ISSN NO:- 2394-7780

INTERNATIONAL JOURNAL OF ADVANCE & INNOVATIVE RESEARCH
(ISSN : 2394-7780) IMPACT FACTOR: 7.46

PEER REVIEWED
INTERNATIONAL JOURNAL

SANKALPA

TILAK EDUCATION SOCIETY'S
S.K. COLLEGE OF SCIENCE & COMMERCE
NAAC ACCREDITED "A" GRADE WITH 3.17 CGPA
SEAWOODS, NERUL (E), NAVI MUMBAI - 400706

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NATIONAL MULTIDISCIPLINARY CONFERENCE

ON

IMPACT OF IPR ON INNOVATIONS IN THE FIELD OF BUSINESS, SCIENCE, TECHNOLOGY AND ENVIRONMENT

ORGANISED BY
TILAK EDUCATION SOCIETY'S
S.K.COLLEGE OF SCIENCE & COMMERCE

DATE:- 25TH MARCH 2023

International Journal of Advance and Innovative Research

Volume 10, Issue 1 (X): January – March 2023

CERTIFICATE OF INDEXING (SJIF 2022)

This certificate is awarded to

International Journal of Advance & Innovative Research
(ISSN: 2394-7780)

The Journal has been positively evaluated in the SJIF Journals Master List evaluation process
SJIF 2018 = 7.46

SJIF (A division of InnoSpace)

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International Journal of Advance and Innovative Research

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A STUDY ON COPYRIGHT OF E-BOOK PUBLISHING IN INDIA

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ABSTRACT
Copyright is intended to protect the original expression of an idea in the form of a creative work, but does not protect the idea itself. Copyright protects original works of authorship as and when the author fixes the work in a tangible form of expression. You will have to register your copyright, in order to get the full benefit of copyright for a book. A constructive notice created by registration and that constructive notice is very much important for an owner of the copyright. An ***E-Book*** *(Electronic Book or E-Book or Digital Book) is the digital version of a printed book, or a full-length book text that is published or converted to digital format to be viewed on the computer, dedicated E book readers and mobile phones.*

Section 14 of the Indian Copyright Act, 1957 defined the term copyright. A Copy Right is basically the legal right to print, publish, perform, film, or record literary, dramatic and musical work or any such creative material for a span of a few years or even lifetime. The copyright registration process is easy and compared to other forms of intellectual property protection, inexpensive.

The copyright owners are the only ones who have the right to produce reproductions, disseminate, publicize, and prepare derivative works based on the classic work as the proprietor of the artistic work. E- Books are accessed by every one for educational, recreational, informative purpose due to which it is an open source for infringement too if not used by the right users. So, in order to protect the work and ideologies of the writers who publish the books online, the copyright of E- books is really an important and essential criterion for safeguarding the content. In this paper, I will be presenting a study on Copyright of E-Book Publishing in India.

Keywords: Copy Right, E- Books, intellectual property.

INTRODUCTION
EBooks are digital publications which uses electronic files instead of paper so they are called as 'electronic books' (ebooks), or 'digital books'. Many times ebooks may have multimedia content like animation, audio and video elements. A web-based eBook may also have links that lead to other books available on the Internet. In order to protect the copyrights of the author of an eBook is a problematic issue. In spite of the existing legislations to protect copyright infringement, to reproduce a work without the writer or publisher permission is impossible. That is why nowadays most of the publishers protected their ebooks and not allowed to print and only allowed to read on a specific portable device or, computer. The Copyright Act 1957, was the first independence copyright legislation in India and since 1957 the law has been amended six times. The most recent amendment was the Copyright Amendment Act, 2012. The authors and publishers of a written work are the only ones who can decide whether an eBook can be printed or not.

The copyright owners have the main rights to produce reproductions, disseminate, publicize, and prepare derivative works based on the classic work as the proprietor of the artistic work. E – Books are under the ambit of all the laws and regulations governing intellectual property, like literary ad digital/ electronic work. This included the Indian Copyright Act and Information Technology Act. The Creators and producers of E-books own the exclusive copyrights to their works. As per the data of January 2010, there was a study conducted in July 2009 until late December 2009, and an estimated 9 million E-books were illegally uploaded, shared, or downloaded. The downloaded E-books calculated an estimated 3-billion-dollar loss as suffered by the E-book publishing companies. (onlinelegalindia.com).

Digital Rights Management (DRM) technology basically exists to **protect the copyright of the creators of the digital content, including eBooks**. Creators of digital content mostly utilize this protection for protecting copyrights. **DRM is basically a measure to access the limit of third parties to access the file** for further copying etc. Amazon's Kindle, is probably the most popular eBook reader in the present day. Kindle other formats, like AZW and mobi, and even a few PDFs are protected by DRM coding. A bitter truth of this is that a few eBooks in AZW format cannot be opened in other devices.

Procedure for Copyright Registration in India

Step – 1: Documentation
Application or Declaration Form and Statement of Particulars to be filed to register the work with the registrar of copyright.

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Step – 2: Application Filing
The application is filed with two copies of the work along with the prescribed government fee which ranges from Rs. 500 to Rs. 5000 depending upon work.

Step – 3: Copyright Examination
After receiving receipt of the application, copyright department waits for 30 days and then issues examination report accepting it or with the objections.

Step – 4: Objection Removal
The departmental objections if any needed to be removed by a proper reply to it and personal representation. Finally, the copyright gets registered.

(Data as per kanakkupillai.com)

Registration Process: Copyright for E-Book

Discuss a copyright expert: about the category of Copyright registration.

Filling the Application

Examination of application: it is checked by an examiner of authority.

In case of an objection: It is filed with the authorities send out letters to the concerned parties.

Registration: Once everything is cleared from the side of registrar's end the applicant received and owner of that copyright can legally exercise all rights of copyright.

Required information for the registration of copyright

Personal Information: - Name, nationality of the applicant and address. Nature of the applicant whether he is owner and representative of that particular application.

Nature of work: - Class & description, the title of the work. The language of the work should be mention in the application.

Date of Publication: - If the possible date of publication in interval magazines should be mention.

Benefits of Registering Your Copyright
The copyright owner must register a work in a timely manner for the following reasons.

1. Power for implementing Copyrights by Filing a Lawsuit for Copyright Infringement
2. Notifying the Public about the Ownership
3. Legal Proof of Ownership Possession
4. Ownership Validity
5. Eligible for Statutory Damages, Attorney Fees, and Costs of Suit

Remedies for Copyright Infringement
The Copyright Act 1957 provides three kinds of remedies - administrative remedies, civil remedies and criminal remedies.

Copyright infringement with respect to criminal remedies include imprisonment (up to 3 years) along with a fine (up to 200,000 Rupees).

Duration of Copyright Protection

- Literary, Dramatic, Musical and Artistic Works: – Lifetime of the author + sixty years from the beginning of the calendar year next following the year in which the author dies.

OBJECTIVES OF RESEARCH

1. To learn the number of eBooks users in India and its growth
2. To study about the awareness of the copyright of E-books.

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METHODOLOGY

RESEARCH DESIGN

Type of Research
The nature of the research study is **theoretical and descriptive** throughout.

Hence, it's a **Descriptive Research** done with the help of secondary data.

Sources of Data

Secondary Method has been used in an effective way to find out the details required for the research which includes –

- News Reports
- Articles
- Slides

The secondary data shows the importance of the copyright in e book publishing. These data used in combination as per need of the study.

Time period: The time period taken for the research was **3 months** comprising of November, December & January.

LIMITATIONS OF THE STUDY

- The data is collected only from secondary sources.
- Copyright does not apply to concepts or truths.
- All copyrighted content has to be in a tangible medium.

Data Analysis and Interpretation
1) To learn the number of eBooks users in India and its growth

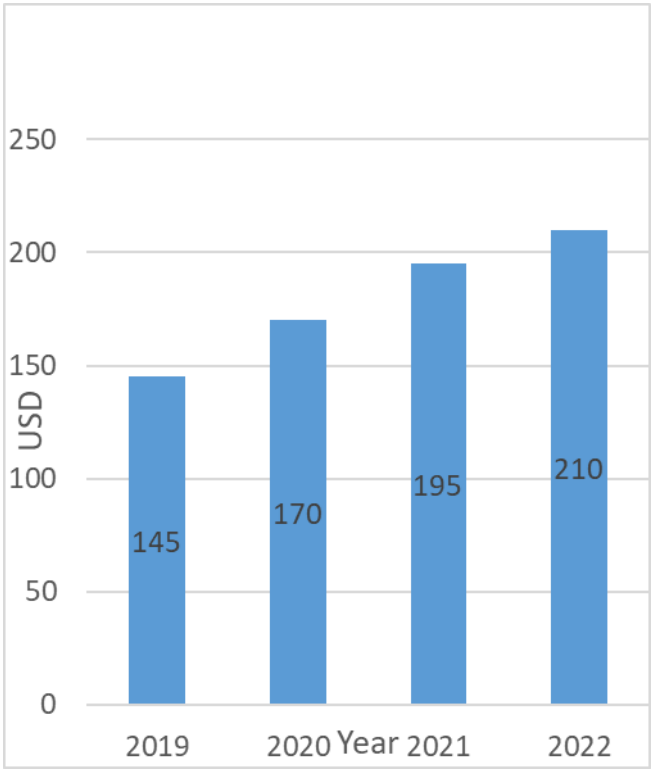

Figure 1 – Growth of E book estimate from 2019 to 2022

USD – United States Dollar
From the above data, the no. of e book users in India has increased over the time. It was 145 USD in 2019, volume is between 170 USD in 2020, the volume reached 195 USD in 2021 and the volume of e-book users have crossed 200 USD in 2022 making it to 210 USD. So from the data we can see that there is significant

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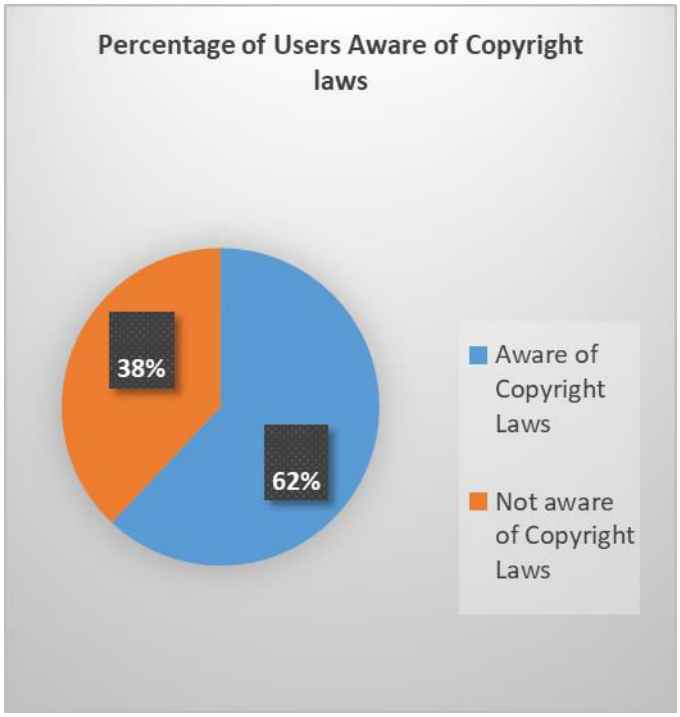
growth in the no. of users of e books in India. So here from the data we are able to study the number of no. e book users in India and its growth. Data as per the quantumhub.com

2) To study about the awareness of the copyright of E-books.



