

Brief Introduction to Trademark Protection

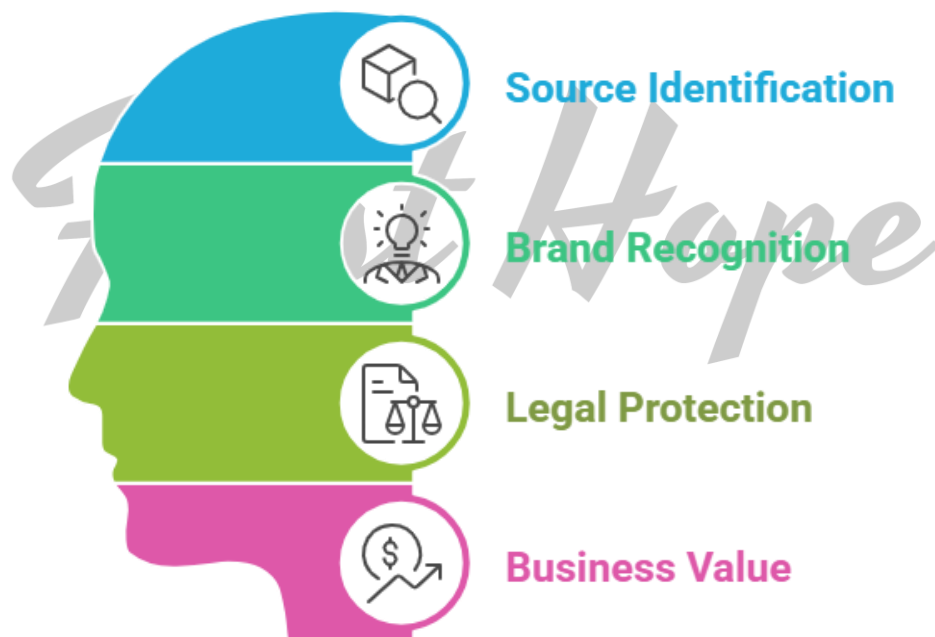
Basic Idea

- A **trademark** is a type of intellectual property that protects symbols, names, words, logos, designs, or combinations used by a business to identify its goods or services.
- It helps consumers distinguish one company's products from another.

What Can Be a Trademark

- Brand name (e.g., name of a medicine)
- Logo or symbol
- Tagline or slogan
- Shape of packaging
- Color combinations (in some cases)

Purpose of Trademark Protection



1. Identification of Source

- Help customers know who made the product.
- Avoids confusion between similar products.

2. Brand Recognition

- Builds trust and reputation.
- Customers associate quality with the trademark.

3. Legal Protection

- Owner gets exclusive rights to use the mark.
- Can take legal action against misuse or copying.

4. Business Value

- Trademarks are valuable assets.
- Can be sold, licensed, or franchised.

Duration of Trademark

- Initially registered for **10 years**
- Can be renewed indefinitely every 10 years

Trademark in Pharmaceutical Field

- **Very important because:**
 - Many drugs may look similar
 - Brand names help avoid confusion
- **Example:**
 - Two medicines with different names prevent dispensing errors.

Process of Trademark Registration (Simple)

1. Search for existing trademarks
2. File application
3. Examination by authority
4. Publication
5. Registration

Functions of a Trademark

1. Identification of Source

- Helps consumers know who made the product

2. Quality Assurance

- Customers associate trademarks with a certain level of quality

3. Advertising Tool

- Builds brand value and reputation

WHO and Patents (Role of WHO in Relation to Patents)

Basic Idea

- The **World Health Organization (WHO)** is a global health agency.
- It does not grant patents, but it plays an important role in how patents affect public health, especially access to medicines.

Why WHO is Concerned with Patents

- Patents can make medicines expensive
- This affects access in developing countries

Key Roles of WHO



1. Promoting Access to Medicines

- Encourages availability of affordable drugs
- Works with countries to balance:
 - Patent rights
 - Public health needs

2. Supporting TRIPS Flexibilities

- **WHO supports use of:**
 - Compulsory licensing
 - Parallel importing
- **These allow countries to:**
 - Produce or import cheaper medicines during emergencies

3. Essential Medicines List (EML)

- WHO publishes a list of essential drugs
- Encourages countries to ensure these are available and affordable

4. Prequalification Program

- Ensures quality of medicines
- Helps countries procure safe and effective drugs

5. Policy Guidance

➤ **Advises governments on:**

- Patent laws
- Drug pricing
- Public health strategies

Example

- **During health crises (like epidemics):**

- WHO supports production of generic versions of patented drugs

Important Clarification

- WHO does not grant patents
- It influences how patent systems are used for public health benefit

IPR (Intellectual Property Rights) and Its Types

Basic Idea

- **Intellectual Property Rights (IPR)** are legal rights given to people for their **creations of the mind**.
- These include inventions, designs, artistic works, and brand names.

Purpose of IPR

- Protect creativity and innovation
- Encourage research and development
- Provide economic benefits to creators

Types of IPR





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