

Law Day 2010: Law in the 21st Century

Emerging Challenges and Enduring Traditions

Generally speaking, property is the land, building or tangible objects belonging to an owner. But ideas can also be property. Original creative works such as music, art, literature or inventions are known collectively as intellectual property.

◆ Intellectual Property ◆

“I believe in human dignity as the source of national purpose, human liberty as the source of national action, the human heart as the source of national compassion, and in the human mind as the source of our invention and our ideas.”

John F. Kennedy,

35th President of the United States

The creators of original works are legally protected by copyright, patent and trademark law.

Copyright protects both published and non-published works and gives the creator exclusive rights to reproduce and distribute copies of the work. A patent is a set of exclusive rights granted by a nation-

al government to prevent others from making, using, selling, or distributing the patented invention without permission. A trademark is given to a name, phrase, logo, symbol, design, or image that represents a given project or service. An example of a trademark known worldwide is the golden arches of McDonald’s.

It’s illegal to copy and distribute Taylor Swift’s (or anyone else’s) music without permission. It’s illegal to create and sell iPhones or any other patented invention without permission. And it’s a violation of intellectual property law to open a department store named Wal-Mart.

Newspaper Activities:

- ◆ Look through the newspaper for articles or advertisements that are examples of copyright, patented products or services or trademark.
- ◆ Review the newspaper for several weeks for a story concerning intellectual property. Did someone violate the law? If so, did the story discuss what penalty the group or individual faces? If not, research what the penalty or consequences might be in this case for breaking the law.

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Brief description of the violation	What’s the penalty?