



IP Glossary

Term	Definition
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A

AIPLA	Abbreviation for American Intellectual Property Law Association , a US-based membership organisation for Intellectual Property practitioners and advisers.
Applicant	The person named as owner in an application to <i>file an intellectual property right (IPR)</i> .
Application	A written submission made to a <i>Registry</i> claiming ownership of an <i>IPR</i> .
Assignment	A legal transfer of IP (or other) rights from one owner to another.

C

CDP Act	Abbreviation for the Copyright, Designs & Patents Act 1988 , the current UK <i>copyright</i> law governing the rights of creators of written, musical and artistic works.
CDR	Abbreviation for the Community Design Regulation , a unified system for registered <i>design rights</i> throughout the European Union.
CIPA	Abbreviation for the Chartered Institute of Patent Attorneys , the professional and examining body for <i>patent attorneys</i> in the UK.
CITMA	Abbreviation for the Chartered Institute of Trade Mark Attorneys , the professional and examining body for <i>trade mark attorneys</i> in the UK.
CJEU	Abbreviation for the Court of Justice of the European Union , a Luxembourg-based court which enforces EU law (including intellectual property law) in disputes between Member states and individuals.
Claims	The part of a formal patent document that defines in technical language the precise scope of the invention so as to make clear what the <i>patent</i> is and is not intended to cover.
Copyright	The exclusive legal rights of the creator of written, musical and artistic works, sometimes signaled by use of the symbol - ©
CRD/RCD	Abbreviation for Community Registered Design (also known as Registered Community Design), a single registered <i>design right</i> which can be applied for via <i>EUIPO</i> and is effective throughout the European Union.
CTM	Abbreviation for Community Trade Mark (CTM) , the previous name for the <i>European Union Trade Mark (EUTM)</i> .

D

Description	Also known as the <i>specification</i> - that part of a formal patent document that provides a detailed disclosure of the claimed invention.
Designation	The formal selection, made during <i>prosecution</i> , of the countries in which the holder of an <i>IPR</i> wants his IP Rights to be protected.
Design Right	A legal right owned by the inventor or creator of a new and distinctive configuration, pattern or shape in the external appearance of an object or graphic. The owner has the right to sue others for <i>infringement</i> of his Design Right. A Design Right may be either unregistered or <i>registered</i> .
Distinctiveness	In order to be registrable, a <i>trade mark</i> must satisfy the test of distinctiveness. Broadly this means that it must be different from other marks, be more than merely descriptive of the relevant goods or services and identify the source or provider of those goods or services.
Divisional Application	A <i>patent application</i> that is divided or separated out from a previously filed "parent" application, usually in circumstances where the earlier application described more than one invention. The divisional application will usually take the same <i>filing date</i> and <i>priority</i> as its parent.
DPMA	Deutsches Patent- und Markenamt. Abbreviation for the German Patent and Trade Mark Office the Registry responsible for the <i>grant</i> of <i>IPR</i> in Germany.
Drawings	That part of a patent document which illustrates the invention, or certain features of the invention, in graphical form.

E

EP	Abbreviation for European Patent , a <i>patent</i> granted by the <i>European Patent Office (EPO)</i> which once granted becomes a bundle of individual national rights in the countries <i>designated</i> by the <i>patentee</i> .
EPC	Abbreviation for the European Patent Convention , a system for filing <i>European Patents (EPs)</i> at the <i>European Patent Office (EPO)</i> which, once granted centrally can be made effective nationally in any of the 40 participating European nations. (Note that the participating nations extend beyond the EU member States).
EPO	Abbreviation for the European Patent Office , the <i>Registry</i> responsible for the <i>examination</i> and <i>grant</i> of <i>European Patents</i> .
EUIPO	Abbreviation for European Union Intellectual Property Office , the <i>Registry</i> responsible for the <i>grant</i> of <i>European Union Trade Marks</i> (formerly <i>Community Trade Marks</i>) and of <i>Community Registered Designs</i> throughout the EU.
EUTM	Abbreviation for European Union Trade Mark , a single registered <i>trade mark</i> which can be applied for via <i>EUIPO</i> and is effective throughout the European Union.
Examination	The phase of <i>prosecution</i> of an <i>IPR application</i> in which the <i>Registry</i> satisfies itself that the application meets all the requirements for the IP Right in question. This may include detailed investigation and correspondence with the applicant or his advisers. For example in patent cases examination may involve discussion of <i>novelty</i> and <i>inventive step</i> and in trade mark cases examination may involve the consideration of <i>distinctiveness</i> .