As per the data collected from the survey conducted through secondary data we can say that 62% are aware of the copyright laws which is a good sign they are aware of the copyright laws with the help of which they can protect their original works or creations but the 38% of the population are still not aware of the copyright laws which can cause misuse of data, copy infringement issues and recreating the original works. So proper awareness need to be created to these authors in order to strengthen the copyright laws and to safeguard the original contents.

FINDINGS

- The number of eBook users in India is increasing which shows that the future looks bright for online contents as its convenient and all the information is available the tip of the finger.
- The number of users aware of the copyright laws is more which indicates that the copyright laws can be implemented effectively in the eBook contents.
- More awareness needs to be created regarding the copyright laws in order to make the contents free from infringement issues.

CONCLUSION

The current generation is often called the 'Internet Generation' because of the immense popularity it has gained in the last decade, and how it is so easily accessible. This has caused a lot of changes in our working pattern, and also lifestyle.

One of the aspects affected is reading.

E- Books have become popular due to it being immensely accessible, and cheaper to publish. Hence, a lot of new authors are preferring and coming forward for eBooks over paper books. E-book copyrights provide the sole rights only to the author or the creator of the E-book.

Copyright Registration protects it in a special way of how you express your creativity in your work. You can keep your incredible plot, characters, and data protected with the help of copyright. No one can duplicate or copy your abilities. Copyright protects how you present something in your work in a particular manner.

This study has tried to ensure in spreading awareness about eBooks, and how they are protected by copyright law.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPACT OF INTELLECTUAL PROPERTY RIGHTS ON THE MUSIC INDUSTRY

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ABSTRACT
This research paper explores the impact of intellectual property rights (IPR) on the music industry. The music industry has been significantly impacted by intellectual property rights (IPR) protection over the years. This research paper provides an overview of IPR in the music industry, examines its evolution, and discusses its impact on stakeholders. The paper also explores IPR laws and regulations and how the shift to digital music distribution has affected the industry. The music industry is a creative industry that relies heavily on intellectual property rights (IPR) to protect the rights of creators, performers, and producers. IPR in music includes copyright, trademark, and patent protection. The impact of IPR on the music industry is significant as it affects the way music is created, distributed, and monetized.

I. INTRODUCTION
The music industry is a vital part of the global economy, generating billions of dollars in revenue annually. As the industry has evolved, the need for IPR protection has become increasingly apparent. IPR protection ensures that artists, record labels, and music publishers receive fair compensation for their work. However, piracy and unauthorized use of copyrighted material continue to be significant challenges for the industry. Intellectual property rights (IPR) have a significant impact on the music industry, as they govern the legal ownership and control of creative works such as musical compositions, lyrics, recordings, and performances.

II. LITERATURE REVIEW
IPR refers to the legal rights that protect a person or entity's creations, inventions, or designs. In the music industry, IPR includes copyrights, trademarks, and patents. Copyrights protect musical compositions, while trademarks protect artists' names, logos, and images. Patents are used to protect unique musical inventions.

III. ANALYSIS AND INTERPRETATION
The history of IPR in the music industry can be traced back to the early 20th century when the first music copyrights were issued. Over the years, the industry has experienced significant changes, including the introduction of digital music distribution platforms. The growth of digital music has led to new challenges for IPR protection, including online piracy, file sharing, and unauthorized use of copyrighted material. These challenges have had significant implications for the music industry, including revenue losses and decreased artist compensation.

IPR Laws and Regulations: To address these challenges, various laws and regulations have been put in place to protect music industry stakeholders. The most significant of these is the Digital Millennium Copyright Act (DMCA), which was enacted in 1998. The DMCA provides a safe harbor provision that protects internet service providers (ISPs) from liability for the actions of their users. However, the DMCA also requires ISPs to respond to takedown notices from copyright owners promptly. Additionally, the DMCA established the Copyright Office, which oversees the registration and enforcement of copyrights.

CURRENT STATUS OF IPR IN THE MUSIC INDUSTRY
The current state of IPR in the music industry remains a contentious issue. While efforts have been made to protect IPR, piracy and unauthorized use of copyrighted material continue to be significant issues. Additionally, the increasing popularity of streaming services has led to concerns about fair compensation for artists and songwriters. The industry is also grappling with the impact of emerging technologies, such as artificial intelligence, on IPR protection.

OBJECTIVES
1. To develop an understanding of the various aspects of IPR related to the music industry.

2. To study the various aspects of the impact of copyright in the music industry.

3. To safeguard the copyright of music creators from piracy.

RESEARCH METHODOLOGY

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The methodology used for conducting the study in this research paper is purely Secondary in nature. It is conducted to gain insight into the impact of IPR in the music industry. The secondary source used is internet journal and newspapers, websites, and research paper for case studies for conducting this research.

CONCLUSIONS

The music industry has undergone a significant transformation in recent years, largely due to the advent of digital technologies and the internet. One of the key issues that have emerged in this context is the question of intellectual property rights and the extent to which they have affected the industry as a whole.

.Despite these new opportunities, the music industry continues to grapple with the challenges posed by intellectual property rights in the digital age. One of the ongoing debates in this context concerns the balance between protecting intellectual property rights and promoting innovation and creativity. Some argue that overly restrictive intellectual property laws can stifle innovation and creativity, while others contend that strong intellectual property rights are essential for protecting the rights of creators and promoting the creation of new and original works.

Ultimately, the impact of intellectual property rights on the music industry is complex and multifaceted and will continue to evolve as digital technologies and new business models continue to emerge. While piracy and other forms of intellectual property infringement remain a concern for many in the industry, there are also many opportunities for music creators and companies to benefit from the protection and monetization of their intellectual property. As the industry continues to adapt and evolve, it will be important to strike a balance between protecting the rights of creators and promoting innovation and creativity in the digital age.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPACT OF IPR ON INNOVATIONS IN THE FIELD OF BUSINESS IMPACT OF IPR IN NEW MEDIA – OTT PLATFORMS

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ABSTRACT
It's a world of new era, new knowledge and new technologies. Technology has changed and developed all the areas and so is it with media. Media world has evolved and developed to be known as new media today. This development has brought many challenges to be faced by Broadcast and Media industry. Everything from newspaper article to blogs to music is delivered digitally. OTT is one such platform embraced by the public happily. This platform has given the comfort and luxury of viewing anything online. The use of these platforms saw a rise during the lockdown period and has been rising ahead since then. All are familiar with the term IPR. Intellectual Property Rights as it is known are the rights given to person over the creation of their minds. Today the concept of IP has made its presence over the internet protocol. This entry of IPR in field of OTT has been successful in modifying the law to suit the online communication. There is a tremendous growth in media and entertainment industry. Thus, it is essential to understand the role of IPR in this particular sector. Copyrights and trademarks are the most important of IP rights used in this industry. Copyright is the legal ownership given to the creator of the work. Copyright infringement is a common issue in this area. This happens when a person uses someone else copyrighted work in an unauthorized manner. The judiciary and legislation promote creativity in this field by constantly trying to prevent its misuse. In this paper I have tried to explore the impact of IPR in the new world of media which is the OTT platforms. This paper analyses the issues that arises in OTT platforms like Netflix, Amazon prime, Hulu and so on due to copyright infringement.

Keywords: new media, internet protocol, creativity, modifying law, OTT platforms, copyright infringement

I. INTRODUCTION
New Media is a very popular term today. So, what exactly comes under this broad term? It covers everything that can be digitally delivered. Website, email, mobile phones and streaming apps any internet-related form of communication can be considered as new media. A new world which brings an interplay of technology, sound and images to capture the interest of the audience. The media and entertainment industry are making a big leap on representing onscreen due to the digital transformation. Most prominent digital media today are video sharing mobile apps, on-demand streaming TV, OTT content marketing and artificial intelligence solutions. Today people are free to watch any program or movie at their convenience anywhere. The usage of this media saw an increase during lockdown where people kept themselves entertained most by watching OTT. The video streaming platforms and its viewers have increased. In last five years the search for amazon prime video is increased by 231%. By 2027 vide streaming revenue is anticipated to rise by over $139 billion per year.

II. OBJECTIVES
1. To analyze the development of new media
2. To understand the influence of OTT on people
3. To analyze the importance of IPR
4. To explore the impact of IPR in OTT platform

III. LITERATURE REVIEW
Mr. Sunil Ambalaveli in his article "IPR in OTT platforms" dated November 2021 speaks about two types of IP. The first one is licensing according to content produced and two about co-production by production houses. He has explained about copyright infringement and the response to it. An effective mechanism of court or the John Doer order is suggested. He concludes by saying India should modernize its IP laws in order to suite the new forms of infringement. Authors of a multidisciplinary journal -Mahratha Prof. Rucha Shinde and Prof. Ketki Dalvi in their article "An overview of copyright infringement in India and OTT platforms" elaborate on the term copyright and its infringement

IV. RESEARCH METHODOLOGY
The study is based on secondary research. Details are gathered, analyzed and studied from journals, blogs and websites. A detailed study of OTT platforms and IPR rules has been gathered from various articles.

