



Industrial design is the result of human creativity in artistic design. The items of industrial design include a shape, drawing or colour, or a combination thereof, that define the appearance of an industrial product and intended to meet aesthetic and ergonomic needs.

Terms of the legal protection for industrial designs:

The items of industrial design include a shape, drawing or colour, or a combination thereof, that define the appearance of an industrial product and intended to meet aesthetic and ergonomic needs.

Legal protection may not be provided to the following items:

- architectural projects (save for hardscaping),
- industrial, hydraulic and other fixed structures,
- printed products as such,
- labile form items made of liquid, gaseous, loose or similar substances.

Legal protection is given for the industrial designs that are not in conflict with public interest, principles of humanity and morality and meet patentability requirements (novelty, exercisability).

An industrial design shall be deemed new if the sum of its essential features is not publicly available in the world before the filing date or, if a priority is claimed, before the priority date. An industrial design is deemed exercisable if it can be used in industry or in other areas.

- A patent for a design shall meet the patentability criteria, i.e. the design must be new.
- A patent gives owners the exclusive right to use industrial design at their discretion, unless such use violates the rights of other patent holders.
- A patent gives owners the right to authorise and prohibit others from using the industrial design.

The validity of a design patent is 10 years of the filing date renewable at the patent holder's request, but in any case not more than five years. In order to obtain IP rights to an industrial design you should file an application in accordance with the prescribed procedure. An examination will be then carried out to decide whether or not to grant a patent. The author or his/her heir is eligible for a patent. The authors, who created an industrial design in their joint work, are equally entitled to a patent. An employer is eligible for a patent if the industrial design was created in relation to the performance of job duties or on behalf of the employer.

We can:

- advise you on all matters relating to the acquisition, exercising and protection of IP rights to industrial designs,
- assist you file the industrial design application and take every effort to help you obtain your patent,
- be your consultants to negotiate the transfer of patent rights or the terms of industrial design right transfer,
- draft a license agreement or transfer agreement,
- help you take the full range of measures to protect your rights; represent you and act on your behalf in the Appeals Chamber or in courts; refer to the competent executive bodies seeking for protection of your rights and legal interests.

Inventions

Invention is an idea that gives a practical solution to a technical problem. It is a result of human intellectual activity in any field of technology and an opportunity to make progress in any field of industrial technology that meets public needs. An invention may include a device, method, substance, biological material (e.g. micro-organism strains, cell cultures, plants and animals), as well as a new application of a known product or process.

Provision of legal protection to an invention:

Legal protection is given to inventions that are not in conflict with public order, principles of humanity and morality and meet patentability requirements.

Legal protection may be given to the following items of invention:

- products (devices, substances, micro-organism strains, plant and animal cell cultures, etc.),
- processes (methods) and new uses of a known product or process.

In order to get further detailed information please feel free to contact our specialists at any convenient way or fill in the application form.