

Bencil Writes

April '14 edition



 **From the desk of Rajeev Surana**

I am just back from a family holiday to Dubai and was fascinated by the great infrastructure they have put up in a land comprising of desert on one side and the sea on the other side.

One thing which stood out was the huge influence of India primarily due to the large Asian population comprising primarily of Indians and Pakistanis because of which the taxi drivers were glued to live commentary of Indian Premier League cricket championship and easy availability of Indian food wherever out went.

But the biggest influence India had exercised was Shah Rukh Khan or King Khan as he is popularly known both amongst Indians as also the local population there.

It makes one realise the kind of influence big personalities have and how it helps one connect with those outside India.

Our main story for the month covers an interesting and evolving area of personality rights and how Shah Rukh Khan has struck all the right chords when it comes to exercising his personality.

Hope you enjoy the April'14 edition of our monthly newsletter, now known as 'Bencil Writes'.

Look forward to your feedback and comments so that we can keep improving our content.

Happy Reading.

Rajeev Surana

 **Share a story: Point of View**

Personality Rights and King Khan

India, which has a large consumer market due to its growing middle class population and the youth power is increasingly relying on big personalities especially actors from Bollywood to sell mundane products ranging from sugar coated candies to pain balm to paints and high end luxury products such as expensive cars, shoes and home products.

Also due to the explosion of various mediums to reach out to target consumers, apart from traditional medium such as radio, television and outdoor sites a lot of newer mediums such as Twitter, web based games, live chats, offline events are being used to reach out to the target audience.

Since popular personalities are now engaged in various commercial activities which go beyond traditional advertising their rights as a personality has now become an important aspect for those involved in the trade to consider before deciding on their marketing campaigns and business development initiatives.

Personality rights can be broadly described as the rights of an individual to control the commercial use of his or her name, image, likeness, voice or other distinct aspects of their personality.

They comprise the right of publicity, to maintain one's image and personality from being commercially exploited without approval or a contract and the right to privacy or simply the right to be left alone without being invaded in their personal lives.

Personality rights are covered by various forms of Intellectual Property Rights comprising of trademark for their name or their brand, sound mark for their voice and copyright for their work which also comprises their moral rights.

It also gets covered under article 21 of the constitution which protects the right to life and personal liberty.

There have been many instances on how the personality rights of well know personalities have been misused or misrepresented, be it the voice of the legendary actor, Amitabh Bachchan in advertisements or how the image of the couple, Amitabh Bachchan and Jaya Bachchan who had lent their personality to the popular jewellery brand, Tanishq was misused by a competing jewellery brand.



But what is worth noting is that Shah Rukh Khan, also popularly known as King Khan has managed to effectively use his personality rights to great effect right from protecting his name 'Shah Rukh Khan' and 'SRK' under class no. 35 (comprising advertisement) and class no. 41 (comprising entertainment, events etc.) to leveraging the same for publicity and media activities as also for merchandising during release of his movies such as Ra One.

Shah Rukh Khan also tops the list of the India's most attractive personality in a survey conducted by Trust Research Advisory (TRA) across sixteen cities in 2013 followed by Amitabh Bachchan and cricketer M. S. Dhoni.

What's new @ Scinnovation

- Scinnovation Consultants Pvt. Ltd. Launched two new offerings for the month of April – Bencil Asks and Bencil Speaks.
- Bencil Asks is a two minute bimonthly Quiz contest which is focussed around Innovation and IP and allows one lucky winner the chance to win a FlipKart Gift Voucher worth INR 500. The winner for the month of April was Ms. Smriti Tripathi.
- Start Ups are often faced with the challenge of allocating their limited resources into the right activities. Our Webinar for the month – Bencil Speaks focuses on 'Intellectual Property in Start-Ups' to provide the requisite knowledge to our determined entrepreneurs to pass this obstacle and turn it into an opportunity. Registrations can be made on <http://scinnovation.in/initiatives/> . Hurry, only 20 seats!

