

safe or fake?



3rd and 4th Year of Primary School

5th and 6th Year of Primary School

DIDACTIC GUIDE

UNIT 1

What is intellectual property?
Toys and intellectual property



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Index

1. Rationale for the didactic guide	3
2. Objectives of the didactic guide	3
3. Contents, assessment criteria and competences.....	3
4. Worksheets	5
Annexes:	
<i>Annex 1.</i> What is intellectual property? Toys and intellectual property	7
(3rd and 4th Level)	
<i>Annex 2.</i> What is intellectual property? Toys and intellectual property	12
(5th and 6th Level)	
<i>Annex 3.</i> Activity sheet “Design your own toy”	20
<i>Annex 4.</i> Word search puzzle for the activity “Who invented the toys?”	21
<i>Annex 5.</i> Solutions of word search puzzle for the activity “Who invented the toys?”	22
<i>Annex 6.</i> Research sheet for the activity “Who invented the toys?”	23

1. Rationale for the didactic guide

This didactic guide aims to show children the importance of recognising and respecting the authorship of original creations (toys, books, sculptures, films, songs...) and the exclusivity of rights to their exploitation.

The mechanism in charge of protecting authors and their creations is intellectual property, which is defined as a group of rights, established by law, owned by authors and other holders and which can exclude others from using their creations without authorisation.

In order to highlight the importance of intellectual property, this didactic guide proposes activities to bring children closer to the world of inventors, designers or creators. These activities will allow them to become aware of the time and effort invested in creating an original product and, at the same time, how easy and quick it is to counterfeit it.

Throughout this document, the objectives, contents, assessment criteria and competences which structure the didactic guide are presented. These are extracted from the Primary School curriculum, aimed at third, fourth, fifth and sixth year students. Lastly, two educational resources are also specified in order to develop all the curriculum elements previously mentioned.



2. Objectives of the didactic guide

Among the general objectives of the Primary Educational stage that are specified in Spanish Royal Decree 126/2014, dated 28 February, which establishes the basic Primary Education curriculum, this didactic unit will contribute to developing the following objectives:

- a) Become aware of and appreciate the values and rules of coexistence, learn to act in accordance with them, prepare to exercise active citizenship and respect human rights, as well as the pluralism of a democratic society.
- b) Develop habits related to individual work and teamwork, effort and study responsibility, as well as attitudes of self-confidence, a critical thinking, personal initiative, curiosity, interest and creativity in learning, and an entrepreneurial spirit.
- c) Acquire skills to prevent and peacefully solve conflicts in order to function autonomously at family and domestic level, as well as in the social groups with which they interact.
- i) Get started in the use of Information and Communication Technologies for learning purposes, by developing critical thinking to address the messages they receive and produce.

3. Contents, assessment criteria and competences

The contents, assessment criteria and competences that will be used as part of this didactic unit are detailed below. All of them use the curricular level of the second and third cycles of Primary Education as a reference (third, fourth, fifth and sixth years).

It is worth mentioning that this didactic unit will allow the development of contents in the areas of Natural Sciences, Social Sciences, Spanish Language and Literature and Social and Civic Values.

Before explaining the contents, assessment criteria and competences selected in each area, a list with the acronyms of the different competences of the curriculum is provided below:

LCC: linguistic communication competence.

MSTC: mathematical competence and basic competence in science and technology.

DC: digital competence.

LLC: learning to learn competence.

SCC: social and civic competence.

SIES: sense of initiative and entrepreneurial spirit.

ACE: awareness and cultural expressions.

The theory and resources from the **SAFEorFAKE? toolkit** that are necessary to develop this didactic guide are included in Annex 1 and 2.

SOCIAL SCIENCES AREA			
	CONTENTS	ASSESSMENT CRITERIA	COM
Unit 1. Common contents	Introduction to scientific knowledge and its application to Social Sciences.	1. Gather specific and relevant information related to facts or previously defined phenomena by using various sources (direct and indirect).	MSTC SCC LLC
	Gathering information on the topic to be discussed by using various sources (direct and indirect).	4. Carry out tasks and presentations both individually and in groups which involve searching, selecting and organising social, geographic or historical texts, showing the ability to work both individually and collaboratively in groups.	SCC LLC
	Use of strategies to enhance group cohesion and cooperative work.	10. Develop attitudes of cooperation and teamwork, as well as the ability to take on new roles in a society which is constantly evolving.	SCC
Unit 3. Living in a society	The European Union.	5. Identify the structure and objectives of the European Union, explaining some of the advantages of being part of the EU.	SCC LLC
	The company. Activity and functions.	14. Explain the essential characteristics of a company, specifying the different activities and ways of organisation that can be developed, distinguishing between the various types of companies.	SCC LLC

SPANISH LANGUAGE AND LITERATURE AREA

	CONTENTS	ASSESSMENT CRITERIA	COM
Unit 1. Oral communication: speaking and listening	Communication situations, either spontaneous or directed, using organised and coherent speech.	1. Participate in communication situations, directed or spontaneous, respecting the rules of communication: speaking time, speech organisation, listening and incorporating the responses of others.	LCC SCC
	Strategies to use oral language as a communication and learning tool: listening, gathering data, asking. Participating in surveys and interviews. Oral comment and personal judgement.	10. Effectively use oral language to communicate and learn by being able to actively listen, gather the relevant data in relation to the communication objectives, ask and ask again, participate in surveys and interviews and orally express with clarity their own personal judgement, in accordance with their age.	CCL LLC
Unit 2. Written communication: reading	Reading different texts as a source of information, enjoying them and having fun.	9. Make efficient and responsible use of ICTs in the search and processing of information.	CCL
Unit 3. Written communication: writing	Production of texts to communicate knowledge, experiences and needs.	1. Produce texts with different communicative intentions	

