

HOW CAN CREATORS AND BENEFICIARIES OF RELATED RIGHTS PROTECT THEIR RIGHTS?

TECHNOLOGICAL MEASURES OF PROTECTION - TMP



Technological measures are technologies, mechanisms or components which, in their normal mode of operation, are intended to prevent or restrict operations in relation to works or other protected objects not authorized by the proprietor of any intellectual property or related right.

e.g. the use of a password or identification number; the application of cryptographic techniques; digital watermarks; SCMS -Serial Management System; hardware such as smart cards, dongles, hardware locks -HASP



JUDICIAL AND ADMINISTRATIVE MEASURES

If infringement of intellectual property rights or related rights is possible, there is the possibility of taking precautionary measures by which it is prohibited to commit acts that would constitute infringement of intellectual property, without the need for the specific identification of the specific works.



CIVIL & CRIMINAL PENALTIES

In the context of civil law, the creator and the holder of a related right have the opportunity to file:

- lawsuit recognizing their right
- treatment to remove the infestation
- action for non-infringement in the future if the infringement is threatened or the continuation or recurrence of the infringement
- action for damages and compensation for non-pecuniary damage, if the offender is at fault
- lawsuit for unjust enrichment of the offender
- lawsuit for payment of the profit obtained from the management of the foreign property of the offender.

FIND MORE INFORMATION HERE:

<https://euipo.europa.eu/ohimportal/en/web/observatory/faq-cy>

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