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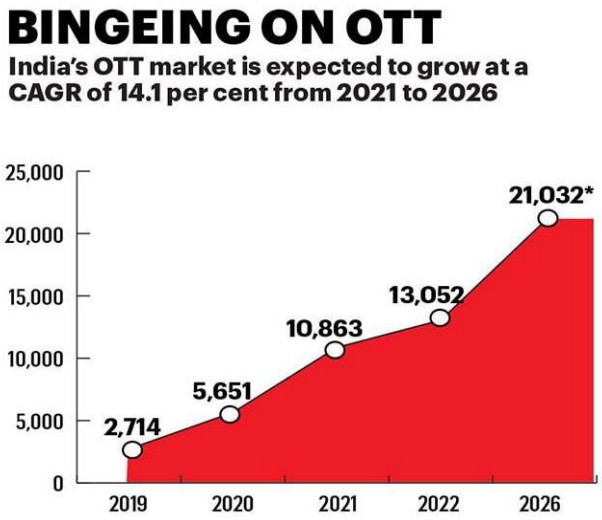
V. EMERGENCE OF OTT

The word OTT stands for Over the Top platforms. It portrays the new method of delivering TV and film content through internet which can be watched at our convenience anywhere in any device. It's a break of traditional methods of paying the service provider like cable. Today what we require is only an internet connection which helps us to binge watch through our favorite OTT platforms. OTT gained its popularity mainly because of its accessibility. What is required is just an appropriate device and high-speed internet connection. Thus, it is accessible through mobile, desktop and TV. It's an OTT streaming when premium content and superior experience is made available through platforms like Netflix, Disney+, Hulu, Amazon Prime Video, Peacock and so on. Today watching a TV or movie together with family is not a weekly affair. Binge watching has taken it to a level of anyone watching anything at any time to their convenience.



VI. NETFLIX – A SUCCESS STORY

The greatest story of online streaming is the saga of an OTT platform named Netflix. American entrepreneurs Reed Hastings and Marc Randolph founded Netflix in 1997. It started offering online subscription service in 1999. The coatomers chose the movies from the website which was then mailed to the in the form of DVD. In October 2017 NETFLIX had 109.25 million viewers which doubled after the COVID-19 pandemic hits the country as well as the world. At present we have 765 million viewers of NETFLIX in the world out of which more than 50 million viewers are from United States of America. India has almost 5 million viewers if NETFLIX. This OTT platform has earned a revenue of 14% in the online video revenue market in the country.

VII. IPR IN THE ERA OF INTERNET

The concept of IPR has been entering the arena of internet for some time now. It has been successful in modifying the law to suit the online platform. The business assets of the digital world are the intellect rather than physicality. This has allowed IP to make its mark in this field. As the growth and use of internet increases in our lives so does the issues relating to intellectual property rights and the question of their protection. Internet today has become a commercial network where new business models are created to deliver services online to the viewers. It is a revolutionary journey like a search towards something new. In this journey the nature of the rights concentrates in controlling the exploitation of creativity of the creator. The way these rights are expressed has been constantly adapting changes according to the development. New technological developments in area of communication also has brought lot of refinement in IP laws.

VIII. COPYRIGHT INFRINGEMENT

Copyright is defined as the exclusive right given to the creator of the work for a fixed number of years. It protects the creators work from being duplicated without authorization. It's important as it legally protects the creators work. It provides ownership to the creator. The Unauthorized use of a copyrighted work is known as copyright infringement. When you copy a creator work it is defined under Section 51 of the Copyright Act as infringement of copyright. Copyright infringement can be caused due to the video piracy of OTT content and the corresponding liability under the Information Technology Act of 2000.A very high viewership of OTT content has generated the issue of creating pirated content that too can be viewed online. One example to be mentioned here is application named Telegram – a cloud based instant messaging service which has become a common platform to share pirated contents of movies and web series that is available in Netflix and Amazon prime. This has increased piracy allowing users to share unauthorized copied content from digital media. It is

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difficult to identify and control the public involved in these piracies as their personal information is unknown. The Information Technology act too has laid down certain rules against Piracy. In India there was a traditional method named John Doe order, also known as the Ashok Kumar order, to make such people accountable. This order allows an IPR owner to defend his work by issuing a notice and taking action against anyone who infringes on his rights but whose identity is unknown to him. To procure this order the owner has to fulfill certain requirements such as:

a. satisfy the Court that his rights have been infringed by showing instances of previous breach
b. satisfy the court of the existence of a prima facie case before any relief can be granted
c. establish that if the John Doe order is not granted to him then he will be faced with some financial or irreparable damage

Today it is difficult to follow this as in this digital age piracy has become instantaneous. In 2019 the Delhi High court came out with a new method- dynamic injunction to fight piracy. This helped the digital media to fight with those rouge sites that promoted piracy.

IX. CASES

There has been a copyright infringement case in 20221 between Raymond Pirtle vs Netflix Inc. A

Petition was filed by Raymond Pirtle against Netflix Inc. The allegation was that the film in Netflix named "Skater Girl" infringed the rights of Pirtle's independent film 'Sk8r Grrl'. He said that his work was pronounced phonetically as skater girl even though the logo version is 'Sk8r Grrl'. Thus, it shares the same likeness with the Netflix film. Pirtle in his petition mentioned that Netflix had made unauthorized usage of his copyrighted and trademarked works under the title "Skater Girl (2021)". Another case is where actor and standup comedian Vir Das, Netflix and two others were booked under copyright Act by Mumbai Police. The complainant was a producer Ashwin Gidwani. He alleged them of violating an agreement made in 2010 related to a script and show named, "History of India VIRitten (2010)". They had used the concept and content of the show to make a new show named "Virdas for India". Netflix was charged as they had aired the show in 2020.

X. NEW RULES FOR OTT PLATFORM

The OTT platform in India provided digital media creators complete freedom to make their content. There have been arguments raised against censorship of OTT contents many a time. It is a platform with subscription on demand which viewers need to buy only if they are interested. The Ministry of Information and Broadcasting (MIB) has many times in past discussed the necessity for some sort of regulation of OTT platforms in order to streamline the market. The Information Technology (Guidelines for Intermediaries and Code of Ethics for Digital Media) Rules of 2021 were released on this basis. Today the Digital news organizations and OTT businesses operating in India are required to publish monthly compliance reports outlining complaints received and specifics of legal steps taken. They also have to submit information about their firms to the I&B Ministry.

XI. CONCLUSION

The increasing use of online streaming platforms today has given rise to new issues. Binge watching in OTT has become the new normal. So, with this comes the issue of piracy. IPR has refined its laws to suite todays digital platform. A need for more specific and thorough law will be needed in future. This will protect the work of original copyrighters and prevent piracy in OTT platforms. It is very difficult to deal with copyright infringement in OTT in India. The impact of IPR in digital platform has given a sense of security to the creators of innovative work. The judiciary has been active in refining the laws according to change in technology and communication.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

INTELLECTUAL PROPERTY, INNOVATION AND THE RIGHT TO HEALTH

Dr. Reeta Rana and Mrs. Rachna Desai

ABSTRACT
This paper deals with the subject of the colorful relations being between intellectual property and the right to health. Reference will be made, within the artificial property system, especially to patents, as a pivotal instrument in the development of the pharmaceutical assiduity, which in turn has swung the world's population lesser and better access to health systems. easily thus, it's by no means frivolous to suggest that artificial property protection systems, by means of patents in this case, have managed to make a profound donation to the development and enhancement of the health of the general public throughout the world, by creating a situation in which the right to health, as a first- generation mortal right, videlicet one of those relating to the existent, becomes a reality. Clear though the below premise is, it's also fair to say that the subject of the protection of medicinal and especially medicines by means of intellectual property rights has given rise to major conversations on the world stage. Those conversations have stirred up serious enmity, over all between advanced and developing countries, and have been the cause of ferocious debate at transnational gatherings. In this paper, I'll look into the intellectual property and its part as a protagonist of health as health is a factor that's pivotal to the survival and weal of humanity.

Keywords: Genetic resources, Biotechnology, Drugs, Biological Diversity, Genetic Therapy, Biological Resources, Bio ethics.

1. INTRODUCTION

The Agreement on Trade- Related Aspects of Intellectual Property Rights obliges signatory countries to give patent protection to medicines, along with other inventions, for a period of 20 times. There's some contestation as to the grounds on which the developing countries agreed to the proffers of the more advanced countries on this subject, but what's certain is that, when an transnational undertaking of similar magnitude has been made, any discussion of the counteraccusations that it would have for the health systems of the least advanced countries seems spare.

Access to inheritable coffers is a subject that has come under discussion fairly lately and has come important as the hunt for new medicines, new curatives and new cures in our earth's biodiversity has boosted. The hunt for restorative substances in nature is nothing new shops especially have long been the source of phenomenon cures, but now, while pharmaceutical companies continue to develop medicines on the base of sophisticated computer work, there's a juvenescence of interest in medicinal shops and in natural substances with natural parcels. The event that has brought new sapience into the subject is the emergence of the new biotechnology, which shortens time- spans and promises great exposures in this area. For that reason, the more important pharmaceutical companies are turning their attention to the earth's timbers in hunt of shops, creatures, fungi and also microorganisms that are a potentially rich source of active constituents suitable for metamorphosis into medicines.

This interest has at the same time aroused contestation regarding the possibility of intellectual property rights being inaptly asserted in order to appropriate the products of natural diversity without corresponding compensation for the country, area, lineage or ethnical group that provides the natural resource or raw material for its development. The debate has therefore concentrated on the need, assuming the possibility of patents being accessible for natural products, with the exclusive rights that they bring, for there also to be the possibility of recognition and due profitable compensation for the person or persons who give the raw material. This debate has also borne fruit with the hand of an transnational undertaking to grant similar rights in agreement with the United Nations Convention on Biological Diversity, 1992(the CBD). The problem that has arisen has to do with the perpetration of the CBD, which is presenting difficulties of a practical nature.