SOCIAL AND CIVIC VALUES AREA

	CONTENTS	ASSESSMENT CRITERIA	COM
Unit 1. Identity and dignity of the person	The person	6. Develop the autonomy and entrepreneurial ability to achieve personal accomplishments taking responsibility for the common good.	SCC LLC
Unit 2. Understanding and respect in interpersonal relationships	Interpersonal relationships.	1. Express opinions, feelings and emotions through a coordinated use of verbal and non-verbal language.	SCC
		5. Discuss and create shared thoughts with other people in order to find the best argument.	SCC
Unit 3. Coexistence and social values	Responsibility of people in a society.	1. Collaborate to solve problems, demonstrating an open attitude and sharing points of view and feelings.	SCC SIES
		2. Work in teams, encouraging positive interdependence and showing supportive behaviours.	SCC SIES
		6. Understand the meaning of social responsibility and social justice through the ability to reflect, summarise and structure.	SCC

4. Worksheets

Finally, two educational resources designed for children aged 8 to 12 are presented:

- The first resource, aimed at pupils in the 3rd and 4th year of primary school (8–10 years old), involves children creating a design for a toy from the initial idea until the production of the final prototype. This activity gives children more autonomy to create, experiment and imagine. At the same time, it encourages children to put themselves in the position of an inventor and become aware of the work and effort it takes to create an original product.
- The second resource, aimed at pupils in the 5th and 6th year of primary school (10–12 years old), involves carrying out research into the invention of different toys that are very well known by most

children. In order to complete the research task, they will be provided with a guide in which they can record and organise all the information gathered.

Each of the activities is detailed below, indicating: age, year, time, objectives, materials and how to carry out the workshops.

DESIGN YOUR OWN TOY	
Age	8- 10 years
Year	3 rd and 4 th Year of Primary School
Time	45 minutes approximately
Objectives	<ul style="list-style-type: none"> - Raise awareness among children of the importance of respecting the ideas and work of others. - Understand the importance of intellectual property to protect new inventions. - Appreciate the professions of inventors, creators, authors, etc. - Generate a consumption approach geared towards the purchase of original products.
Materials	Template that can be used as a guide to create the toy design (see Annex 3).
Carrying out the workshop	<p>Children will become toy designers and consequently authors and creators of a unique work. To achieve this, they will have to complete the design process of a product:</p> <ul style="list-style-type: none"> - Decide what type of toy they want to design. - Explain what it is for and how it works. - Give it a name. - Draw what it would look like (prototype). <p>Once the design is finished, all the children will have the opportunity to present it to the rest of their classmates.</p> <p>Once they have all finished, a final reflection will be made on how they would feel if someone copied their toy design and presented it to the class as their own, insisting on the time and effort it has taken them to create an original and innovative design.</p>



WHO INVENTED THE TOYS?	
Age	10- 12 years
Year	5 th and 6 th Year of Primary School
Time	2 sessions of 45 minutes approximately
Objectives	<ul style="list-style-type: none"> - Foster interest among the students towards intellectual and industrial property. - Raise awareness among the students of the importance of respecting the work and effort invested by creators of products such as games, video games, songs, books, sculptures, etc. - Generate a consumption approach geared towards the purchase of original products.
Materials	<p>Word search puzzle (see Annex 4 and 5).</p> <p>List of toys to investigate: Slime, Rubik's Cube, Plasticine, Teddy Bear, Slinky and/or Hula Hoop.</p> <p>Sheet to complete about the creation of a toy (see Annex 6).</p>
Development of the workshop	<p>This activity proposal will be divided into three stages:</p> <p><i>Initial stage: Word search puzzle.</i></p> <p>The objective is to motivate the students and stimulate their interest in the activity. To this end, they will be given a fun word search puzzle which will allow them to discover the toys they will have to investigate. This is an optional stage and, depending on the time available, the adult could present the toys directly.</p> <p><i>Development stage: investigation process.</i></p> <p>The students are put into groups of 3, 4 or 5 children (depending on the size of the group) who will become researchers. Each group will be assigned one of the toys from the previous word search puzzle.</p> <p>Each group has to complete a sheet on the toy creation process and its inventor. Additionally, once they have finished, they will present it to the class and share the information they have gathered with the others.</p> <p><i>Final stage: Group reflection.</i></p> <p>Once the presentations are over, a group reflection will be made on the importance of respecting industrial and intellectual property, and the effort and work it takes to create a piece of work or an innovative product.</p>



ANNEXES

Annex 1

LEVEL: 3rd and 4th Year of Primary School

What is intellectual property? Toys and intellectual property

1. New products, inventions, designs, unique boxes... How are new creations protected? Intellectual property is the key.



Intellectual property protects creators of products such as toys, video games, songs, books, sculptures, chairs, mobile phones, pictures... from being copied by others

Thus, intellectual property is a property right established by law to prevent others from using your creations **without authorisation**.

Thanks to intellectual property, for instance, the designer who created the most fun toy of the year is provided with the necessary protection so that others cannot reproduce/copy their toy without their consent. Through this protection, the designer can enjoy the success, recognition and profits of their new creation.

