museumofbrands.com)