Another major subject that arises when the issue of the relations between intellectual property and the right to health is introduced is bioethics. It's a subject that has also been seriously batted worldwide in connection with the possibility of using intellectual property to secure exclusive rights in mortal body corridor. The debate came into the open over all with the perpetration of the Human Genome Project, whereby all mortal genes are to be sequenced with a view to treating a number of conditions by means of gene or inheritable remedy. The legal, ethical, philosophical and religious counteraccusations of such a design, and of the idea of patenting corridor of the mortal body, has aroused kick on the part of colorful groups, and it's still uncertain just what the impacts will be for the development of society.

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This paper thus aims to take a broad, broad look at the patenting of medicinal, and the contestation that has arisen between developing and developed countries on the subject, and to show how that contestation was brought to an end in an transnational convention; it'll also consider the subject of access to natural coffers as a source of raw material for the development of new medicines. The first part will therefore deal with subjects like the patent system, the pros and cons of the patenting of pharmaceutical products, the applicable vittles of the passages Agreement and the matter of resembling significances and the prostration of intellectual property rights, the ultimate two being still contentious at the world position. The alternate part will deal with access to natural coffers and the applicable vittles of the CBD, with one or two practical exemplifications of results to some of the conflicts that have arisen out of its perpetration.

2. The Right to Health

Everyone has the right to a standard of living acceptable for the health and well- being of himself and of his family, including food, apparel, casing and medical care and necessary social services, and the right to security in the event of severance, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. As we see, the government cannot guarantee an existent's right to health in the same way as the other rights could be enforced, similar as the right to freedom for case; health is thus a product of the combined action of a series of variables, some of which are beyond mortal control. What the government does have to guarantee, still, is the combination of situations which, like food, nutrition, medical backing, hygiene, etc., contribute to the enhancement of health. Within that set of variables, access to medicines and ways for remedial opinion, and also access to sophisticated outfit for the opinion, forestallment and cure of complaint, come essential factors guaranteeing the health of mortal beings.

3. The Intellectual Property

Intellectual property is the general term used to designate the private rights that the colorful legal orders entitlement to the generators of immaterial means of intellectual origin. Those immaterial means may be of two kinds, videlicet moreover erudite and cultural creations or distinctive signs and inventions. Intellectual property thus establishes the protection of ideas and designs in art and technology, in assiduity and in trade. It's precisely because there are differences between the protection of erudite and cultural creations on one hand and distinctive signs and inventions on the other that legal literature has divided intellectual property, the overall general term, and created two sub fields called brand and artificial property. Brand serves to cover the instantiations of intelligence and art, and over all creations in the sphere of what's aesthetically pleasing. The important thing about this sub field is that brand protects the generality or the form of expression of the ideas, but not the ideas themselves. That means that there may be oils or books on one and the same subject, created by different persons; each of those persons will have his own veritably special way of dealing with the subject, and it's precisely the manner or form in which he does so that's defended by brand.

Artificial property, on the other hand, relates to objects that can be used in technology and assiduity, meaning marketable signs like trademarks, trade names and so on, and inventions in their colorful forms, similar as mileage models and artificial designs. Industrial creations, unlike erudite and cultural creations which contribute to an terrain of intellectual or aesthetic enjoyment, are characterized by their utility and serve a particular profitable purpose. It's thus important to concentrate on patents as the means of protection for inventions. An invention may be defined as an idea that purports to break a specialized problem. This accounts for the social function that has been attributed to inventions as factors promoting development and as essential factors of any profitable association.

4. The Patent System

Patents, for their part, are the titles conferred by the State that attest the entitlement of exclusive rights to the innovator for the exploitation of his invention. The patent is the price or persuading that the State grants the innovator for his donation to the result of a problem in technology or assiduity. It's an arrangement between the State and the innovator whereby the ultimate decides to expose and publicize his invention to society, in exchange for which the State assures him that no bone later will be suitable to copy it without his concurrence. The patent therefore performs a twofold function as an persuading to construct on the one hand and as an essential factor of scientific and technological progress on the other. Utmost of the exploration and development that's done at present takes place on the base of veritably sound patent protection systems that guarantee the exclusive right to work the invention.

The world is passing through an age of modernization on such a scale that a business's most prized asset is its mortal coffers as a fount of ideas which, with the support of a exploration structure, has assured that scientific progress doesn't come as a surprise. More important than their material stocks, in the opinion of businesses, are their stocks of immaterial products of the mind, which are what give them an edge over the competition.

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It's intriguing to take a look at particular characteristics of patent:

• The patents are titles conferred by the State, so that the rights actually represent recognition by the State.

• They don't fairly come into being until similar time as the State has caused them to be honored by means of a procedure laid down in its legislation.

• As a general rule the innovator applies to a public office, generally a registry, where he has to give a clear and terse description of the invention by filing colorful documents accompanied, where possible, by the corresponding delineations.

• The innovator has to describe the invention easily and in detail.

• The description has to be sufficient for a specialized person with average skill in the field to be suitable to carry out the invention by following the instructions given by the innovator.

The abecedarian part of the description is called the claims; these constitute a set of equals, as it were, that define the compass of the invention. The claims therefore serve to define the extent of the exclusive rights, as the protection is determined solely by the information that they give.

The rights conferred by the patent generally relate to the exclusive use, during a specific period, of the invention that forms the subject matter of the patent. Use is a general term that has been defined by some legislation as the patent proprietor's right to exploit the invention simply, or to enjoin third parties from exploiting it without his concurrence. Exclusive use therefore encompasses acts of manufacture, importation, placing on trade, trade, marketing, industrialization, etc., in fact any act that entails making the patented product or process available to the public.

5. Patents for Pharmaceutical Products

Obviously, as specialized and artificial requirements and profitable association have evolved, patent law has itself evolved in recent times. It's therefore worth noting that patent law has evolved and continues to evolve in line with the profitable and specialized-artificial musts of the country in which it operates. Countries have been designing the vittles of their patent laws according to their particular situations of development and specific requirements. The patent protection of inventions concerned with chemical, medicinal and food products has been one of the most controversial subjects in artificial property. The subject of the patent protection of pharmaceutical compositions is vitally important. First it's a subject with strong social connotations it touches on areas as sensitive as health and man's quality of life, indeed his survival. Secondly, the chemical and pharmaceutical assiduity depends to a large extent on expensive exploration and development programs for the product of new inventions, which means that it's further necessary than in other areas of assiduity to be suitable to cover them with patents. This is compounded by the fact that chemical and pharmaceutical products are more frequently than not fairly easy to copy. The patent system has shown itself to be the only effective means of promoting exploration and development for the accession of new knowledge, which ultimately brings about an enhancement in social and profitable well- being.

6. Parallel Imports

Another subject that's related to the patenting of pharmaceutical products, although in fact it's one that could be applied generally to all products defended by intellectual property rights, is that of resembling significances. Any discussion of resembling significances is bound to include the matter of the prostration of intellectual property rights. The resembling significances question is of particular applicability to the pharmaceutical assiduity, being able of weakening its position on the world request. resembling significances can be defined as a practice in transnational trade whereby a distributor, without any concession or license from the proprietor of the patent, purchases patented products in countries where the price is low and sells them in countries where advanced prices are charged, in malignancy of the fact that there are companies in the ultimate countries that have been certified to distribute the products by the proprietor of the patent. A resembling import situation thus arises whenever the following three conditions are met

• There's a patented product,

• There's a price difference that makes importation seductive, and

• There's an central operating alongside the patent proprietor's licit designee.

• The subject of resembling significances is conceded to be nearly tied up with that of patent rights, the problem that similar significances represent isn't an intellectual property problem alone, because in any situation that

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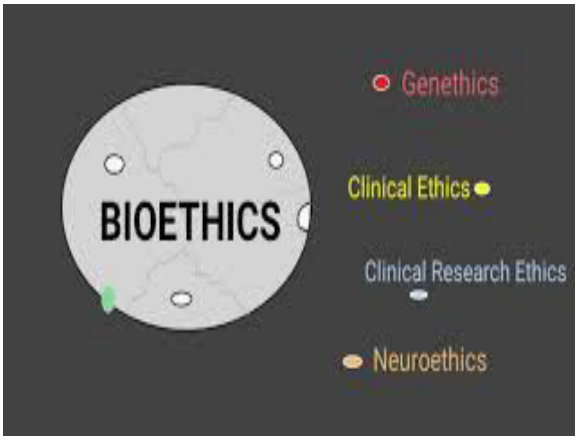
arises out of price differentials, anyhow of whether or not the products involved are patented, there need only be a sufficiently seductive difference in price for someone to contemplate taking advantage of it.

7. Access to Biological Resources

As with any mortal interest subject, it's possible to consider the relation between intellectual property rights and natural resource from several different angles. It's important to take another aspect into account, videlicet the fact that, when dealing with the possibility of having access to a natural coffers, in confluence with the possibility of using them for the product of inventions qualifying for intellectual property protection, one has to consider sensitive aspects similar as life, the preservation of the terrain, food coffers, prospect ion for natural coffers, health, the conservation of species, technology transfer, etc., which bring a great numerous largely involved ethical, legal and philosophical considerations into play. It's possible to gain artificial property protection for living organisms. The relations between intellectual property protection and access to natural coffers have been a veritably popular subject in recent times. veritably lately a number of veritably bold vittles have been legislated on the patenting of biotechnological inventions. It's possible to patent inventions that contain natural material or processes by which natural material may be produced. It still excludes creatures, factory kinds and basically natural processes for the product of shops and creatures from patent- capability. In malignancy of the great transnational debate that has taken place on this issue, there's still no clear picture of how access to natural and inheritable coffers is to be controlled, or how a certain position of power of similar coffers is to be achieved. Really this situation contains within itself great challenges for the future of artificial property, especially patents.

