

Intellectual Property
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Lecture - 01
An Introduction to Intellectual Property

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What is intellectual property (IP)?

- IP may include original ideas; research results; critical business information
- IP emanates from human creative labour
- IP is different from 'real property'
- Real property is tangible, has defined boundaries



What is an intellectual property? Intellectual property relates to original ideas results that emanate from research, and generally it covers some kind of critical business information. Intellectual property refers to that set of properties that emanates from human creative labour.

Now when we mention intellectual property we are specifically trying to define intellectual property as that is distinct from real property. For example, land or a laptop or a pen: these are instances of property that exist in the real world. You can touch and feel them, they are tangible, you can feel them, there are borders to it, there is no possible dispute with regard to where the contours of these properties are. A land is defined by its boundaries, a pen is an object that exists in time and space. So, we do not have problems in ascertaining the boundaries of this property; whereas, when we come to intellectual property we do have certain issues as to understanding the outer limits or the boundaries or the private space of intellectual property.

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What is intellectual property (IP)?

- There are different kinds of IPR, for e.g., inventions are protected by **patents**
- Literary works are protected by **copyright**
- IP is different from IPR



Now, intellectual property specifically refers to things that emanate from human creative labour. Intellectual property manifests itself in various forms. For instance, if you look at invention, and invention is an intellectual property which can be protected by a patent, which is an intellectual property right. A literary work a book or the work that is written or expressed in words could be an intellectual property which can be protected by an intellectual property rights that is copyright.

So, there is a distant distinction between intellectual property or the rights of property that manifest in certain creations made by human beings, and the right that protects these manifestations. Now for us to understand the concept of intellectual property better we need to understand what these word stand for. Now intellectual property and intellectual property rights that is IP and IPR are in most places used interchangeably and there is nothing wrong with that, because many a times when we talk about intellectual property we also want to cover or encompass the corresponding rights.

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Meaning of 'right' in IPR

- What is a 'right':

“A **legal entitlement** which is **recognized** and can be **protected** and the **violation** of which is deemed as '**unlawful**' and leaves the right-holder with a **remedy**.”



But for the purpose of this lecture, we will try to explain the independent ingredients that constitute intellectual property rights. Now let us start with the right part of it.