Thanks to this protection intended for designers, inventors, scientists, writers, painters and also companies and organisations... people are more willing to work and strive to create new products and solutions to make our lives easier.

New creations like WhatsApp, Alexa or toys that our parents used and that are still on the market have been possible partly due to intellectual property.

Now think about you. Imagine there is a toy design contest at your school. Children have to draw a new toy and present it to their classmates. The toy that gets most votes will be made a reality. How would you feel if someone copied your toy and presented it at the contest as their own? That is exactly what intellectual property is about: protecting creators. Preventing anyone from cheating, stealing someone else's work and appropriating it.



2. How does it work?

Although in English the term *intellectual property* encompasses everything, in Spain we need to differentiate between industrial property and intellectual property.

Industrial Property

Industrial Property protects all the creations related to the industry and the products: patents, distinctive signs (brands), trade secrets and industrial designs.

Intellectual Property

Intellectual Property protects the author's creations, as long as they are unique creations and not industrially or mass produced: literary and artistic works such as novels, poems and theatre plays, films, musical works, artworks, drawings, paintings, pictures and sculptures or architectural designs, as well as texts from **game rules** and computer programs.

Industrial and intellectual property rights are usually regulated by national legislation, so their protection is only guaranteed in that country.

In order to protect your inventions and creations through patents, brands or industrial designs, it is necessary to register their protection with the relevant agency. In Spain, it is the Spanish Patent and Trademark Office, www.oepm.es.

In the case of literary works such as stories, songs or drawings, you must register them in the Intellectual Property Registry which belongs to the Ministry of Culture and Sport.

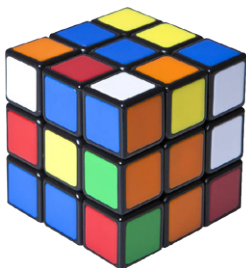
If seeking protection in all the Member States, the relevant registration must be requested at the European Union Intellectual Property Office called EUIPO, www.euipo.com, based in Alicante (Spain).

2.1. Industrial property rights



Brands: distinctive signs (word, picture, symbol...) which identify the products and services of a certain company and distinguish them from their competitors.

Brands provide protection for periods of 10 years, and they can be renewed indefinitely.



Patents: are a right that protects inventions which solve technical problems in the form of a product. Inventions can be of all kinds, such as toys, medicines or technologies. The duration of the patent is usually of a maximum of 20 years. In order to become patentable, an invention must comply with three requirements:

- It must be new. INNOVATION
- It must go beyond anything that is already known. INVENTION
- It can be used on an industrial scale. INDUSTRIAL APPLICATION



Industrial design: protects the shape and external appearance of products. New shapes or colours can attract more customers who prefer a specific model, which allows the manufacturer to obtain a significant advantage on the market over their competitors.

The duration of the design protection changes from one country to another, varying from 5 to 25 years.



Trade secret: information nobody knows, except for the company that owns the product and their workers. Trade secrets are only protected by law when someone has stolen the information. Do you know what is the best kept and most famous trade secret? That's right! The formula of Coca-Cola.

2.2. Intellectual property rights

Intellectual property rights or copyright are one of the most well-known intellectual property rights and apply to original literary and artistic works, such as music, books, video games, films and/or computer programs.

We can all be the creators of something and therefore we can own copyright. When we create a story or make a drawing, in reality we are the creators, and our creations are automatically protected. Nevertheless, it is advisable to register the creations to be able to demonstrate that we are the authors, along with the date when it was created.

Copyright generally last up to 70 years after the death of their holder or owner.



We would like to introduce you to the author of the children's story Rosita la descolorida.

Víctor is a very creative person who wrote this book during quarantine with the help of his daughters.

1. How did the idea for the story come up?

The idea came from a story my dad used to tell my brother and me when we were children. It was called "Los puentes de la bruja" ("The Witch's Bridges") and he used to tell it to us when we went to the countryside together. During quarantine, I had more time to be with my daughters, Núria and Elena, so I decided to create a story for them like my dad did for us.

In the beginning, I considered calling it "La bruja descolorida" ("The Colourless Witch"), remembering my dad's stories, but then as the story developed with the help of my daughters, the witch turned into a girl named Rosita. We chose the name Rosita for the main character because Rosa is a girl's name and also a colour (pink).

2. What is it about?

It's about a girl who couldn't leave the house because she was ill, and she ended up hating the colours and everything outside that was joyful. Rosita decided that once she could go out into the street, she would not paint again, and she would remove the colour from everything. In the end, Rosita realises that colour is not to blame for her sadness, and decides to colour everything in life and enjoy happiness.

3. What has it meant to you?

The book has been very important to me, especially on a personal level. On the one hand, I have met many interesting people, I have travelled thanks to the book, and I have become involved in the publishing world. On the other hand, what I like most is the recognition from children, when they love the book and send me their pictures with Rosita.

Besides this, the story is allowing me to explore opportunities to keep working on new creative projects.

4. In your experience, what does it mean to be the author of a book?

For me, the book has mainly meant recognition from my friends, relatives, colleagues, people from my town, children, etc. I have also learnt that, thanks to intellectual property, our rights as authors are protected, for instance, in relation to the story, drawing or song we have created. We have the right to be recognised as authors and also to obtain an economic benefit from the exploitation of our creation. In my case, with the sale of the story “Rosita la descolorida”.