8. Bioethics

As a set of norms that govern the life of humanity, ethics have always been present at all stages in the development of wisdom and technology. Biotechnology is the fashion that consists in using live organisms to produce goods and conduct processes. In practical terms, scientists are able of diagnosing, precluding and curing conditions, indeed before birth, uniting in felonious examinations, contributing to maternity exploration and also working in labor, insurance, connubial and other surroundings. Bioethics has also had to deal with the arguments stirred up by the possibility of patenting genes and other corridor and factors of the mortal body. The ethical debate going on around biotechnology is grounded on the fear that biotechnology has the implicit for manipulating and altering the mortal race, and that if similar effects were to be without control, they could end in the extermination of humanity. One can therefore understand the emotional content of the subject and the logic that has convinced governments and companies to set up bioethics forums. Bioethical studies essay to strike a balance between the benefits inferring from gene remedy and inheritable exploration and the threat of detriment to individualities, society and the mortal race in general. Whether or not the patenting is going to profit society will depend on an analysis of the pros and cons traditionally associated with patenting in general, which it might be useful to epitomize at this point.



Courtesy: Google

Arguments in Favor	Arguments Against
Patents promote innovation and dissemination of innovation.	The proprietor of the patent may abuse his exclusive position on the request
Patents give a means of licensing technology at all situations.	Patents are prohibitively precious for developing countries.
Patents are a means whereby the investor	Patents promote the secretiveness of

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can recover his investment, and without which he'd not invest.	information.
Patents tend to go only to technology that has commercial value.	Patents delay the publication of information that is of value to health.
Patents are obtained only in areas where the law permits them, and are therefore controlled by the State.	Patents may preclude an indigenous community that contributed to the development of an invention from using it.
Patenting is costly, and therefore promotes the protection of marketable technology only.	Patents reward the rich and penalize the poor, as their main effect is to raise prices.

In addition to the below considerations there are those of ethical, philosophical and religious character, which in numerous cases are stronger than the profitable bones . It would have to be established whether the benefits to society in terms of bettered mortal and beast health care, food safety, environmental protection and so on are lesser than the enterprises expressed. What bone shouldn't lose sight of still is the mortal rights aspect. Obviously, from an ethical point of view, no person, pot, association or society should be granted exclusive rights in corridor of the mortal body or in a clone of a mortal being. There are no benefits that would justify waiving similar restrictions.

9. Public Health Needs and Innovation

Innovation in public health involves the preface of new ideas, programs, styles and programs to ameliorate the population's health status. Although similar invention is broad in compass, the present report examines one aspect biotechnology, including genomics, medicinal, medical bias and other diagnostics. The need is lesser than ever for invention in health- care products, including drugs, medicinal, diagnostics, and medical bias. Molecular genetics combined with an enhanced understanding of immunology is also performing in new and advanced vaccines. New styles for precluding and controlling numerous of the causes of habitual ill- health can be anticipated from a growing understanding of the mortal genome. New classes of diagnostics, vaccines and remedial agents, and new approaches to vector control can decide from the study of mortal, pathogen and vector genomes. A better understanding of gene functioning in health and complaint, and in medicinal chemistry, makes it possible to estimate seeker composites more snappily, and to develop products more nearly acclimatized to requirements. Inheritable revision of shops offers the implicit to impact factory growth, fertility and complaint resistance therefore impacting on food security and nutritive status.

10.Open Innovation

Open Innovation is a fact that has come more and more important for both practice and proposition over the last many times. The main reasons are to be set up in shorter invention cycles, artificial R&D adding costs in addition to the oddity of coffers. latterly, the open invention has attracted invention experimenters and interpreters. Intellectual property rights(IPRs), or intellectual property(IP), are assuming adding significance, especially for innovative enterprises. One of the reasons for this, is the adding significance of knowledge operation in enterprises. Because, invention processes depend explosively on knowledge and benefiting from knowledge is an essential aspect of invention & technology operation, especially in high- tech enterprises and new technology grounded enterprises. The recent period of open invention commenced when interpreters honored that enterprises that wished to manipulate both their own ideas as well as other enterprises ' invention should seek new ways to bring their in- house ideas to request. They need to organize pathways outside their current businesses and should realize that the focus where knowledge is created doesn't inescapably always equal the focus of invention- they need not both be set up within the company. Experience has likewise shown that neither the focus of invention nor exploitation need taradiddle within companies ' enjoy boundaries. Although, reproduction of the open invention approach transforms a company's boundaries into asemi-permeable membrane that enables invention to move fluently between the external niche and the company's internal invention process. Open invention can do at the different stages of invention, videlicet the frontal end of invention ⁄ idea generation phase(discovering request openings, visioning areas for specialized advance, developing original perceptivity, introductory and applied exploration), the idea consummation or development phase(developing a deeper generality of products or services, erecting a model of a product or service, and product or process testing) and the commercialization phase(product, creation, distribution, and deals of a product or service). How far the open invention approach is enforced in practice and whether there are identifiable with respect to intellectual property patterns is the thing of this study. The figure 1 shows innovation process.

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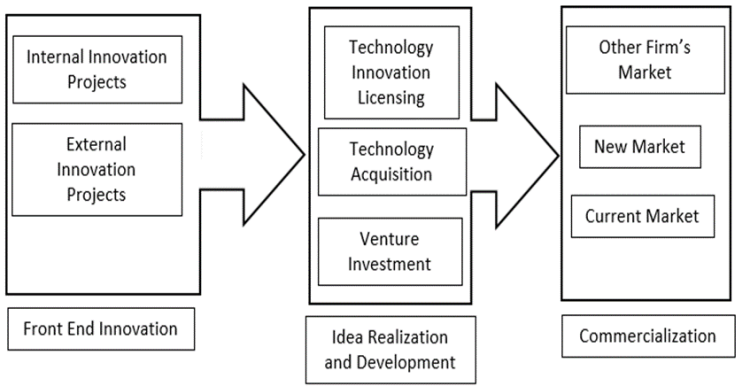

Figure1: Innovation Process

11.Framework

H_1: IPR has a substantial relationship with innovation.

H_2: The higher level of investment, the higher level of innovation.

H_3: The higher level of patent use the higher level of innovation.

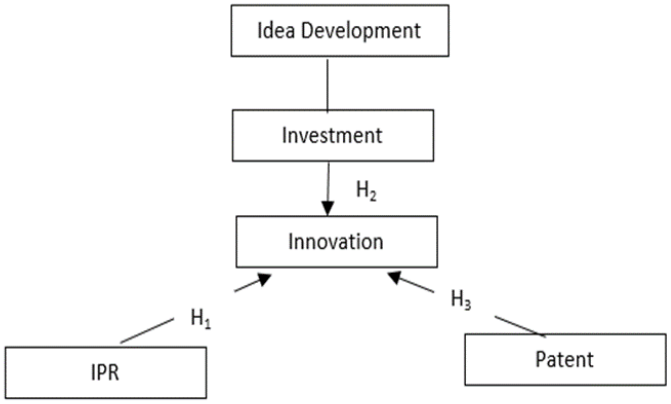

Figure 2: Proposed Research Model

12.METHODOLOGY

Statistical Population: A survey was contacted on 114 people who works for distinguish pharmaceutical companies. Out of 114 respondents 78 were male which are equal to 65% whereas 36 were female which are equal to 30%. The maximum respondents interviewed belonged to the age group of 41-55 years (57.5%) followed by age group of below 40 years (20%), and least were found in the age group of more than 55 years (19.1%). . Based on education attained, 69.1% of respondents were Graduate followed by 25.8% were Postgraduate.

Instrument: In order to collect the necessary data, a questionnaire was used to test the hypotheses of the study. The questionnaire consists of six sections. First section includes three questions about demographic information of respondents. In the second section, there were four questions developed to measure the status of intellectual property rights. From section three, four and five were consist four question each to measure the status of investment to idea development with product innovation and patent. I used five-point Likert type scale for all the items. Response categories range from 1 (strongly disagree) to 5 (strongly agree).

Reliability: The summary statistics of formal survey are shown in Table. For reliability evaluation I utilized Cronbach's alpha. The Cronbach's alpha reliability of all variables are more than 0.7 (α>0.7), which indicates all the scales demonstrate good reliability.

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Table 1: Internal Consistency of the Theoretical Model

Variable	Indicator	Mean	Standard Deviation	Cronbach's Alpha
Intellectual Property	IP1	3.78	1.394	--------
	IP2	3.50	1.553	--------
	IP3	**4.19**	**1.189**	--------
	IP4	4.04	1.178	---------
	Scale Statistics	**15.52**	**4.609**	**0.884**
Investment	IN1	3.75	1.354	--------
	IN2	2.37	1.507	--------
	IN3	2.40	1.498	--------
	IN4	**3.80**	**1.138**	---------
	Scale Statistics	**12.32**	**4.030**	**0.706**
Idea Development	ID1	2.37	1.507	--------
	ID2	3.50	1.553	--------
	ID3	2.23	1.534	--------
	ID4	**4.19**	**1.189**	---------
	Scale Statistics	**12.29**	**4.041**	**0.643**
Product Innovation	PI1	4.23	1.227	--------
	PI2	4.23	1.227	--------
	PI3	3.50	1.553	--------
	PI4	**4.25**	**1.231**	---------
	Scale Statistics	**16.20**	**4.601**	**0.897**
Patent	P1	4.21	1.293	--------
	P2	4.18	1.221	--------
	P3	**4.31**	**1.206**	--------
	Scale Statistics	**12.69**	**3.607**	**0.968**

13.FINDINGS

Table 2: Results of Model

Hypothesis	Structural Relationship	Standardized Coefficient β	t- value	Result
H1: IPR has a substantial relationship with innovation.	IPR→ Innovation	0.894	21.101	Accepted
H2: The higher level of investment, the higher level of innovation.	Investment→ Innovation	0.444	5.246	Accepted
H3: The higher level of patent use the higher level of innovation.	Patent→ Innovation	0.946	31.029	Accepted

- The pharma companies have legal IP attitude.
- The pharma companies achieve its quality objectives under planned budget.
- The employees in any pharma research company look out for new opportunities.
- It takes longer time to innovate a new product.
- The higher number of patents increase the performance of the company.
- It is much more important to the pharmaceutical companies focus on developing medications that offer long-term health benefits.
- The consumer prices of drugs are unreasonably high.

