

# Intellectual Property in Startups

When creating and developing innovative products, robust IP protection is key. But what strategy is best for your startup? Sparring & The Wired Wig break it down for you below.

## Copyright

"Protects the authorial work resulting from the creative intellectual activity of natural persons"

**What** - *personal* rights (expire upon death) vs *property* rights (disposable by license or contract)

**When** - not registered; arises when work can objectively be perceived by the senses

**How** - license agreements & IP clauses

- exclusive or non-exclusive
- for consideration or free
- limited or unlimited

© Computer programs

© Website content

© Databases

© Graphics

© Photographs

© Music

© Art & literature

## Trademarks

### What

- **Distinguishable & differentiating** words, names, drawings, letters, numbers, colours, sounds, etc.
- Protects and helps avoid conflict between a brand and an existing trademark

® symbol = registered trademark

™ symbol = used to declare the rights to the brand.

### Trademark Registration

- Filing date determines priority over trademark & use
- At IP office of selected territory (territorial principle)
- Takes 5-7 months - valid for 10 years
- Price varies per country

Verify existing/identical trademarks in the European Trademark Register or TMview tool

## Design



Protects **product's appearance** (from microchips to toothbrushes)



Conditions for design registration: global novelty & distinctive character of design



Registered for selective territory at IP property offices



Uncommon for startups

## Patents



Protects innovations and inventions by excluding competitors from the market



Patent owner consents to use by others through license agreement



Most relevant to startups building hardware products or in health and biotech sector



Registration for selected territory. Must prove worldwide novelty. Quite costly.