So far, we are just getting started, but Rosita has been very well received by children and their families, which is what I like the most. I could say that my favourite part of being the author of a work like “Rosita la descolorida” is the personal pride I get from touching people’s hearts.

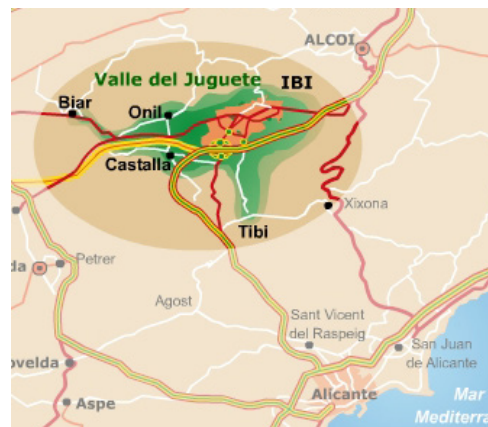
3 Why is industrial property so important in the toy sector?

Industrial property protects companies’ work, effort and capacity to create new toys. Toy companies must innovate to develop toys which adapt to the preferences of children, considering that the toys children like nowadays are not the same as those our parents used to play with at that age.

The preferences of the child consumer change and companies must innovate to develop attractive toys. One of the strategies to improve the competitiveness of innovative companies is to protect their work and investment through industrial property.

As many of you know, Spain has an important tradition of toy manufacturing, with many companies which were very innovative in terms of design and toy invention during the 60s and 70s, in the famous Valle del Juguete in Alicante.

During those years, numerous patents were registered for toys that have made many generations happy.



4. Industrial property examples

Let's go to the toy store. Would you be able to differentiate between the different types of industrial property?

INDUSTRIAL
PROPERTY

Brand: allows us to know which company manufactured the toy.

The shape and appearance of the products are protected by **industrial design.**



Patent. The hoverboards we see today derive from the first model that inventor Shane Chen patented in 2012.



Trade secret. Do you know what is the best kept and most famous trade secret in the world? That's right! The formula of Coca-Cola.

5. What can you do as a consumer? The super power of consumers.



Be aware
so you can
decide



Consumers and their purchase decisions can influence what companies produce. If consumers choose original products, they are supporting the companies being able to invest in developing original products that are safe, both for children and the environment.

The COVID-19 pandemic has accelerated a tendency among consumers who do not want to be mere purchasers but also agents of change. Sustainability or the respect towards the environment are some of the major concerns of consumers, who are increasingly interested in knowing the origin of the materials and the packaging of the toys/games they purchase.

Now you know what intellectual property (imagen libros) and industrial property (imagen productos/juguetes) are and the problems of not protecting innovation.

As a consumer, you and the decisions you make can help fight counterfeiting and prevent illegal products that pose risks to the health of children, the environment and the economy from coming onto the market. Thus, knowledge is essential to be able to decide. Think about it. If no one bought counterfeit toys, would it make sense to devote time and money to manufacturing them?

Help us raise awareness among others.



More educational resources available at:
www.safeorfake.eu



Annex 2

What is intellectual property? Toys and intellectual property

LEVEL: 5th and 6th Year of Primary School

1. New products, inventions, designs, unique boxes, etc. How are new creations protected? Intellectual property is the key.



Intellectual property protects creators of products such as toys, video games, songs, books, sculptures, chairs, mobile phones, pictures, etc. from being copied by others.

Thus, intellectual property is a property right established by law to prevent others from using your creations without authorisation.

Through intellectual property, for instance, the designer who created the most fun toy of the year is provided with the necessary protection so that others cannot reproduce/copy their toy without their consent. Through this protection, the designer can enjoy the success, recognition and profits of their new creation.

Thanks to this protection, which is intended for designers, inventors, scientists, writers, painters and also companies and organisations, etc., people are more willing to work and strive to create new products and solutions to make our lives easier.

New creations like WhatsApp, Alexa or toys that our parents used and that are still on the market have been possible partly due to intellectual property.

Now think about you. Imagine there is a toy or game design contest at your school. Participants have to create a new toy or board game and present it to their classmates.

The toy or game that gets most votes will be made a reality. How would you feel if someone copied your toy and presented it at the contest as their own? This is exactly what intellectual property is about: protecting creators. Preventing anyone from cheating, stealing someone else's work and appropriating it.



2. 2. How does it work?

Although in English the term *intellectual property* encompasses everything, in Spain we need to differentiate between industrial property and intellectual property.

Industrial Property

Industrial Property protects all the creations related to the industry and the products: patents, brands, industrial designs and trade secrets.

Intellectual Property

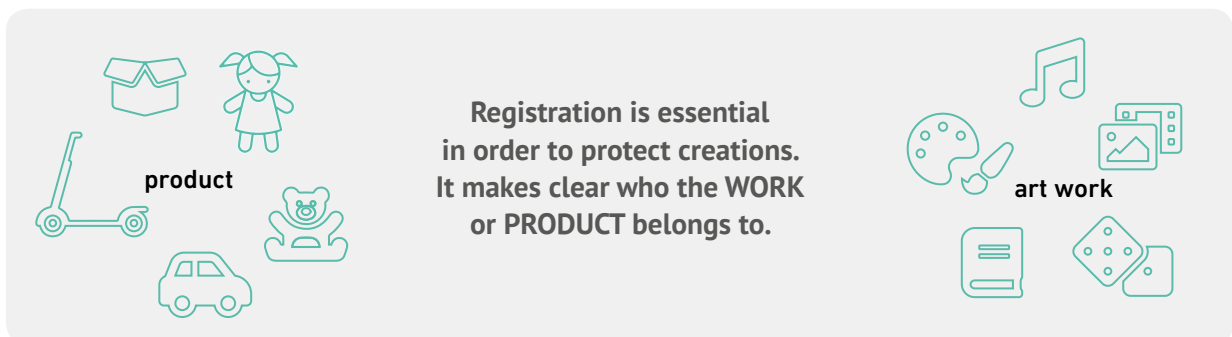
Intellectual Property protects the author's creations, such as literary and artistic works. Among these works can be found novels, poems, theatre plays, films, musical works, artworks, pictures or architectural designs, as well as the texts which describe **game rules** or computer programs.