14. CONCLUSION

According to the results attained in this study, it's possible to conclude that the use of patents, trademarks and investments in manufacturing grease the relinquishment and perpetration of invention conditioning in companies. This is substantially because the patents enrollment brings with it a legal manacle so that other companies can use or imitate new products created by pharma companies and indeed those that are in a development phase. At the same time, trademarks offer marketable exploitation of products generated by

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businesses, and cover intellectual property of inventions done in products, processes and operation systems. Incipiently, the investment facilitates situating both current and unborn products in pharma companies inside the guests mind, as well as the image and request positioning in the company. also, it's possible to conclude that the intellectual property stimulates invention in products, processes and operation systems in manufacturing, since companies having rights of intellectual property, exploitation and commercialization of inventions, will allow and proliferation of invention conditioning concentrated on new products development. thus, intellectual property is considered, in the current literature, by several experimenters, academics and professionals in the field of operation lore's, as one of the business strategies that grease and stimulate the relinquishment and perpetration of invention conditioning in products and processes, as well as in operation systems. In this sense, manufacturing pharma companies not only have to register patents but also to increase conditioning that revamp similar creations, substantially because it'll allow them to have a significant proliferation on invention conditioning in companies. thus, patents play a abecedarian part, not only as a legal protection dimension in companies, but also as a variable that significantly impact the relinquishment and perpetration of invention conditioning in products, processes and operation systems in manufacturing pharma company, which can bring as a result, piecemeal from a advanced position of growth, a better profitable development to the company.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

EXCHANGE OF IP ASSETS USING CRYPTOCURRENCY

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ABSTRACT
ITC has introduced many opportunities in several sectors, one such sector is the financial and business sector. Because of increasing number of online users new types of transactions, trade and currencies are introduced. Cryptocurrency is one such digital payment system that has grown in past few years. The entire system of this currency works under the blockchain technology. Blockchain is a kind of distributed ledger technology, which can help to create a secure, transparent record of individual transaction and will also report the transaction. IPR and cryptocurrency are inseparably linked. The blockchain's reliability and security can be used in every step of IP rights life span. In this paper we would study how blockchain helps in keeping track of all types of IP rights.

Keywords: Blockchain, cryptocurrency, IP, IPR, assets, IP marketplace

IV. INTRODUCTION

In the era of Information and communication Technology many different opportunities are developed in various sectors. The definition of innovation is changing as economic activities are transferring from physical to intellectual assets. Due to increasing number of online users the concept of virtual world came in. In this virtual world the most notable system that has emerged is the cryptocurrency. The entire system of cryptocurrency functions through blockchain technology. IPR and cryptocurrency are inseparable. The technology of blockchain can be used to fortify every step of the IP rights life cycle. IP assets can be licensed, sold or exchanged for financial transactions. The cryptocurrency can be used for exchange of IP assets in the IP marketplace.

V. IP ASSETS – DIGITAL ASSETS

IP assets are intangible assets which are created through human creativity and innovation. These assets are created with the help of human intellect and are secured and protected by the Law. IP assets can include patents, copyrights, trademarks, trade secrets and also industry designs. IP assets are playing a vital role in the business as they can be used to generate revenue for the business.

Digital IP assets are the same intangible assets which are owned by an individual or organization but in a digital realm. These assets can include software codes, domain names, designs, patents, databases, etc. Digital assets are also important for the business as they provide ownership of intellectual property in the online world and also provide protection.

VI. IP MARKETPLACE

IP Marketplace is a market for intellectual property. It is a platform where people and companies can sell, buy or transfer various kind of IP assets like your patents, trademarks, etc.

As we come to digital era, these places can be online platforms and can be operated by various entities. This place gives the owner of the property a one stop shops for all IP. For exchanging the assets in the marketplace, blockchain technology can be used as a medium.

VII. BLOCKCHAIN

Blockchain can be said to be a basic form of an open ledger of information. This ledger can be used to record and track transaction and that is exchanged and verified on a peer-to-peer network. Blockchain technology doesn't have a central database but it works on computers provided by volunteers all around the world.

The goal of blockchain is to record the digital information, distribute the information but not edit the information. Thus the information on the blocks cannot be altered, deleted or destroyed. To maintain the virtual security blockchain is encrypted and uses public and private keys for transaction.

ISSN 2394 - 7780

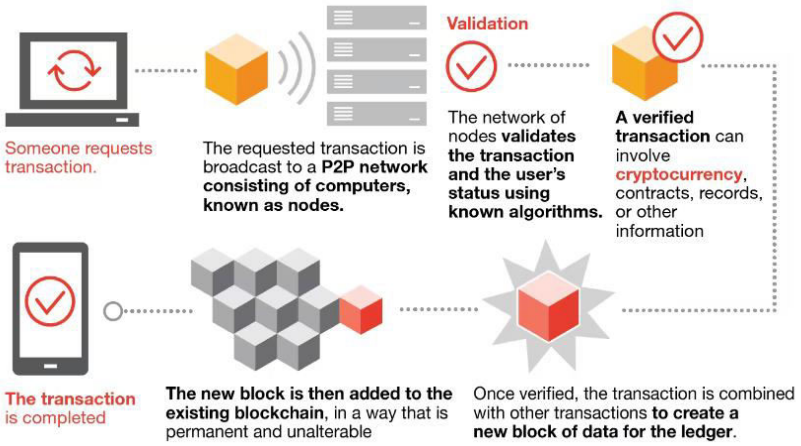

Fig1: Working of blockchain

1. A new transaction starts.
2. The transaction is sent over the network of peer to peer computers which are scattered across the world.
3. The network node does the processing and confirms the validity of transaction.
4. Once the information is verified and confirmed the blocks are clustered together.
5. Now this blocks are chained together creating a permanent history of transactions.

VIII. CRYPTOCURRENCY

Cryptocurrency serves as medium of exchange, a storage of value and some unit of measures. It can be defined as a medium of payment where the currency is created using cryptographic techniques.

The whole system of cryptocurrency works through the blockchain technology.

Cryptocurrency can be exchanged in the marketplace against the IP assets. There are different features that make cryptocurrency attractive for transactions.

1. Decentralization: - Cryptocurrencies are not controlled by a central authority, this makes the transaction easy without any intermediaries.
2. Transparency: - The transactions on the blockchain can be tracked, which makes it transparent. This helps to allow parties verify the owner for transferring the assets.
3. Security: - As encryption techniques are used ,it facilitates security of the assets and payments.
4. Speed: - The transaction of crypto currency are completed within few minutes or seconds. This makes the transfer faster then the physical paper based transfer of IP assets.
5. Lower transaction costs: - The cost required for the transfer of the IP assets i.e. the transaction fees is much lower compared to the traditional IP asset transfer method.

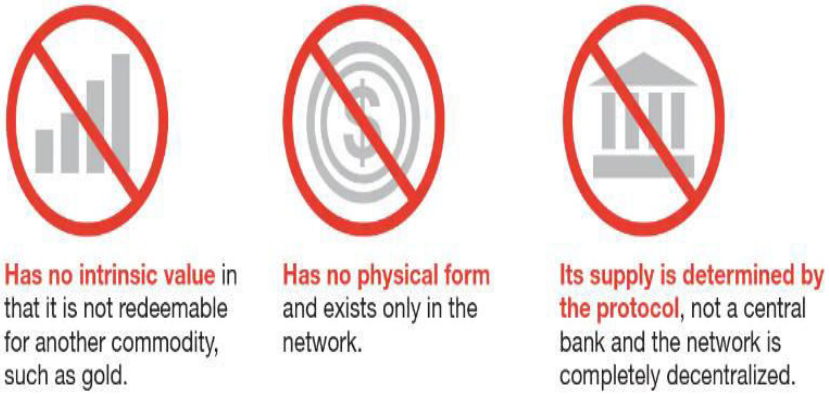

Fig 2: Features of Cryptocurrency

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IX. ENABLING EXCHANGE OF IP ASSETS THROUGH CRYPTOCURRENCY

Blockchain acts as potential medium for exchanging or transferring IP assets between the entities. With the help of

Smart contracts and cryptocurrency the transfer of the IP rights can be authenticated by the means of distributed ledger.

Algorithm for creating a new cryptocurrency for IP exchange is as follows:

1. Define the purpose and scope of cryptocurrency.
2. Design the blockchain network.
3. Create a token.
4. Set up the smart contracts.
5. Develop the user interface.
6. Launch the cryptocurrency.
7. Maintain and update the system.

VII. PSEUDO CODE TO GENERATE CRYPTOCURRENCY FOR IP ASSETS EXCHANGE

```
#Initialize cryptocurrency:
Name = "IPCoin"
Symbol = "IPC"
total_supply = 0
Owner = your_address
# Create a smart contract for IP exchange
Create smart contract:
Function transfer_IP(from, to, IP):
# Ensure that the transfer is valid
Require (msg.sender == from, "Transfer can only be    initiated by owner")
Require (IP != "", "IP must not be empty")
Require (to != address(0), "Invalid recipient address")
# Transfer the IP
Balances [from] = balances [from] - 1
Balances [to] = balances [to] + 1
Emit Transfer_IP (from, to, IP)
# Implement basic ERC20 functionality
Implement ERC20:
Function total Supply () constant returns (uint256 supply):
Return total_supply
Function balance of (address tokenOwner) constant returns (uint256 balance):
Return balances [tokenOwner]
Function transfer (address to, uint256 tokens) returns (bool success):
# Ensure that the transfer is valid
Require (tokens <= balances [msg.sender], "Insufficient balance")
Require (to != address(0), "Invalid recipient address")
```

