

Handout 1

Get Ready to Raise Your IP IQ!

Name: _____

Instructions

People who work in the area of intellectual property use lots of interesting vocabulary words. Wrap your mind around some of that vocabulary so that you can be ready for the next class. Use the vocabulary words below to fill in the blanks in these definitions.

Vocabulary words

©	®
Copyright	Counterfeit
Cybersquatting	Derivative work
Design patent	Domain name
Fair use	Federal law
Goodwill	Intellectual property
Patent	Patent pending
Piracy	Plagiarism
Service mark	Trade name
Trade secret (undisclosed information)	Trademark

Definitions

1. A _____ is a form of intellectual property that protects the **expression of ideas**. To be protected, the expression of the idea needs to be **original** and be expressed in a form that **allows another person to perceive the expression** either alone or with the help of a machine. Books, movies, newspaper articles, music, web pages, and paintings are all examples of items that may be protected.
2. The term _____ refers to a **new work that is based on a pre-existing work** to which enough original creative work has been added so that the new work represents an **original work of authorship**. It must be different enough from the original to be considered a new work. Sequels, translations, and musical arrangements are examples.

3. When someone registers a domain name in **bad faith** because they want to **sell that domain name to its true owner**, that individual is “_____.” These people register domain names containing famous trademarks (like Coca-Cola or Pepsi) and then try to sell the domain names to the rightful owners of the mark (such as The Coca-Cola Company or PepsiCo) for a profit.
4. A _____ is an **imitation** or **fake product** that is normally made to look like a real product. Counterfeits are made without the authority of the true owner of the intellectual property rights in the products. Common counterfeit products include clothing, watches, DVDs, foods, and pharmaceuticals, but virtually any type of product can be counterfeited.
5. _____ is a concept under copyright law that **allows** someone to use a copyrighted work, or part of work, **without permission from the owner of the work**. News reporting, research, and teaching are normally considered fair uses.
6. _____ is a **symbol** used in the United States to **give notice that a work is protected by copyright**. This symbol is normally followed by the name of the owner of the copyright and the year of publication. You do not need to own a copyright registration to use this symbol. Anyone who is the owner of the copyrights in an original copyrightable work can use it.
7. A _____ is a word, name, symbol, sound, color(s), or device that identifies the **goods** of one manufacturer or source and **distinguishes them from the goods of someone else**. Famous trademarks include Coca-Cola and Pepsi for soda products. _____ can be registered and renewed indefinitely provided they are used in commerce.
8. A _____ is a word, name, symbol, sound, color(s), or device that identifies the **services** of one service provider and **distinguishes them from the services of someone else**. Famous _____ include Google and Yahoo! for computer services. These marks can be registered and renewed indefinitely provided they are used in commerce.
9. Otherwise known as a "**commercial name**", a _____ is a name used to identify a person's or entity's business or occupation. They are mostly used for **identification purposes** for things like taxes, licenses, and contracts. They symbolize the reputation of a **business as a whole**, unlike trademarks and service marks which symbolize the reputation of the source for the quality of goods and services.
10. A _____ otherwise known as an **internet website address**, is a series of alphanumeric strings separated by periods, such as washingtonpost.com, that identifies one or more addresses for computer network connections on the Internet.

11. _____ refers to the **reputation, prestige and renown** of a business and is considered a key ingredient in the success of a business. It is **not tangible** like a business' building or fleet of trucks, but is often just as valuable, or more valuable, than such tangible assets.
12. _____ is a **symbol** used in the United States and in other parts of the world to **give notice that a mark is a registered trademark**. In the United States, this symbol indicates that an individual/company has registered the trademark or service mark with the United States Patent and Trademark Office. If you do not own an active trademark or service mark registration, you cannot use this symbol in connection with your mark.
13. A _____ gives the person who owns it the **right to stop other people from making, using, or selling the invention** (like a new drug). They are obtained by filing a patent application in the U.S. Patent Office, which examines the application. The U.S. Patent Office grants one of these if the invention is **new, useful, and non-obvious**. If it is granted, it is **valid for up to 20 years from the day the patent application was filed**.
14. A _____ _____ gives the person who owns it the **right to stop other people from making, using, or selling articles that copy the appearance of an article** that is shown in the design patent (like the decorations on a sneaker, or the shape of an iPod® brand digital music player). These patents are obtained by filing an application in the U.S. Patent Office, which examines the application. The U.S. Patent Office will grant the patent if the design is **new, original, and ornamental**. If it is granted, it is **valid for 14 years after the day the patent is granted**.
15. _____ _____ is a **warning** applied to articles to let everyone know that **an application for a patent or design patent to protect some aspect of the article has been filed in the U.S. Patent Office, but the application has not yet been approved**. Anyone who copies the article should be careful because a patent could cover the article, and any person who copies the article **might infringe the patent** if one is issued.
16. A _____ _____ is a formula, process, device, or other **business information that has commercial value** and is kept **confidential** to maintain an **advantage over competitors**. The formula for *Coca-Cola*® is one example of a famous _____ _____.
17. _____ refers to **copying** of another person's idea or work **and claiming it as your own**.
18. _____ is the act of **producing copies** of items designed to **mimic legitimate products** for distribution **without permission** from the owner of the intellectual property rights in the authentic products.
19. _____ _____ is the **body of law** created by the Congress of the United States to apply nationally to all matters of interstate commerce and the rights of the people

under the Constitution of the United States. This body of law preempts all other laws that are in conflict.

20. _____ _____ refers to **creations of the mind**: inventions, literary and artistic works, confidential information, and symbols, names, images, and designs used in commerce. _____ _____ includes patents, trademarks, trade secrets, and copyrights.