Industrial and intellectual property rights are usually regulated by national legislation, so their protection is only guaranteed in that country.

In order to protect your inventions and creations through patents, brands or industrial designs, it is necessary to register their protection with the relevant agency. In Spain, it is the Spanish Patent and Trademark Office www.oepm.es.

In the case of literary works such as stories, songs or drawings, you must register them at the Intellectual Property Registry, which belongs to the Ministry of Culture and Sport.

If seeking protection in all the Member States, the relevant registration must be requested at the European Union Intellectual Property Office called EUIPO www.euipo.com, based in Alicante (Spain).



2.1. Industrial property rights

Industrial property protects creations related to industry. Let's see the different forms of protection.



TRADEMARKS

Trademarks are distinctive signs (words, pictures, symbols...) which identify the products offered by a certain company as a brand and distinguish them from their competitors.

In other words, a trademark allows consumers to be able to recognise and distinguish products from different companies, creating a brand.

A brand can be the most valuable resource for a company when consumers trust it.





Did you know that a trade mark can be a word (lego), a symbol (adidas/nike), a shape (botella de cocacola) or even a colour, a sound or a media file?



You can find more examples of brands and trademarks at:

<https://euipo.europa.eu/ohimportal/es/trade-marks-examples>

How is a trademark protected?

Registration is necessary to protect a brand's trademark. Registration provides the company with the right to prevent others from marketing similar or identical products with the same trademarks. It also protects the company from others being able to use similar trademarks, which may confuse consumers.

Trademarks are protected for periods of 10 years, and they can be renewed indefinitely.

¿Qué sucede si no se registra una marca?

Imagine that a company creates a series of toy figures that children love, and are under its brand. The brand becomes very popular and everybody wants to have a toy from this brand. The development and manufacturing of a toy is not simple and requires the work from many people, as well as investments in machinery, raw materials, design, manufacturing, laboratory tests to guarantee the safety of the toy, etc.

If the company does not register the brand as a trademark, its competitors could use the same brand with the objective of marketing identical or similar toys. Consumers could think they are purchasing the toys from the company that has developed the product, when instead they are purchasing from its competitors; i.e., a companies that have not invested time and money in researching and developing the product.

Then, the company that has created the toy of the year:

- Will earn less and will not need as many workers in order to manufacture the toy.
- Its image may be damaged by the lower quality toys of its competitors, which may also not comply with safety standards.
- When purchasing, consumers will be unable to differentiate the product from the company that has developed the product.

Why are brands so important for companies?

Brands are more than a trademark logo. They make clear who and how the company is and are key to differentiate a company and their products from the rest.

Brands have an economic value. Brands such as Mattel, Lego, Disney, McDonalds, Coca-Cola, Google, Apple or Amazon are among the most valuable brands in the entire world.

The success of companies strongly depends on the trust that consumers have in their brand.

Trust is not something that can be obtained from one day to the next. It is something that is earned over time and has a significant value for the company.





PATENTS

patents protect innovative inventions which solve technical problems in the form of a product. Inventions can be of all kinds, such as toys, medicines or technologies.

A patent prevents others who are not the inventors from manufacturing, using, selling or importing a product which is a copy of their invention.

In order to become patentable, an invention must comply with three requirements:

- It must be new. INNOVATION
- It must go beyond anything that is already known. INVENTION
- It can be used on an industrial scale. INDUSTRIAL APPLICATION

The patent monopoly is granted for a maximum of 20 years.

Why is it important to patent inventions?

A patent allows its holder or owner to prevent others from commercially using the patented invention. In this way, the possibility of your invention being copied is reduced. In the event of litigation, copying a patent may entail paying compensation of millions of dollars.

Inventions require a lot of time and significant economic and human investment. The protection of inventions through patents allows companies to recover the time and money invested in it and generates economic benefits. Furthermore, the owner of the patent has the possibility to grant rights under licence to another party to market the invention in exchange for a remuneration.

A patent prevents others from patenting the same inventions or even those that are similar, and in a certain manner it constitutes a recognition of the degree of novelty of the invention, as something different from what is already known.

If you pay attention, some products indicate that they are patented or made with patented technology as a selling point.



INDUSTRIAL DESIGN



protects the shape and external appearance of products. New shapes, colours or designs can attract more children who prefer a specific toy model, which allows the manufacturer to obtain a significant advantage on the market over their competitors.

The duration of design protection varies from one country to another, ranging from 5 to 25 years.



Why is it important to protect industrial designs?

Let's imagine a series of toy figures with an attractive design that children between 10 and 12 years of age really like. This design that everyone likes adds a great value to the product. Children like the shape, colour and size of the figures and want to own as many as possible.