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```
# Transfer the tokens
Balances [msg.sender] = balances[msg.sender] - tokens
Balances [to] = balances [to] + tokens
Emit Transfer (msg.sender, to, tokens)
Return true
Function approve (address spender, uint256 tokens) returns   (bool success):
# Approve the transfer
Allowed [msg.sender][spender] = tokens
Emit Approval (msg.sender, spender, tokens)
Return true
Function transfer from (address from, address to, uint256 tokens) returns (bool success):
# Ensure that the transfer is valid
Require (tokens <= balances [from], "Insufficient balance")
Require (tokens <= allowed [from][msg.sender], "Insufficient allowance")
Require (to != address(0), "Invalid recipient address")
# Transfer the tokens
Balances [from] = balances [from] - tokens
Allowed [from][msg.sender] = allowed[from][msg.sender] - tokens
Balances [to] = balances [to] + tokens
Emit Transfer (from, to, tokens)
Return true
```

This pseudocode initializes a new cryptocurrency called IPCoin and creates a smart contract for IP exchange. The smart contract includes a transfer_IP function that allows the transfer of IP from one address to another. The ERC20 functions totalSupply, balanceOf, transfer, approve, and transferFrom are also implemented to enable the use of the IPCoin cryptocurrency.

CONCLUSION

With the help of the blockchain's cryptocurrency, payment mode can be made secure for the transfer or exchanging of the Digital IP assets. This will remove the future vulnerabilities of physical currency like the security or valid proof for the transactions.

Digital transfer of IP assets can be done with the secure transaction of cryptocurrency in the IP market place.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

A STUDY ON THE ROLE OF BLOCKCHAIN IN IP FOR SUSTAINABLE FUTURE

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ABSTRACT
In a fast changing and dynamic world, the role of technology has been realized by all-business, private or public companies, society and even any form of organizations. It has shown a great impact on their performance, productivity and overall results. Today a nation's economic growth and development depends on how they are using the technology to solve many related problems- economic, social, cultural or even environmental. Invention, innovation and entrepreneurship are the basic pillars of economic growth of a Nation including India too considering the changing trends in the business, society, economy and technology. For sustaining business and future in both aspects environmentally and economically, it's important for a nation to innovate and invent to keep pace with the competitors and progress ahead. Intellectual Property rights is a tool in the hands of inventor or innovator to protect their invention or innovation where almost everything is easier to copy, duplicate, change or use the electronic contents without the knowledge of the real owners of that content actually. Hence Sustainability aspects into IP and corporate strategy can make significant improvements to everything from invention generation to IP protection strategy, portfolio management, IP valuation and commercialization with the help of Block chain technology worldwide.

Through this research paper, the researcher has undertaken this study to focus on and understand the basic relationship between IPR, Block chain and Sustainable future with the help of secondary data and primary data. This research can be useful for the companies, business or society to understand the interaction or relationship between IPR, Block chain and sustainability which are the prime topics of concern for a Nation to achieve economic growth and development in the long run.

Keywords: Intellectual Property, Intellectual Property rights, Block chain and Sustainability

1. INTRODUCTION
In an era of competitiveness and economic growth all over the world, the focus of any organization, business or a company is on sustainable future. This has clearly been indicated while United Nations member states adopted universally a 2030 Agenda defining the 17 Sustainable Development Goals (SDGs) in 2015. The main targets included ending poverty, reducing inequality to improving health and education and thus ensuring economic growth along with tackling environmental issues.

Sustainability in a wider term that includes both environmental aspects and broader community awareness for creating a healthy environment and efficient utilisation of resources providing long term benefits to the society, business and a nation as a whole. In this scenario an effectively maintained IP portfolio can prove to be the most suitable tool to improve environmental impact, enhance engagement with social issues and strengthen corporate governance.

2. OBJECTIVES
1. To study and understand IPR in relation to a business and economy.
2. To study the relationship between IPR and Block chain.
3. To understand the role of Block chain in IPR for sustainable future

CONCEPTUAL MODEL
I have proposed a Conceptual model of my research work. Through my research work I have found three major factors - Innovation / Invention, IPR and Blockchain. The interaction among these three which has a strong impact on the sustainable future so need to be managed effectively and Blockchain technology has proven to achieve this goal.

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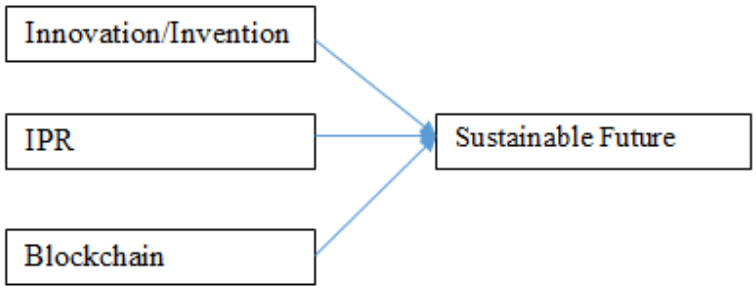

3. RESEARCH METHODOLOGY

The researcher has conducted this research study with the help of secondary data such as past research work, journals, newspapers, websites etc.

4. ANALYSIS AND INTERPRETATION

4.1 Intellectual Property

The benefits of IP in sustainable future can be enormous from developing new products and services, to protect innovations, to attract investment and partnerships to support sustainable innovations and to ultimately build a strong brand identity associated with sustainability. As patent information is publicly available, you can also compare your company's performance to that of competitors by applying the same KPIs to their portfolios as well. Making good use of automation, lean processes and appropriately-sized portfolios are all part of creating a sustainable IP department, as is promoting a work environment that is healthy, unbiased and ethical.

4.2 BLOCKCHAIN

Block chain is an advanced distributed ledger technology that records the origin of a digital asset and decentralized in nature. It is a technology that helps to record digital information that is free from hacking, copying, and changing by third party. In other words, it is a system to distribute the digital information which is real time, immutable and transparent to all present in the network. Block chain store the information in an encrypted independent blocks which are linked with each other through hash pointers. It is a useful technology in various domains such as cryptocurrency, health care, real estate, voting systems, supply chain and logistics, entertainment etc.

4.3 SUSTAINABILITY

Sustainability aspects into IP and corporate strategy can make significant improvements to everything from invention generation to IP protection strategy, portfolio management, IP valuation and commercialization. In the list of FIT contributors such as many foreign countries like Germany, Norway, United States and Sweden, the past data has revealed notable omissions. And if any of these countries want to be a global leader as far as innovation or invention is concerned they have to contribute significantly to this program.

4.4 APPLICATIONS OF BLOCK CHAIN IN CURRENT IPRS

4.4.1 Use of Smart Contracts in IP

A Smart contract is a computer program based on block chain technology that automatically gets executed whenever a predetermined condition is met in a transaction. Various transactions involved in buying a patent involves many steps such as checking the assignment of the patent, checking the validity of the patent, negotiating the sale agreement, executing and paying the transaction and then finally inform all relevant patent offices of the transaction. All these steps can be simplified using smart contracts.

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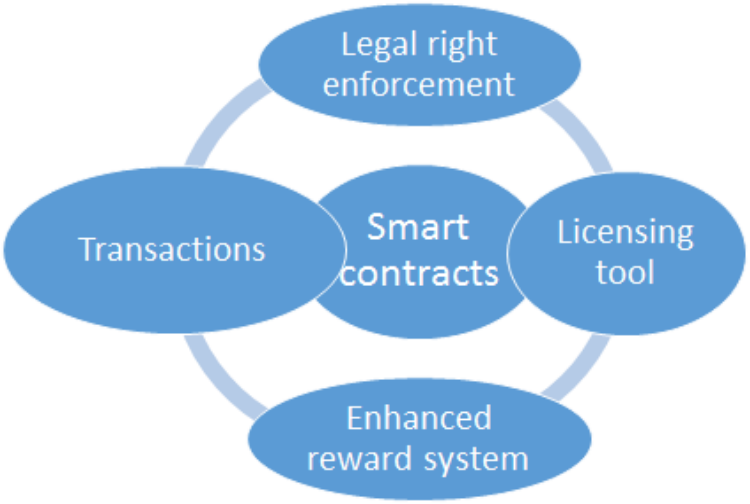
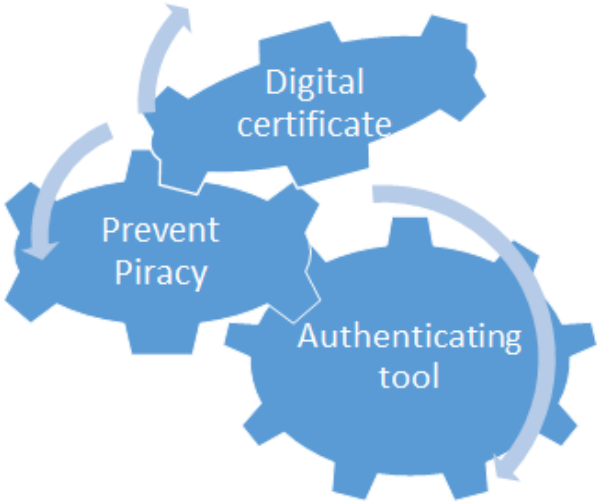


Uses/application	Description
1. Legal right enforcement	Helps to enforce and establish legal rights such as license and enforce registrations or copyright for a song or an image.
2. Licensing tool	Facilitates Licensing of IP works by reducing cost of transactions and creating a direct link between author/inventors and users
3. Enhanced rewarding system	Automatically release funds when a certain objective is accomplished.
4. Transactions	Facilitates real time payment transmission to lawful IP owners, thus more transparency created. **Kodak has recently launched Kodak one, an image rights management** platform for photographers.

From future perspective smart computers can be integrated widely in IPR domain for better and protected transactions that builds trusted relationship among the individuals without compromising on the security. It can also extremely useful in terms of automatic initiation of many transactions such legal and bindings contracts, especially for contents such as song, photographs, etc.

4.4.2 Determining Creatorship/ Proof of Ownership

Blockchain technology can be widely used as a trusted platform for verifying the authenticity of ownership of IP works. It's easy for a person to get patent for an invention by filling up the application form in a patent office and get it his IP secured. However, in case of copyright because of the lack of any official documentation, proving ownership of creative content totally depend on the creator which is actually difficult to prove. There are growing number of incidents where anyone can download the contents created like a painting, song, lyrics, photograph etc. and can use it freely that makes it complicated for the real originator.



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Uses/Application	Description
1. Digital certificate	As a timestamping tool and the IP owner gets a hashed digital certificate of their IP provides proof of evidence.
2. Prevent Piracy	Helps to distinguish counterfeit goods from genuine products by utilising the ledgers and prevent piracy
3. Authenticating tool	Validates the integrity of a song/design or any other intellectual asset that infringing any previous product as it does not facilitate duplication of information

From future perspective, with the expanding growth of digitalization and industry 4.0 technologies, intellectual assets and their security require a system for providing proof of ownership. Many companies have already started using blockchain.

4.4.3 Blockchain for Enabling IP Marketplace

Uses/Application	Description
1. Smart IP registries	Blockchain serves as a technology based Global IP registry and creates authenticated and immutable records of events throughout the life cycle of an IP asset therefore speed up the IP audit process and maintain due diligence in IP related transactions.
2. Digital transfer of IP assets	Acts as medium for exchanging or transferring IP assets between two entities using distributed ledger technology
3. Payment mode	Use of cryptocurrency acts as a payment method for transferring or exchanging digital assets (removing vulnerabilities of physical currency)

As a distributed ledger technology, multiple independent computers (nodes) are used to record, save and synchronize transactions in their respective electronic ledgers. Blockchain can be used as potential platform for the inventors who can store/ record their inventions/creations in the form of ledgers with short descriptions acting as an IP marketplace. It can also be used by inventors/patent holders who are wishing to find potential licensees for related know-how of the inventions.

