

Protection copying
well-known
trademarks. piracy of
intellectual



Protection of trademarks enables consumers to obtain their products of the right quality which they are accustomed to get identifying the product by the mark. If trademarks cannot be protected from infringement the market will be flooded with shoddy and spurious goods by unscrupulous Persons by copying well-known trademarks. Piracy of intellectual property has become international in character. This is particularly important in the case of copyright. The international character of intellectual property is recognized in the various international conventions for the protection of such property. As technology in all fields of human activities is developing exponentially the field of intellectual property is also expanding correspondingly.

Protection of plant varieties, prevention of various forms of unfair competition or misappropriation of goodwill, reputation or trade values, unfair business practices, slavish copying of the details of products, dilution of reputed trademarks and their commercial value by using them by competitors in the field of activity different from the owner's are becoming more and more difficult. So intellectual property law is one of the fastest growing branches of law all over the world. Now the internet website and cyber space facilities have produced many problems relating to protection of intellectual property. England is the birth place of all the rights of intellectual property. These rights came into existence by statutes and common law. The same trend has been spread throughout the world, including India. There are statutes enacted on copyrights, rights of performance, patents, designs and trademarks. The law of confidence, passing off, trade libel etc.

are covered under the common law and also in other statutes. There are many similarities in between these forms of properties, and at the same

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time, there are also differences. Some rights give monopoly to the creator, and some merely prevent the unfair use by others. The period of right vested in such properties also varies from one form to another. Some require registration, and some do not. Majority of the intellectual properties are 'chose in action'. 'Chose in action' means thing in action.

It means the rights of the owner of any intellectual property can be enforced only by legal action. It is a known legal expression used to describe all personal rights which only be enforced by action, and not by taking physical possession. It is a substantive law, which creates the rights and duties. It embraces property law, contract law, tort, criminal law, commercial law, corporation laws, global laws and also procedural laws such as evidence, criminal procedure, civil procedure, limitation, prescription etc.