

MAGGILEGAL Law firm

By Michela Maggi, attorney at law in Milan – PhD in Intellectual Property and Competition law, experienced professional with expertise in data protection

IP Protection for ICT innovation

IP Challenge in ICT

- Provide incentive to create new technologies
 - Stimulate knowledge dissemination
 - Interoperability
 - Open innovation model
-

MAGGILEGAL Law firm

ICT

- I. Copyright
 - II. Patent
 - III. Trade secret
 - IV. Industrial design
 - V. Trademark
-

COPYRIGHT

- ICT service industries mainly protects innovation with copyright
 - Software program
 - Databases
 - Multimedia products
-

MAGGILEGAL Law firm

PATENTS

Patents are exclusive rights that arise from an invention, such as a product or a process that provides a new and inventive way of doing something, or offers a new and inventive technical solution to a problem.

In the ICT area patents may protect, for example, microprocessors (Intel or AMD), telephones (e.g. Bell) and CDs (e.g. Russell), **EPO**



MAGGILEGAL Law firm

MODELS AND DESIGNS

What can be protected as a model and design:

- **The entire product or design creation:** the definition of a «product» for which a design is registrable includes products' shapes, graphic symbols and typographical typefaces.
- **Components thereof:** Parts intended to be assembled into a complex product. They must be visible from the outside.
- **Packagings:** the shapes, get-up and labelling of the packaging of products.

ICT-related models and designs which could be involved in a design thinking process may be stylized works, devices and logos, computer icons, websites' or apps' layouts.

TRADE SECRET

- (i) not known or readily accessible to experts in the area;
 - (ii) must have an economic value which is its secrecy;
 - (iii) must be involved in measures adequate to keep it secret
 - Technical measures
 - Contractual measures
-

TRADEMARKS

Trademarks protect the aesthetic part of an asset; they allow the distinction between goods or services of one company and goods or services of another company.

The trademark owner has the exclusive right to use his/her/its trademark by selling products or services displaying that trademark or by selling or licensing the trademark itself to third parties.

The trademark right could be acquired by registering the trademark at the offices in charge or , in particular cases , by using the trademark for such a long period that the average consumer could acknowledge it as coming from the subject who has been using it.

**THANK YOU FOR YOUR
ATTENTION!**

Maggilegal Law firm

Piazza Del Liberty n.8 – Milano, Italy

Via Bezzacca n.20 – Lecco, Italy

mmaggi@maggilegal.it

Copyright 2016 (REV 2018) Michela Maggi – It is forbidden to reproduce, in whole or in part, or to use in any other way, without express authorization of the lawyer Maggi, this presentation