

MODULE 4

# Training Package 4.2

## Intellectual Property Protection

	<b>Lesson's description</b>	The lesson focuses on ways to protect your intellectual property while making your art heard
	<b>Goal</b>	Familiarise yourself with the intellectual property and copyrights
	<b>Learning outcomes</b>	Knowledge: <ul style="list-style-type: none"> <li>• Follow guidelines regarding online marketing and intellectual property</li> </ul> Skills: <ul style="list-style-type: none"> <li>• Use the information provided to protect your intellectual property</li> <li>•</li> </ul> Attitudes: <ul style="list-style-type: none"> <li>• Feel confident in setting up and operating an online business</li> </ul>

### 1. Intellectual Property

Intellectual Property (IP) refers to creations of the mind, such as inventions, literary and artistic works, designs, symbols, names and images used in commerce (WIPO, 2016) IP is protected in law by, for example, patents, copyright and trademarks that enable people to earn recognition or financial benefit from what they invent or create. In general, the IP system wants to foster an environment where creativity and innovation can flourish

Types of Intellectual Property (World Intellectual Property Organisation, 2022):

- Copyright is a legal term used to describe creators' rights over their literary and artistic works. Copyright work includes books, music, paintings, sculpture and films, computer programs, databases, advertisements, maps and technical drawings.
- A patent is an exclusive right granted for an invention. Generally speaking, a patent provides the patent owner with the right to decide how - or whether -



others can use the invention. In exchange for this right, the patent owner makes technical information about the invention publicly available in the published patent document.

- A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks date back to ancient times when artisans used to put their signature or “mark” on their products.
- An industrial design constitutes the ornamental or aesthetic aspect of an article. A design may consist of three-dimensional features, such as an article’s shape or surface, or two-dimensional features, such as patterns, lines or colour.
- Geographical indications and appellations of origin are signs used on goods with a specific geographical origin and possess qualities, a reputation or characteristics that are essentially attributable to that place of origin. Most commonly, a geographical indication includes the name of the place of origin of the goods.
- Trade secrets are IP rights on confidential information which may be sold or licensed. The unauthorised acquisition, use or disclosure of such secret information contrary to honest commercial practices by others is regarded as an unfair practice and a violation of the trade secret protection.

## 2. Copyright and licenses

Although there are all of great importance, there will be some extra focus on the copyright and licenses as this project might be more related to artist-focused. When interacting with online content by reading, viewing, posting, re-posting, and creating own content. Essentially, this process makes us consumers, creators, and content distributors. Whenever you open an image on social media, watch a video, listen to a song or a podcast or play a game, you consume creative content. With digital content creation, if you publish a picture, a written text, or a song, you are becoming creator of content in the online world.

### **What is copyright?**

Copyright is the law that allows the creators of any content to control the use of their work by others. This means copyrighted work cannot be duplicated, disseminated, or appropriated by others without the creator’s permission (European Commission, 2020). The protected content of the creator is regarded as intellectual property. You can easily recognise copyrighted material with the C logo and circle around it. Intellectual property or the content can be purchased directly from the author or through a designed store and used regarding the rules set. If you cannot buy the content, or your plan may be to use it for a non-profit cause, you can obtain permission from the author. Permission can be obtained by asking the creator of the work if part or the whole content of the work can be used in a specific manner.



## What is a copyright license?

If it's not possible to ask for permission or use protected content, an alternative solution is to use content assigned creative commons license. This content won't cost money, but there are rules applying to its use. Based on the World Intellectual Property Organization, creative common content, in most cases, requires certain attribution or giving credit to the author. This content is restricted to non-profit use, and you're not allowed to change the content. To recognise this content, you can search for the logo CC with a circle around it (WIPO, 2016). This is important to remember when creating your own content. You should always ensure that you are creating content that is properly accredited.

## 3. Copyright, Creative Commons and Public Domain

When using copyrighted content under the fair use license or content with creative commons licenses, it's morally fair and legally required to give credit to the original author of the creative work (European Commission, 2021). This is usually done by explaining the original author of the work and making it available for others to find the original work and author (EIT - EUIPO, 2021). For example, if you used an image or text on your website, you should give the full name of the author and the link to the author's website.

This is important to remember when you are creating your own digital content if you plan to use images, text or otherwise to promote your work online (European Commission, 2021). Failing to respect and follow the copyright rules of the digital world may lead to copyright infringement and legal action (Artwork Archive, 2020). This means that the author may request the content to be taken down from the website or the websites automatically recognise the copyrighted content and remove it from view (Artwork Archive, 2020).

According to the Artwork Archive and the guideline through the European Commission, the responsible and respectful use of online content requires first checking who is the author of the content before using it. After the author is identified, ask for permission to use it, and give credit to the author. If necessary, buy it and use it responsibly. When creating digital content to post online, it is important to respect copyright and license laws to ensure that you promote your brand safely, responsibly, and ethically.

## 4. Safety

Online safety is important to remember and be respectful of others online. When creating online content, it is vital to think about the 3 Cs of e-safety. When online content is shared, it is essential to think about **content** (post), **contact** (who is going to see it) and **conduct** (how is this affecting others). When sharing and distributing digital content, it must be done so properly, responsibly, and safely.



By sharing content online, it must be considered:

1. What information is shared with the online world?
2. Is there a need for permission to post content if you do not create it?
3. Have you openly given any personal data of you or others?

To protect yourself online, you should:

- Avoid sharing misinformation online
- Have a strong password on your social media / digital media platforms
- Use a firewall
- Be wary of suspicious activity, posts, account profiles and websites.

Understanding the risks we all face online allows you to navigate secure and risk-free online environments!