

Design Services



A design

Under Design Act, 2000, A design must be some shape, configuration, pattern or ornamentation or composition of lines or colors applied to such article in any form by any industrial process or means but does not include any mode or principle of construction or any thing which is in Trade or Property mark or artistic work.

Guide & Procedure for Registration of Intellectual property rights



Advantages of a design registration

- Designs should not be seen as an alternative to patents but as a complementary protection.
- Design registration is cheaper to obtain than patent protection and the application procedure is far shorter.
- If the expected life-time of a product is short, and the product will be simple to produce, the design registration may be more useful than patents. Action can be taken against an infringer and, unlike with copyright, actual copying of the protected design is not required to be proved.



Different types of work covered under copyright

- Dramatic and musical work (i.e. Drama, Skit, Play, Movie etc.)
- Artistic work (i.e. Logo, monogram, design etc.)
- Software / Computer Programmed
- Work of Architecture
- Cinematograph Film Sound Recording (i.e. A Cassette or a Record) Web site, Web Contents, Home Page.



Secure your
BRANDS
with us



Copyright

“Copyright” is a form of intellectual property protection granted to the creators of original works of authorship such as literary works (including computer programmers, tables and compilations), dramatic, musical and artistic works, cinematographic films and sound recordings.



Trade Mark | Copyright | Design

Initiate Prosper Retain

Benefits of Copyright Registration

Copyright registration of the work is highly recommended; as registration is helpful in an infringement suit. As per the Copyright Act, the Register of copyrights (where the details of the work are entered on registration) is prima facie evidence in all courts.



Trade Mark | Copyright | Design

TRADEMARK & ITS BENEFITS

“**Trademark**” means a mark capable of being represented graphically and which is capable of distinguishing the goods or services of one person from those of others and may include a word, phrase, symbol or design, or combination of words, phrases, symbols or designs.



Trademark application can be made for the following

- Any word, title, symbol, heading, label, name, signature, numeral or any combination thereof.
- Any Slogan, Base or Punch Line, etc. which are used to highlight the products and services.

Advantages/Benefits of Trademark Registration

Trademarks benefit both businesses and consumers. Trademarks allow businesses to build an identity and reputation with customers, and thereby grow or expand their business. They allow consumers to take an informed buying decision by searching out familiar brand names and avoid bad buying experiences by avoiding the brands they didn't like.

1. Confers upon the owner the exclusive right to use the brand.
2. Protects hard earned goodwill in the business.
3. Protects your Name / Brand Name from being used in a same or similar fashion, by any other business firm, thus discourages others from cashing on your long built goodwill.
4. Gives your products a status of 'Branded Goods'.
5. To obtain legal relief in respect of infringement (misuse by others) of the trade mark.
6. Power to assign (transfer) the trade mark to others for consideration.



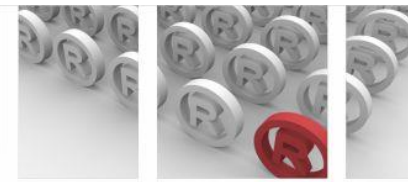
Functions of a Trademark/ Brand Name

- It identifies the goods and services and its origin or owner
- It advertises the goods and services
- It creates an image for the goods and services
- It stimulates further purchase
- It serves as a badge of loyalty and affiliation
- It may enable a consumer to make a life style or fashion statement.

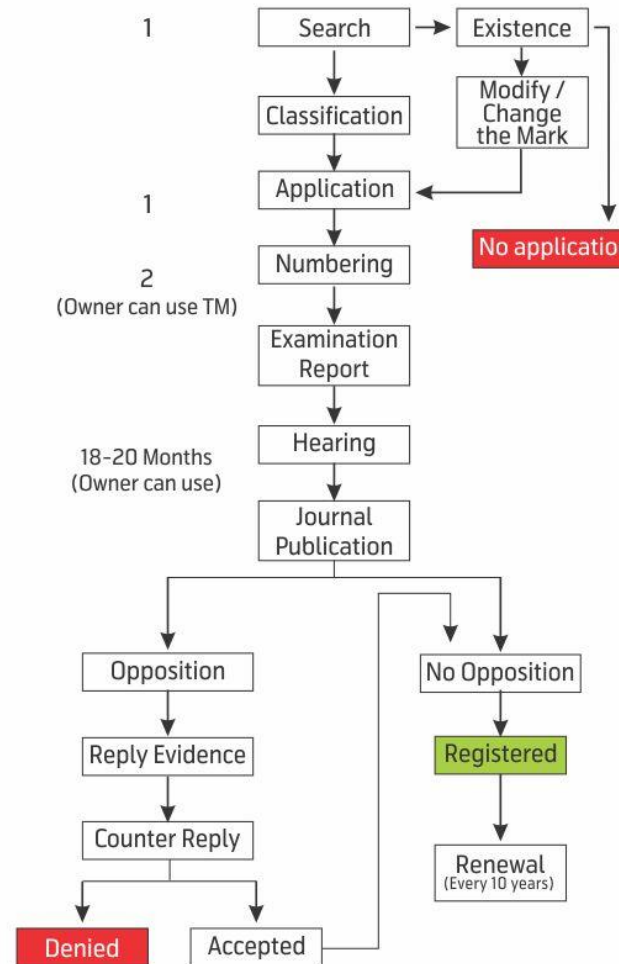
Term/Duration of a Trademark in India

The term of registration of trademark is 10 (Ten) years, but may be renewed subject to the payment of the prescribed fee, in accordance with the provisions of the Trademarks Act, 1999. An application for renewal of a trademark can be filed within six months from the expiry of the last registration of trademark.

Flow Chart of Registration



Time Frame
(In working days)



Use of Symbols TM/SM/R

Use of the 'TM', 'SM' and ® symbols

'TM' Symbol: Generally, one who has filed an application (pending registration) can use the TM (Trademark) symbol with the mark to inform the public of his exclusive claim over the Brand. The claim may or may not be valid.

'SM' Symbol: An SM symbol indicates Service Mark, which is the same as a Trademark except that it identifies and distinguishes the source of a service rather than a product.

'R' Symbol: The registration symbol ® may only be used when the mark is registered and the Certificate of Registration is issued by the Trademark Registrar.

Out of all above symbols TM symbol is one of the most popular and widely used symbol to indicate the application or registration of Trademark.

