

(I) Introduction

1. What is Intellectual Property?

- Intellectual Property (IP) is the name commonly given to a group of separate intangible property rights. These include trade marks, patents, copyright, designs, plant varieties and the layout design of integrated circuits. Intellectual property is important to our daily lives: The brand-names logos on clothes, articles in the newspaper, TV programmes, pop songs, cinema films and fashion design all have a strong connection with intellectual property rights.

2. Why is Intellectual Property Protection Important?

- Protection of intellectual property rights protects creativity. The efforts of writers, artists, designers, software programmers, inventors and other talents should be protected in order to create an environment where creativity can flourish and hard work can be rewarded.

3. What is Protected?

- Not all ideas, inventions or creations are protected.
- For example, to balance the interests of different sectors of society, a pharmaceutical invention may be protected by patent registration while a special medical treatment of a disease is not protected.

4. Intellectual Property Protection in Hong Kong

Intellectual Property Department (www.ipd.gov.hk)

To underline the commitment of intellectual property protection, the government established the Intellectual Property Department on 2 July 1990. The Intellectual Property Department is responsible for advising the government bureaux and departments on policies and legislation relating to the protection of intellectual property in the Hong Kong Special Administrative Region (SAR); for operating the Hong Kong SAR's Trade Marks, Patents and Registered Designs Registries, and for promoting intellectual property protection through public education.

Customs & Excise Department (www.customs.gov.hk)

The Customs and Excise Department is responsible for enforcing the criminal aspects of infringement of intellectual property rights. It investigates complaints alleging infringement of trade marks and copyright and complaints alleging false trade descriptions. The department has extensive power of search and seizure, and cooperates with overseas enforcement authorities and owners of trade marks and copyright in a concerted effort to combat infringement of intellectual property rights.