By protecting industrial design, the owner of the design can prevent others from reproducing or imitating it without authorisation.

In this way, the company holding the design will be the only one that can manufacture and market toys with that design. What are the benefits for the company?

- The company recovers the money invested in the development of the product and therefore profits are increased.
- The value of the company and its products is increased. The more successful a design is, the more successful the company will be. Do you know the Nancy doll?
- A protected design also allows the granting of a permit for others to manufacture the toy, always in exchange for a quantity established by commercial contract.



TRADE SECRET: an advantage of technical or commercial expertise which is kept secret. Information nobody knows, except for the company that owns the product and its workers. There is no registration; the challenge is keeping the secret. If someone steals or spies on the company with the objective of discovering the secret, then it does have consequences. Do you know what is the best kept and most famous trade secret? That's right! The formula of Coca-Cola.

PRODUCTS

industrial property rights



PROTECTION	CAN IT BE REGISTERED?	WHAT DOES IT PROTECT?	HOW LONG DOES THE PROTECTION LAST?	ADVANTAGES	EXEMPLE
Brand	YES	The identification of the products and the company	It can be renewed every 10 years indefinitely	The brand is the most valuable thing for a company. It protects the company and its products from competitors being able to use identical or similar brands, which may confuse consumers.	
Design	YES	The external appearance of the products	Between 5 and 25 years, depending on the country	Exclusivity to use the design and prevent others from using it.	
Patent	YES	New inventions	20 years	Unique competitive advantage for 20 years. It prevents others from manufacturing, using or selling the invention or patented technology.	
Trade secret	NO	Technical expertise only known by the company	There is no register. The challenge is keeping the secret!	The expertise provides a competitive advantage to the company and its products.	

2.2. Intellectual property rights

Have you ever heard of copyright? Copyright are one of the most well-known intellectual property rights and apply to **original** literary and artistic creations, such as music, books, video games, films and/or computer programs.

We can all be the authors of something and therefore we can own copyright. When we create a story or make a drawing, in reality we are the authors, and our creations are automatically protected. Nevertheless, it is advisable to register the creations to be able to demonstrate that we are the authors, along with the date when they were created.

Copyright generally lasts up to **70 years** after the death of their holder or owner.



? Did you know that the term *copyright* refers to author's rights?

Performing artists, scientists, musicians, computer experts... are allowed to create a copyright deposit. Every person who has created a new and creative work (a sculpture, a postcard, a song, etc.). Copyright protection begins with the creation of an original work. Thus, works are automatically protected from the moment of their creation. Nevertheless, it is advisable to register them in the national Intellectual Property Registry.

Literary and artistic WORKS

▶ intellectual property



PROTECTION	CAN IT BE REGISTERED?	WHAT DOES IT PROTECT?	HOW LONG DOES THE PROTECTION LAST?	ADVANTAGES	EXEMPLE
Copyright	⚠ The work is automatically protected when it is created. Nevertheless, it is advisable to register the work in order to be able to prove authorship more easily.	It protects artistic creations (books, paintings, sculptures, texts of game rules, etc.)	70 years after the death of the author	Exploitation of the work. It enables control of, among other aspects, the reproduction, translation, distribution and sale. Economic benefits for the author and their family. Recognition of the author.	

3. Why is industrial property so important in the toy sector?



Industrial property protects companies' work, effort and capacity to create new toys. Toy companies must innovate to develop toys which adapt to the preferences of children, considering that the toys children like nowadays are not the same as those our parents used to play with at that age. The preferences of the child consumer change and companies must innovate to develop attractive toys. One of the

methods to improve the competitiveness of innovative companies is to protect their work and investment through industrial property.

As many of you know, Spain has an important tradition of toy manufacturing, with many companies which were very innovative in terms of toy design and invention during the 60s and 70s, in the famous Valle del Juguete in Alicante.

During those years, numerous patents were registered for toys that have made many generations happy.

Protecting the rights of new creations (products, inventions, books, etc.) for a certain period of time constitutes a competitive advantage for companies. This implies:

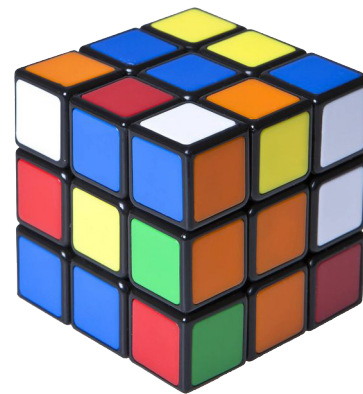
- A stronger demand for products of the company.
- Creation of jobs.
- More economic benefits for both the company and society, as we shall see in Unit 3.

4. Case study: we solve the problem

Being aware of the industrial and intellectual property rights is essential when it comes to defining the most convenient strategy for the company, its products and markets.

Do you know the case of the Rubik's Cube? Let's see which tactic was used by the creators of one of the most famous toys of all time.

The Rubik's Cube was invented in 1974 by Ernő Rubik, a professor of architecture from Budapest (Hungary). Rubik created the Cube to help his students understand three-dimensional spaces. Professor Rubik did not know that his "Magic Cube" (as he initially called it) would become the most famous puzzle of all time.



In the 1980s, millions of cubes were sold around the world every year.

The Rubik's Cube was patented in the 1970s, but the duration of a patent is not unlimited. In 1999, given the impossibility of continuing with the patent, the toy was protected as a three-dimensional brand in the category of "three-dimensional puzzles", and the brand represented the cubic shape of the toy.