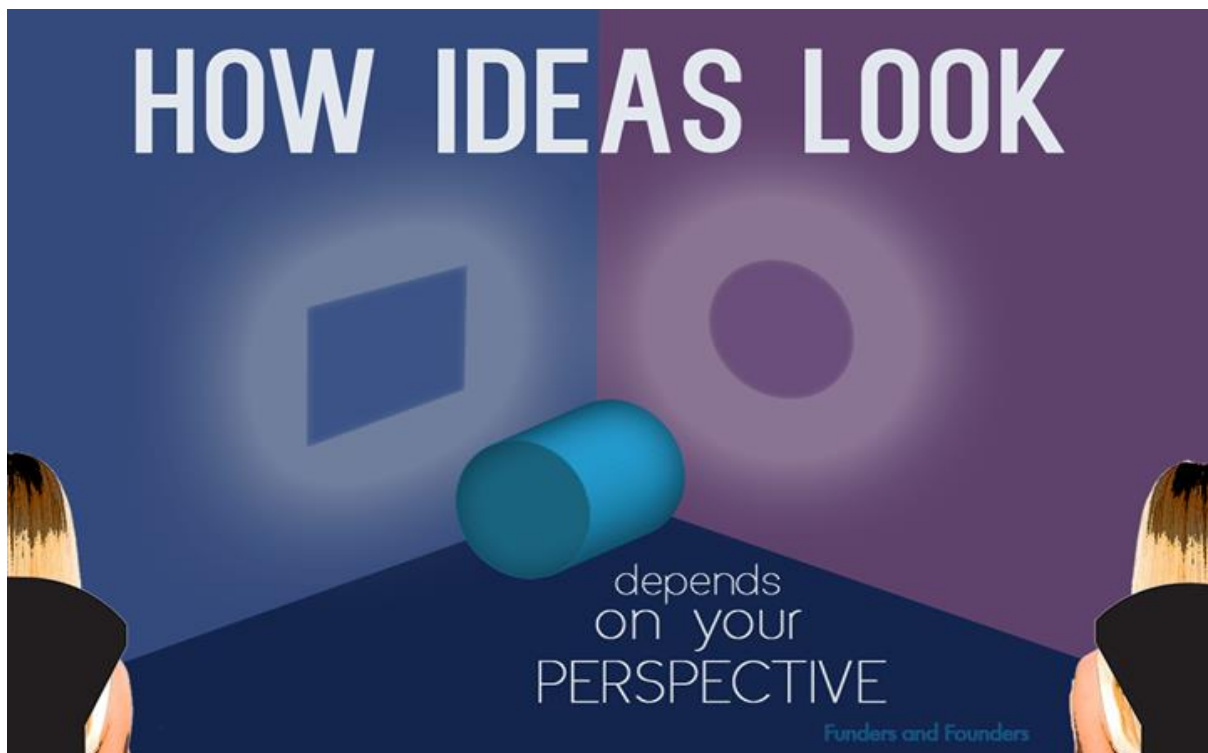
Events in May-June '14:

- IP LAW Europe Summit – Monte Carlo – 2-3rd June 2014
- IP Business Congress – Amsterdam – 22nd- 24th June 2014-05-02

Trivia

Physicists at Wake Forest University have developed a fabric that doubles as a spare outlet. When used to line your shirt — or even your pillowcase or office chair — it converts subtle differences in temperature across the span of the clothing (say, from your cuff to your armpit) into electricity. And because the different parts of your shirt can vary by about 10 degrees, you could power up your MP3 player just by sitting still. According to the fabric's creator, David Carroll, a cellphone case lined with the material could boost the phone's battery charge by 10 to 15 percent over eight hours, using the heat absorbed from your pants pocket.

Think about it...



About us



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'Protect Your Ideas' handbook on IP available on Rediff, Infibeam, Ebay.in for sale