



Copyrights, Patents, and Trademarks

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The following is summarized from “What is a Trademark, Patent or Copyright” posted on the United States Patent and Trademark Office, <https://www.uspto.gov/trademarks-getting-started/trademark-basics/trademark-patent-or-copyright>

The terms, “Copyright”, “Patent”, and “Trademark”, are often confused. They are all forms of intellectual property protection, but they serve different purposes.

WHAT IS A COPYRIGHT?

A copyright is a form of protection provided to the authors of “original works of authorship”. Several classifications of works are specified under the copyright statutes and include, but are not limited to, literary works, dramatic works, musical works, computer programs, video recordings, and artistic expressions. A copyright protects the form of expression rather than the subject matter of the work. For example, a copyrighted description of an article of manufacture or a process would prevent others from copying the description, but not from making the article or using the process.

Copyright Office website: (<https://www.copyright.gov/>)

HOW IS A COPYRIGHT OBTAINED?

A copyright is obtained the moment the artistic work or expression is created. The copyrighted work is registered by filing a copyright registration form with the United States Copyright Office (<https://portal.ct.gov/SOTS/Business-Services/Commercial-Recording/Commercial-Recording-Divisions-Forms-Index-Content#trade>) in the Library of Congress.

WHAT IS A PATENT

A patent is a property right granted by the Government of the United States giving an inventor the right to exclude others from making, using, offering for sale, or selling the patented invention. For more information, go to the United States Patent and Trademark Office (<http://www.uspto.gov/>)

HOW IS A PATENT OBTAINED?

A patent is obtained by filing a patent application with the United States Patent and Trademark Office. By law, only the inventor may apply for a patent; if two or more people make an invention, they may file an application as joint inventors. Along with the application, the inventor or inventors must file an oath or declaration asserting that they are the inventors of the claimed subject matter and believe that they are the first to have invented what is claimed. The patent application is a complex legal document, which describes the invention in detail so that others will be able to make and use the invention once the time period of the patent grant has expired.

WHAT IS A TRADEMARK?

A trademark is a word, name, symbol or device, which is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others. A service mark is the same as a trademark except that it



identifies and distinguishes the source of a service rather than a product. Trademark rights are based on first use in commerce and will prevent others from selling similar products using the same name or symbol, or any confusingly similar name or symbol. However, it will not prevent others from making or selling the same goods or products.

HOW IS A TRADEMARK OBTAINED?

A trademark may be obtained from the office of the Secretary of the State of Connecticut (phone: 860-509-6200) or visit the website for a trade and service mark form, <https://portal.ct.gov/SOTS/Common-Elements/V5-Template—Redesign/Business-Services—Home-Page>. Trademarks for interstate commerce must be registered with the United States Patent and Trademark Office. It is recommended that a trademark or service mark search be undertaken before registration to verify that the mark is not already in use.

TO FIND PROVIDERS IN CONNECTICUT'S COMMUNITY RESOURCES DATABASE:

Search by service names:

[Copyrights](#)

[Patents](#)

[Trademarks](#)

*SOURCES: United States Copyright Office
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