F

Filing	The act of lodging an application for an <i>IPR</i> with a <i>Registry</i> .
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G

Grant	The issue or approval of an <i>IPR</i> by a <i>Registry</i> .
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I

Infringement	The unlawful violation or breach of <i>IPRs</i> belonging to another.
INTA	Abbreviation for the International Trademark Association , a US-based membership organisation for trademark owners and advisers.
Invalidity	One of the grounds on which a <i>patent</i> may be challenged after <i>grant</i> . A claim for invalidity is based on the premise that the patent should never have been granted by the <i>Registry</i> in the first place, for example because it lacked <i>novelty</i> at the time.
Inventive Step	In most international patent systems, in order for a <i>patent</i> to be <i>granted</i> the <i>applicant</i> has to demonstrate inventive step or non-obviousness . This means that the <i>Registry</i> must be satisfied that the invention is more than just an obvious extension or iteration of what already exists.
IPC	Abbreviation for International Patent Classification , a system used in more than 100 countries to classify patents according to the main technical or scientific field to which they relate.
IPEC	Abbreviation for the Intellectual Property Enterprise Court (previously the Patents County Court or PCC), a specialist UK court providing a cost effective alternative to High Court action in certain types of IP disputes.
IPR	Abbreviation for Intellectual Property Right , an exclusive right of an inventor or creator to stop others from copying or exploiting their invention or creation. Examples of IPRs include patents, design rights, trade marks and copyright.
IP Analytics	Also known as IP Landscaping , the use of specialist search software to interrogate extensive international IP databases and identify technology, market and competitor trends.
IP Auditing	A formal review of the nature, extent and quality of <i>IPRs</i> owned by a business and of the procedures for capturing, protecting and exploiting IPRs within the organisation. Audits may be used for asset and risk management purposes or to support monetary valuation of IPR portfolios.

J

JPO	Abbreviation for Japan Patent Office , the <i>Registry</i> responsible for the administration and grant of <i>IPRs</i> in Japan.
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L

Lapse	An <i>IPR</i> is said to lapse if the <i>renewal</i> or <i>maintenance fees</i> are not paid by the owner. Once lapsed an IPR cannot be enforced against third parties.
License	Also known as License Agreement , a formal agreement permitting someone to use the Intellectual Property rights belonging to another, usually in exchange for a fee or royalty payment.

M

Madrid Agreement/ Protocol	An international agreement and procedure allowing for the protection of a trade mark in a large number of countries by obtaining a single international registration which can be made effective across those States that are signatories to the Agreement.
Maintenance Fees	An alternative term used in certain countries for <i>renewal fees</i> (payable after <i>grant</i> of an <i>IPR</i>) and used in the <i>EPO</i> system to denote fees due annually prior to the grant of the patent.

N

Novelty	A <i>patent</i> can only be granted by a <i>Registry</i> for an invention which is novel. An invention lacks novelty if it was known to the public before the <i>priority date</i> of the patent application.
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O

OD	Abbreviation for Opposition Division , the division or panel of the <i>European Patent Office (EPO)</i> which deals with <i>Oppositions</i> .
OHIM	Abbreviation for the Office for Harmonisation in the Internal Market , the former name for the European Union Intellectual Property Office (EUIPO) .
Opposition	A formal process enabling the rights of an <i>applicant</i> to be challenged by a third party before a <i>Registry</i> . Examples include the <i>UKIPO</i> Trade Mark oppositions procedure (allowing challenges to <i>UK trade marks</i> within 2 months of publication) and the <i>EPO</i> Oppositions procedure (allowing challenges to <i>European Patents</i> for up to 9 months after <i>grant</i>).

P

Paris Convention	The Paris Convention for the Protection of Industrial Property , an agreement among a large number of countries allowing for <i>IPR</i> applications filed in one participating country to be extended to other participating countries during a <i>priority period</i> as if they had been filed in those other countries on the original <i>filing date</i> .
Patent	A legal right granted to an organisation or individual by a <i>Registry</i> in respect of an invention that shows <i>novelty</i> and <i>inventive step</i> . The owner of the patent has the right to sue others for <i>infringement</i> of his patent.
Patent Agent/ Patent Attorney	Specialist practitioners with science/engineering backgrounds who are qualified by examination to advise on all matters pertaining to the <i>prosecution</i> , use and exploitation of <i>patents</i> . The terms “agent” and “attorney” can be used interchangeably in the UK but have slightly different meanings in the US and elsewhere.
Patent Application	A formal written request to a <i>Registry</i> for the <i>grant</i> of a <i>patent</i> in respect of a specific invention.
Patentee	The owner of a <i>patent</i> ; the individual or organisation to whom the patent has been <i>granted</i> by a <i>Registry</i> .
Patent Litigation	A formal court procedure in which the owner of a <i>patent</i> takes action against a third party for <i>infringement</i> and/or in which a third party sues the owner of the patent claiming <i>invalidity</i> .
Patent Pending	A patent that has been <i>filed</i> at a <i>Registry</i> , but has not yet been <i>granted</i> .
PCC	Abbreviation for Patents County Court , (the former name of the Intellectual Property Enterprise Court).
PCT	Abbreviation for the Patent Cooperation Treaty , an international agreement which assists applicants seeking patent protection in numerous countries for their creations although does not provide the <i>grant</i> .
Prior Art	All of the information in a technical field that has been made publicly available prior to a patent <i>filing</i> or <i>priority date</i> . Prior Art is often used to challenge the <i>novelty</i> of a patent application.
Priority	A certain period of time following the <i>filing</i> of an <i>IPR</i> application in which the applicant can decide whether or not to file the application in one or more other countries.