After a few years, this brand was contested by another manufacturer who alleged that the brand was actually a "technical solution consisting of its rotation capacity, and that said solution could only be protected by a patent, not by a brand".

Finally, the courts cancelled the brand registration of the Rubik's Cube, as they determined that the essential features of the toy were indeed necessary to obtain the technical result. Do you remember patents?

Essential features of the Rubik's Cube:

- The cubic shape.
- The black lines and its squared sides.
- The difference between the colours of each one of the six sides of the cube.



Why did they register the Rubik's Cube as a three-dimensional brand?

Clues: The patent can last up to 20 years, and the brand indefinitely.

5. What can you do as a consumer? The super power of consumers.

Consumers and their purchase decisions can influence what companies produce. If consumers choose original products, they are supporting the companies being able to invest in developing safe products, both for children and the environment. Sustainability is increasingly becoming an important criterion in product purchase decisions.



The COVID-19 pandemic has accelerated a tendency among consumers who do not want to be mere purchasers but also agents of change who require companies to be more ethical and respectful. Sustainability, reuse, respect towards the environment, and the fight against climate change are some of the major concerns of consumers, who are increasingly interested in knowing the origin of the materials and the packaging of the toys/games they purchase.

Intellectual property protects companies that innovate and make creations available for customers, in this case children, either in the form of products such as toys, bikes, scooters, games, etc. or in the form of artistic creations such as books, stories, comics, songs, films, etc. that make our lives easier and more fun.

At the same time, intellectual property helps companies to generate wealth by creating jobs and contributing to the public purse.

As a consumer, you and the decisions you make can help fight counterfeiting and prevent illegal products that pose risks to the health of children, the environment and the economy from coming onto the market. Thus, knowledge is essential to be able to decide. Think about it. If no one bought counterfeit toys, would it make sense to manufacture and sell them?

Help us raise awareness among others.



More educational resources available at:
www.safeorfake.eu



Annex 3.

Activity sheet:

Design your own toy



Name of the designer:

What type of toy or product is it? *(a doll, a scooter, a board game...)*

What is its name?
Create a logo for your brand.

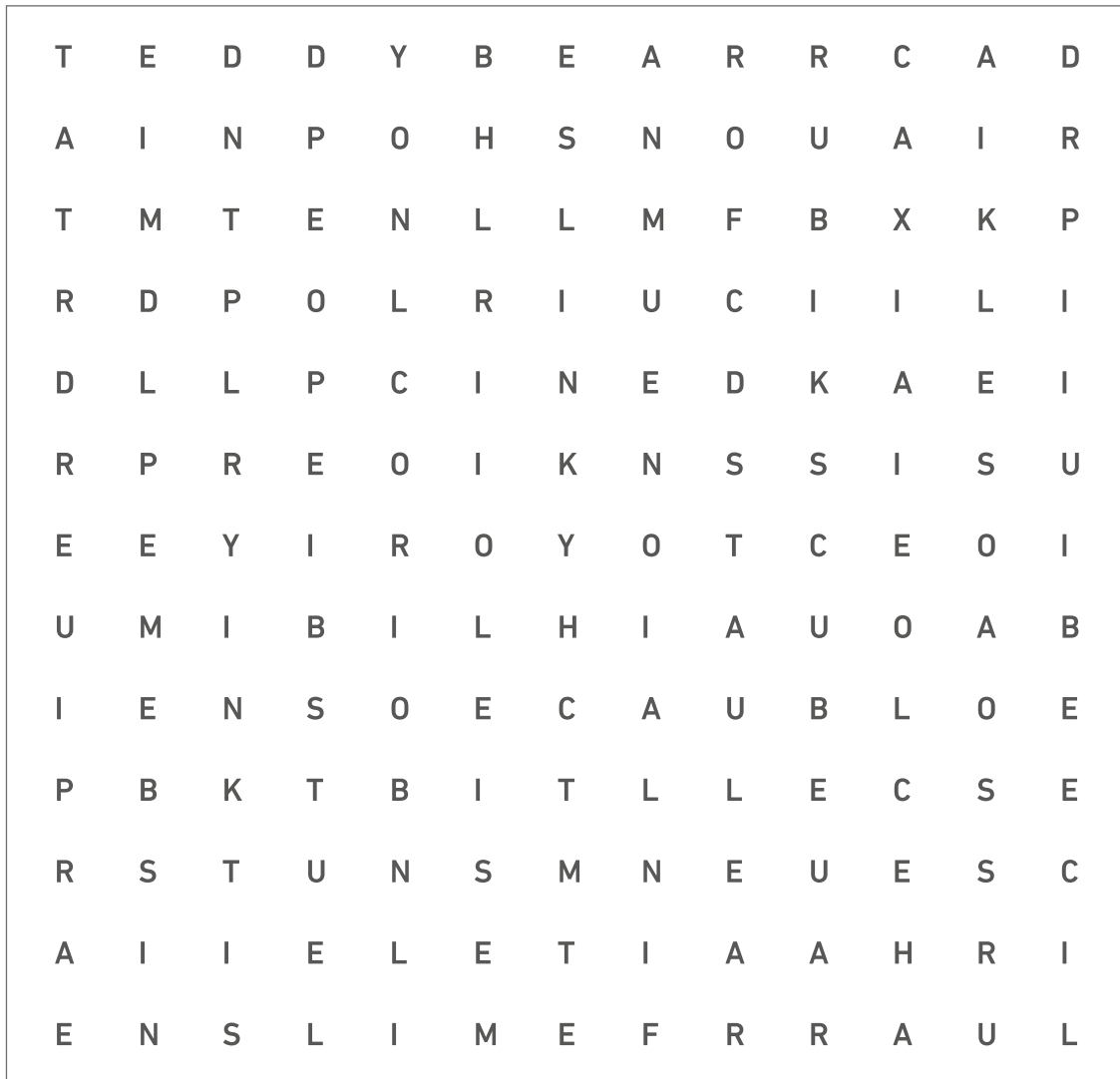
What slogan would you use to advertise your product?

