

CASE 4 Mad(e) for Fly

Your company is very good at developing and manufacturing cameras which can be applied in many different areas.

The market you are active in is the security market. You design cameras to be used in security systems in offices, but also large industrial plants. Your cameras are eye catching and look attractive. Something totally new in the security world since until then the cameras were as much as invisible. Your company changed this the other way around: cameras should be visible and it should be clear that they are activated, work. This is especially of importance in large industrial plants where the worker does not have the overview of all that is going on, but would like to know that the work floor is in order and is not only controlled by him/her, but also by the security room.

4.1. Just recently you have made an improvement on the element which indicates whether a camera is running or not and on the appearance of the camera, due to an order of a large oil company who requested you to make the "running"-indication such, so it would also be seen in cases of bad weather, like e.g. a nebulous environment. The oil company will communicate this improvement broadly to indicate that they are innovative and care about minimizing the risk of possible accidents.

Question: What protection could you think of and also indicate who will have the ownership of the applicable IP-rights?

4.2. For the design of the appearance of the camera, including its protective cover and the like you have requested the help of a designer being an independent professional. Would this make any difference in who owns which IP-rights? Make a distinction between the several IP rights and between the two most likely relationships between the two parties.

4.3. As said you decided to design the appearance of the camera yourself. Not long thereafter you are contacted by the municipality of a large city. The city is interested in applying the same cameras in their city especially where camera supervision is put in to place to ameliorate the safety in certain unsafe parts of the city also during the night. Taking this opportunity of entering new markets you decide to add the trademark "Fly" to the product and have it moulded in the protective cover of the camera itself.

Question: What possibilities do you have?

4.4. You have made a proposal to the city's municipality. You are happy that there is no patent protection on the technique, or at least the patent protection of the technique is only owned by the oil company as far as oil producing is involved. You receive word from the municipality, but unfortunately they turn down the proposal for financial reasons.

Not much later you discover that very similar cameras are installed within the city.

Question: What could you do?