Priority Date	The last date on which an <i>applicant</i> can decide to make an application in one country claiming <i>priority</i> from an IPR filed in another.
Prosecution	The stage or phase of an <i>IPR application</i> after <i>filing</i> and before <i>grant</i> in which the <i>applicant</i> or his professional advisers may liaise with the <i>Registry</i> on a range of issues.
Publication	The making public of an <i>IPR</i> application by a <i>Registry</i> . IPR applications are confidential for a certain period of time but are then made available to the general public and to other <i>Registries</i> around the world.

R

Recordal	The formal process of recording a change of ownership of an <i>IPR</i> at a <i>Registry</i> (for example following a change of name or address or an assignment of a patent or trade mark).
Registered Design Right	A legal right granted by a <i>Registry</i> to the inventor or creator of a new and distinctive configuration, pattern or shape in the external appearance of an object or graphic. The owner has the right to sue others for <i>infringement</i> of his Registered Design Right.
Registered Trade Mark	A legal right granted by a <i>Registry</i> to the owner of a logo, sign, style symbol or mark which distinguishes the goods or services of the owner from those of anyone else. The owner has the right to sue others for <i>infringement</i> of his Registered Trade Mark. The fact of a trade mark having been registered is often signaled by use of the symbol ®
Registry	An official government office charged with the administration and grant of <i>IPRs</i> within a particular jurisdiction. Examples include the <i>EPO</i> , the <i>EUIPO</i> , the <i>USPTO</i> and the <i>UKIPO</i> .
Renewals	(also sometimes known as Annuities) Once an <i>IPR</i> has been granted by a <i>Registry</i> it is necessary to pay renewal fees at annual or other intervals to maintain the right. Failure to pay the renewal fees will cause the IPR to <i>lapse</i> .
Royalty Payment	A fee payable under a <i>License Agreement</i> for use of <i>IPRs</i> belonging to another.

S

SIPO	Abbreviation for the State Intellectual Property Office of the People's Republic of China , the <i>Registry</i> responsible for the administration and grant of <i>IPRs</i> in China.
SPC	Abbreviation for Supplementary Protection Certificate , certificate available in certain countries to extend the protection conferred by a <i>patent</i> for medical or plant protection products for a period of up to five years beyond the normal term of the patent.
Specification/Spec	That part of a formal <i>patent</i> document that provides a detailed disclosure of the claimed invention.

T

Trade Mark Agent	A name used in some countries for trade mark attorney.
Trade Mark Attorneys	Specialist practitioners qualified by examination to advise on all matters pertaining to the registration, use and exploitation of trade marks.
Trade Mark	Any logo, sign, style, symbol, mark or other feature that distinguishes the goods or services of the owner from those of anyone else. The symbol ™ is sometimes used to indicate the existence of a trade mark. A trade mark can be either <i>registered</i> or unregistered.

U

UDR	Abbreviation for Unregistered Design Right , a <i>design right</i> arising automatically by operation of law without the need for registration.
UKIPO	Abbreviation for the UK Intellectual Property Office , the body responsible for facilitating the granting of <i>IPR</i> in the UK.
UPC	Abbreviation for the Unified Patent Court , a specialist patent court due to be established across all participating states of the European Union which will hear disputes about infringement and validity of European patents.
UP	Abbreviation for Unitary Patent , is a new type of single patent due to be introduced across all participating states of the European Union.
USPTO	Abbreviation for the United States Patent and Trademark Office , a body responsible for issuing and monitoring patents and trade mark registrations throughout the USA.
UM	Abbreviation for Utility Model , a form of <i>IPR</i> available in some countries which is similar to a patent although usually of shorter duration and having less stringent registration requirements.

W

WIPO	Abbreviation for World Intellectual Property Office , a specialised body of the United Nations facilitating IP services, policy, filing and protection of Intellectual Property Rights throughout the world.
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