



PHOENICIA UNIVERSITY

# A Public Guide to Intellectual Property, Explained for Everyone

*What copyrights, patents, trademarks, designs and image rights actually mean for your everyday life — and why the law behind them is worth studying.*

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Based on lecture material on Intellectual Property Law

### 3

## Copyright: Protecting Expression, Not Ideas

### What It Protects

Copyright protects how an idea is expressed — books, music, films, photos, software, art — not the underlying idea itself. Protection is automatic: no registration or formality is required once a work is original and “fixed.”

### CASE LAW SPOTLIGHT

#### The Painter Who Refused to Deliver

*Whistler Case — French Cour de Cassation, 1900*

Sir William Eden commissioned the famous painter Whistler to paint his wife's portrait, then tried to underpay for it. Whistler refused to hand it over. France's top court sided with the artist: a commissioned work only becomes the buyer's property once the artist chooses to deliver it. Moral rights protect the author's control over disclosure.

### How the Public Uses / Meets It

Every time you buy a book, stream an album, watch a film legally, or credit a photographer before reposting their photo, you're operating inside copyright rules. Sharing without credit or licence is often infringement — even if it feels harmless.

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*Lesson: the author decides if and when a work is revealed to the world.*



# 4 Patents: Rewarding New Inventions

## What It Protects

A patent protects a new, useful, and non-obvious invention — a product or a process. In exchange for publicly disclosing how the invention works, the inventor gets a time-limited exclusive right (typically 20 years) to stop others from making or selling it.

## CASE LAW SPOTLIGHT

### The Patent War That Grounded an Industry

*Wright Brothers v. Curtiss, USA, 1906–1917*

After patenting their flight-control system, the Wright Brothers sued rival aviator Glenn Curtiss and won. But their aggressive licensing fights so paralyzed the young U.S. aviation industry that American planes fell behind Europe's going into WWI — forcing the government to force a patent-sharing pool in 1917.

## How the Public Uses / Meets It

The phone in your pocket, the medicine in your cabinet, and the coffee machine on your counter all sit on stacks of patents. Patents are why generic medicines can't be sold until the original patent expires — a debate with real public-health stakes.

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*Lesson: protecting an invention too hard can stall the very innovation IP is meant to reward.*



## 5

# Trademarks: Protecting Brand Identity

## What It Protects

A trademark protects signs that distinguish one trader's goods or services from another's — names, logos, slogans, and sometimes even a single colour, sound, or shape — as long as the public associates that sign with one source.

## CASE LAW SPOTLIGHT

### Can a Single Colour Belong to One Brand?

*Christian Louboutin v. Yves Saint Laurent, US 2nd Circuit, 2012*

Louboutin claimed exclusive rights to red-lacquered shoe soles. The court agreed a colour CAN function as a trademark — but only because Louboutin's red sole contrasts against a different-coloured shoe. YSL's all-red shoes (sole matching the rest) were allowed to stay on shelves.

## How the Public Uses / Meets It

Trademarks are why you trust a logo enough to buy a product without inspecting it, and why counterfeit goods bearing a fake logo are illegal — you're being deceived about who actually made what you're buying.

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*Lesson: even a colour can be “owned” in commerce — but only within a very precise use.*



# 6

## Industrial Designs: Owning the Look

### What It Protects

Industrial design rights protect the visual appearance of a product — its shape, pattern, lines, or ornamentation — separate from how it functions. It rewards aesthetic, not technical, innovation.

### CASE LAW SPOTLIGHT

#### The Half-Billion-Dollar Rounded Corner

*Apple v. Samsung, US Courts, 2012–2018*

Apple sued Samsung claiming its phones copied the iPhone's distinctive design — including its now-famous rounded corners and screen layout, protected as design patents. After a Supreme Court detour on how to calculate damages, a jury ultimately awarded Apple \$539 million.

### How the Public Uses / Meets It

This is why one phone can look distinctly different from another even with identical features, and why a knockoff product that merely copies an original's look can be pulled from shelves.

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*Lesson: a product's shape and look can be worth as much in court as its technology.*



## 7

# Image Rights: Owning Your Own Identity

## What It Protects

Image (or personality) rights protect a person's name, likeness, voice, or identifiable persona from being used commercially without consent — even when no copyrighted photo or recording is directly copied.

## CASE LAW SPOTLIGHT

### A Robot That Looked Too Familiar

*White v. Samsung Electronics, US 9th Circuit, 1992*

Samsung ran an ad with a robot in a wig and gown, posed beside a game board, turning a letter — unmistakably evoking TV host Vanna White. No photo of her was used. The court ruled her identity was still “appropriated”: you don't need a literal likeness to infringe someone's persona.

## How the Public Uses / Meets It

This is why brands must pay and get consent to use a celebrity's face — or even just something that evokes them — in an ad, and why an ordinary person can object to their photo being used to sell a product without permission.

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*Bonus: Rihanna v. Topshop (UK, 2013) — Topshop paid \$320,000 for selling t-shirts with her photo, without her consent, despite licensing the photo itself.*



## 8 Five Types of IP, Side by Side

| IP Type            | Protects            | Duration                      |
|--------------------|---------------------|-------------------------------|
| Copyright          | Creative expression | Automatic, no registration    |
| Patents            | New inventions      | ~20 years, must be registered |
| Trademarks         | Brand identity      | Renewable indefinitely        |
| Industrial Designs | Product appearance  | Limited term, registered      |
| Image Rights       | Personal identity   | Tied to the person            |



# Curious Why a Colour, a Corner, or a Robot Can End Up in Court?

- ◆ That's what studying law feels like: taking the arguments in this deck — moral rights, public interest, originality, fairness — and learning to build and win them yourself.
- ◆ IP law sits at the crossroads of creativity, business, technology and ethics.
- ◆ Every case here was decided by someone who studied law first.
- ◆ New questions — AI, memes, deepfakes — need new lawyers to answer them.

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**Think About It** *“How and where should the boundary lines of intellectual property protection lie?” That question doesn't have one right answer — it has generations of lawyers still arguing it. Maybe you're next.*