What does it look like? Draw the new toy/product

Annex 4.

Word search puzzle for the activity:

Who invented the toys?



List of words to search:

Rubik's Cube



Teddy Bear



Plasticine



Slime



Hula Hoop



Slinky



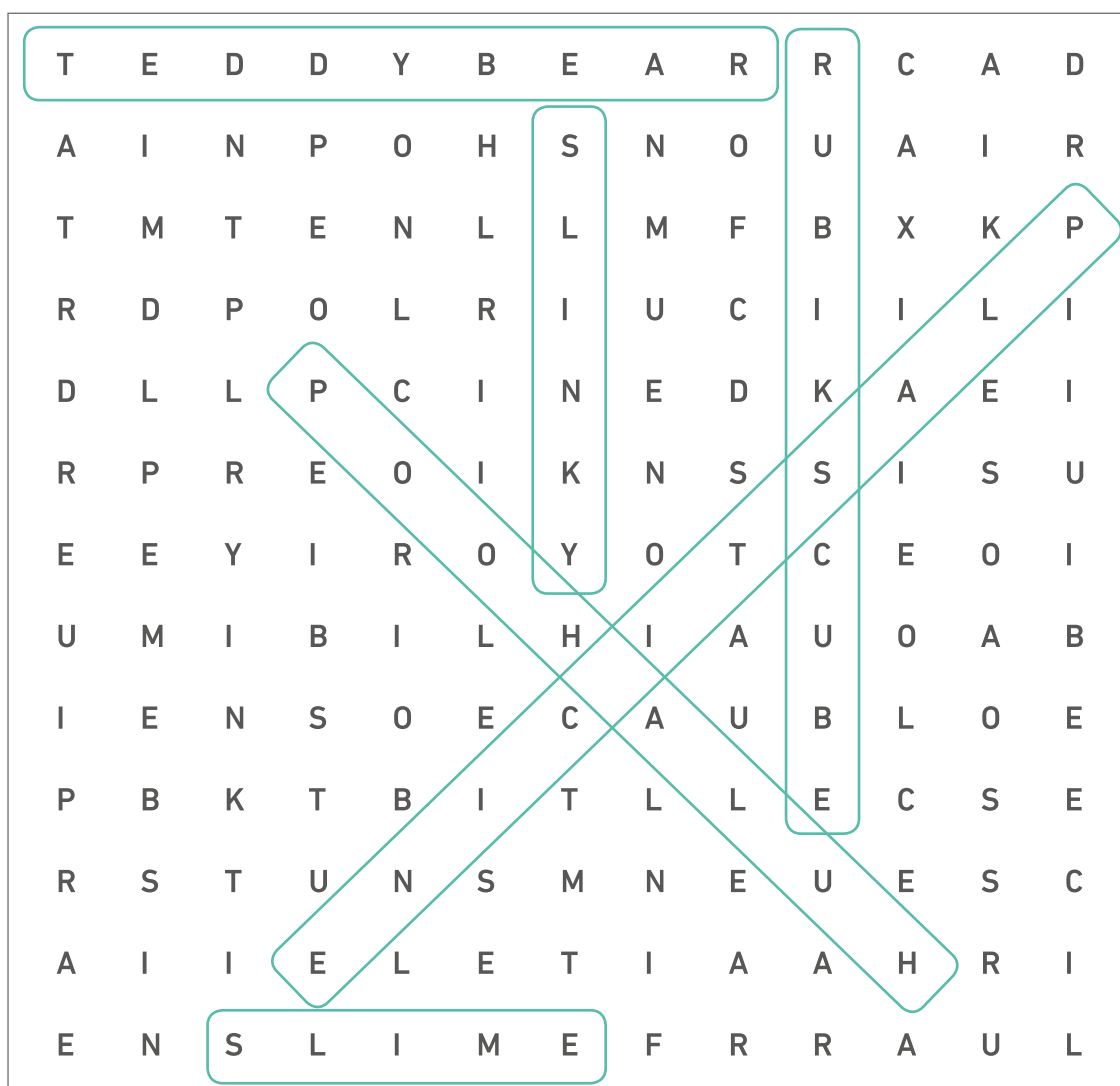
Link to the digital version of the word search puzzle:

<https://buscapalabras.com.ar/sopa-de-letras-de-toys-safe-or-fake.html>

Annexo 5.

Solved word search puzzle for the activity:

Who invented the toys?



Annex 6.

Research sheet for the activity:

Who invented the toys?



RESEARCHER DATA

Names of the group members: _____

Name of the group: _____

Year: _____

RESEARCH DATA

Name of the toy: _____ Year: _____

Name of the inventor or company: _____

Explain the creation process
(how the idea came up, what the process
involved, who participated...)

Explain 3 curious facts
that have caught your attention:

Do you think that a lot of time and effort went into the toy?



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