Brief Introduction to Trademark Protection

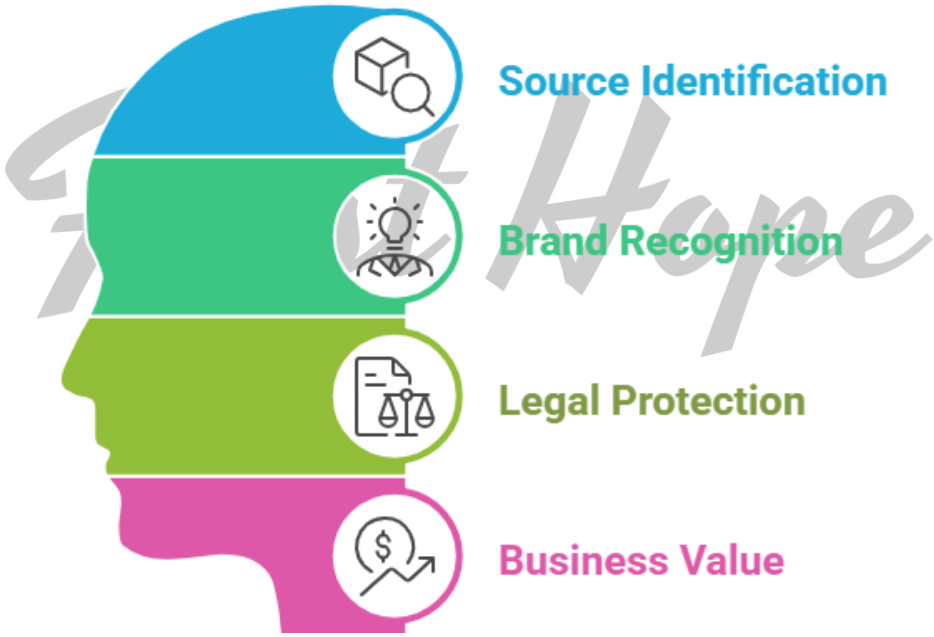
Basic Idea

- 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.

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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

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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

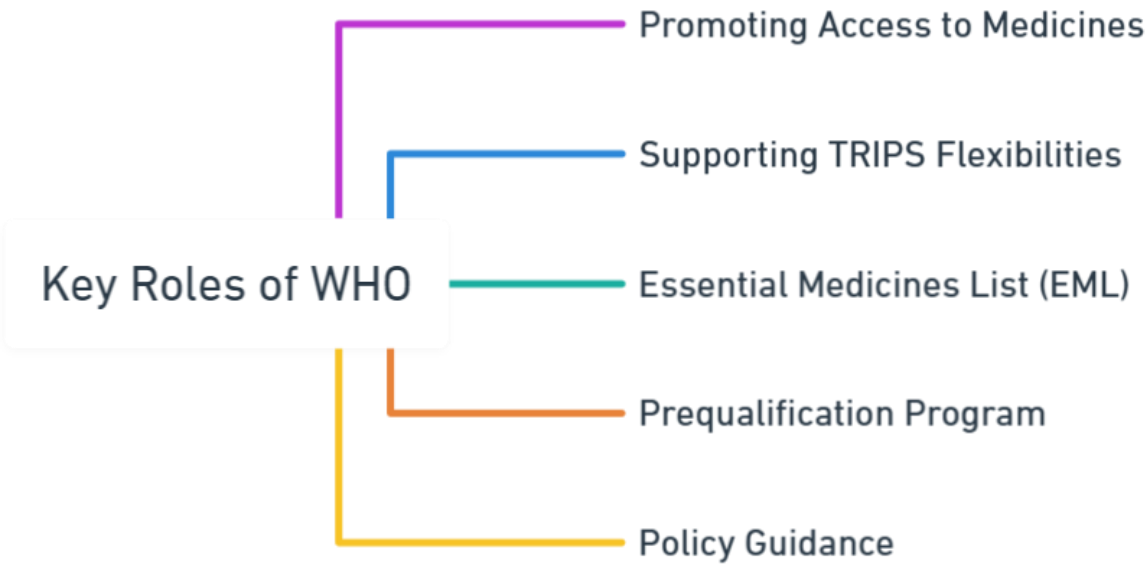
- The **World Health Organization (WHO)** is a global health agency.
- It does not grant patents, but it plays an important role in how patents affect public health, especially access to medicines.

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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

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- **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

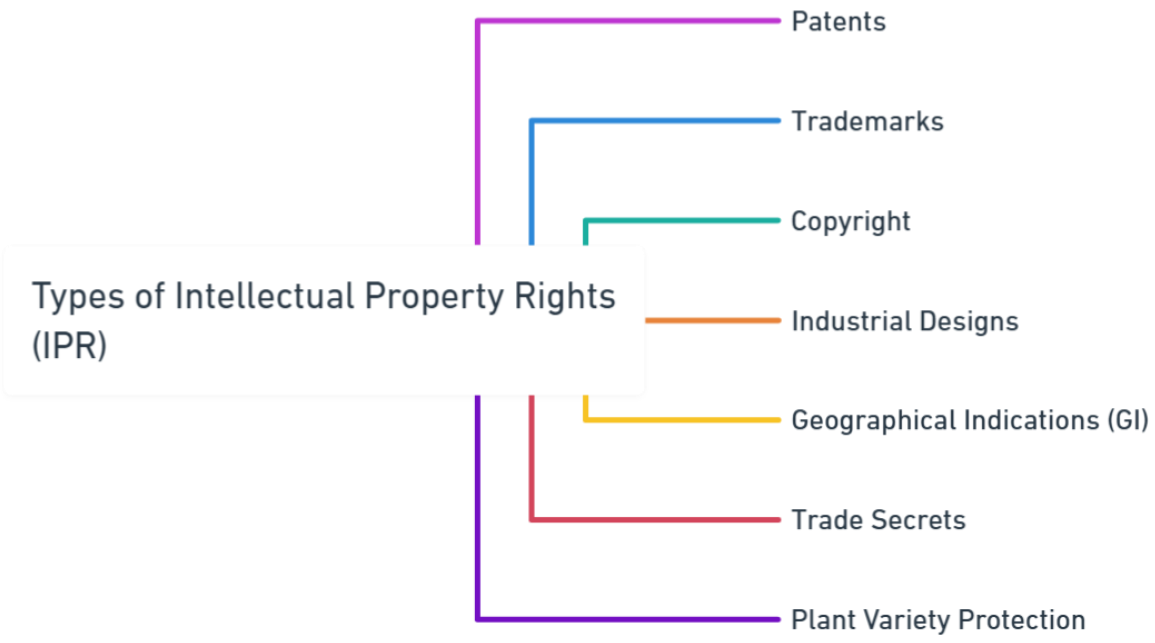
- **Intellectual Property Rights (IPR)** are legal rights given to people for their **creations of the mind**.
- These include inventions, designs, artistic works, and brand names.

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Purpose of IPR

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

Types of IPR



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