With future perspective the Block chain technology can be used safely to secure the exchange or transfer of information among entities without duplication or alteration of original data.

4.4.4 Blockchain for Unifying Global Patent/IP System

This technology can also be used for solving the problem of unifying the patent system across countries. This could vastly improve the effectiveness of IP management, speed up the innovation process in companies and foster the distribution of information across them through the ledger. In this current scenario, many legislations and patent offices across the world have started accepting Blockchain as a technology as an admissible evidence.

Certain examples are cited below where courts or jurisdictions have considered blockchain as a proof of evidence under electronic evidences.

In 2016, it was declared by Vermont rules of Evidence that Blockchain receipts accompanied by a written declaration of a person attesting to the details of the transaction are admissible.

4.4.5. Blockchain for Maintaining Version Control of Digital Assets

Any digital assets have multiple versions during their lifetime which need to be linked and blockchain is such a technology which is very useful in achieving this goal.

As a defensive publication platform, Blockchain technology can be used to stop or prevent anyone from patenting an innovation by disclosing it to the mass public and thus creating a prior art for the innovation. Using this technology, each file is given a unique fingerprint thus duplication can be avoided and multiple versioning

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is feasible and each system node can choose which content it is hosting, and the database is indexed and searchable.

4.5 Blockchain in India

Legal recognition and protection for transaction through electronic media and the provisions for prevention of illegal and unauthorized use of computer system is provided as per the Indian IT Act. It is also supported by the amendment of the Indian Evidence Act, through 65A that has increased the legal significance of e-contracts or the smart contracts has attained more prominence making it admissible as an evidence in the court of law.

As per the former Finance Minister Arun Jaitley in his Union Budget Speech of 2018 that India will progress towards the digital economy, Indian think tank, NITI Aayog, has recently come up with some proactive suggestions and innovations including an indigenous blockchain initiative- **IndiaChain** in the pursuit of this objective.

One of the well-known company in photography who first build the first hand-held digital camera in 1975 was Kodak. But it failed due to the late adoption to the latest technology and was declared as bankrupt. Later Kodak made an announcement to be collaborated with WENN Digital to develop an image rights management platform- KodakOne to prevent the infringement of copyright by the unauthorised users. In the beta stage only, KodakOne platform was able to generate $1 million of revenue in licensing claims in image rights by using AI technology. This platform could track to search and find the unauthorized users not registered on this platform and thereafter it will immediately contact them to pay for the image used or otherwise remove it from the website. KodakCoin is an ERC-20 token that can work on Ethereum network.

Hence the original owner will be paid money by the website owner for using it in the form of cryptocurrencies or by using KodakCoin.

An IPR data – application filing of India in comparison to other progressing countries in 2014

Type of IPR activity	Name of the nation	Applications filed	% Share
Patent	China	9,28,177	34.62
	USA	5,78,802	21.59
	Japan	3,25,989	12.16
	India	42,854 (RA:12,040; NRA 30,814)	1.60
Total Applications worldwide		* 26,80,900	
Trademarks	China	22,22,680	29.84
	USA	4,71,228	6.33
	Japan	242,073	3.25
	India	2,33,653 (RA: 2,00,137; NRA 33,516)*	3.14
Total Application class counts worldwide		74,49,400	
Industrial Designs	China OHIM (EU Office)	564,555	49.59
	India	9,309 (RA: , 168; NRA 3,141	0.82
	Total Application class counts worldwide	1,138,400	

5. SUGGESTIONS

1. Awareness about Blockchain and its application in IRP need to be created among the mass public for supporting any invention or innovation and to gain acceptance for the same.
2. Huge investment of funds is required to build up strong technological back up system for Blockchain to manage IPR effectively.
3. Rational decision making for finding alternative source for power consumption used in Blockchain platform.

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4. Amendments in Laws and Acts at national and international level to support Bockchain based IPR and give acceptance to e-contracts, smart contracts or other digital assets thereby encourage more innovation and invention which is key to sustainability.
5. Strong networking among the inventor/innovator/ creator need to be build up through mutual understanding and cooperation in using Blockchain platform to gain mutually and progressively.

6. CONCLUSION

As the world is progressing towards more creativity, innovation and development it's really not important but necessary to provide protection, security to the exchange of information or knowledge between the originator or creator and the recipient or user. As per the discussion I have found that Blockchain is an appropriate technology that can be utilized effectively to maintain complete transparency and deliver better protection to the intellectual property and could prove to be an effective tool for IP offices worldwide. It has certain disadvantages also like high cost, requires high energy consumption and decreasing operation efficiency with continuous use of hardware that requires regular upgradation of the network which becomes extensively costly and low recognition in the books of law apart from others minor limitations like lack of compatibility, standards, privacy concern and public confidence. But we can overcome these challenges with the advancement in technology and the support of government at national and international level and the understanding and cooperation of the participants and audience in the long run thereby contributing to the sustainable future which is secure, protective and efficient in all the ways.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IPR IN AGRICULTURAL SECTOR

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ABSTRACT
Because of globalisation, there is now a knowledge-based economy, and the protection of intellectual property rights has emerged as a key driver of invention. Since farming relied on sharing knowledge, IPR was not traditionally a concern for agribusiness. However, agribusiness has made incredible strides in recent decades. Examining the IPR policy of developing countries, especially India, is necessary in light of the creation of genetically modified plant varieties and specialised insecticides for pest control. This is to promote the adoption of cutting-edge farming techniques.

Private right has always been in living artefacts. The first phase in human have been agriculture. IPR was initially for inventions, literature etc. Later it was introduced to the region of agriculture. In recent times, agriculture have been viewed like any other industry. For future generation to come food security will depend on protecting biological resource. Commercial benefits have diverted out of IPR. After the expiry of the protected tenure, the IPs become public property and become available for public domain.

In India there is huge need to stable or remove the economy imbalance, with help technology update and IPR.

In this paper there is attempt to understand and analysis the overview and impact of IPR in agricultural sector by trying to understand the innovation. IPR in agriculture primarily deals with patents, plant breeder's rights, trademarks, geographical indications, and trade secrets and it is used to protect products or services created in the agricultural sector.

Keywords-IPR, Patents, trade secret, Agriculture, GI, copy rights

INTRODUCTION
Modern agriculture biotechnology is characterized by its exclusive characteristics. Fresh biotechnology is shielded by patents and other IPRs.

With the growth of products and technology transfer to emerging nations the possessions of IPRs in Agri biotech is now problem. Scientist have to believe IPRs to be a significant in the growth of products. Major organization have been considering of implementing IPR since 1990's.

In India, the farming sector employs the majority of the workforce, but up until recently, there was no IPR in place to safeguard the intellectual property, which was frequently used by farmers. The need to protect these intellectual properties arose as more study was done to increase agricultural growth in India, leading to the development of an increasing number of agricultural-related intellectual properties, including some utilising biotechnology. Farmers, plant breeders, and agricultural experts can use them to defend their legal rights.

The need to protect these intellectual properties (IPs) arose as more research was done to increase agricultural development in India and as agriculturalists developed more and more IPs related to the field of agriculture, including the use of biotechnology. Patents, geographical indications (GIs), and trade secrets are examples of intellectual property rights (IPRs) that are legally recognised as being helpful in the agricultural sector. The liberties of farmers, plant breeders, and agricultural engineers are safeguarded by them. These IPRs offer defence against unauthorised use of the IP and provide recourse in instances of infringement or unauthorised third-party access.

LITERATURE REVIEW OF THE STUDY
- https://bnwjournal.com/2022/02/01/impact-of-intellectual-property-on-the-agriculture-sector-in-india/#:~:text=IPR%20in%20agriculture%20sector%20prevents,granted%20to%20the%20actual%20owners
- NAAS articles
- IJAR

OBJECTIVES OF THE STUDY
- Role of IPR in Agriculture
- Issue and Challenges of IPR in India
- Prospects and Perspectives of IPR in agriculture

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RESEARCH METHODOLOGY

The research analysis is based on Secondary data. Secondary data was collected from scholarly books.

News articles, published texts, and the Internet.

ANALYSIS

What is IP?

IP is the region of law which protect the freedom of those creating initial works that is from invention and innovations. Aim of IPR is to promote innovations, creative creations and inventions. If people under that their artistic work is safeguarded and they can get profit, then there will be more employment, can develop fresh technology, improve procedures around the global.

Agricultural machinery in India in 1918 was valued to Rs.908 billion and this possess growth and development. The demand for agricultural machinery created the benefit of farm productivity mechanization and loan facilities. Today Intellectual property is very essential in agriculture trade. In future it will be essential for agricultural sectors to innovate together with product differentiations

Patent Protection-Agricultural aspect

Patent law were introduced in serval nation by 19th century. The patent setting stipulate only certain classes of innovation should be protected. The necessity for inventive step was later created by case law in mid 1990and codified.

Plant Protection Legislation

In the case of agricultural instruments and equipment and design chemical patents could be primarily be implemented with the India Patent act 1970.The use or ability use material designed for medication and food as a medical were not patentable until 2005.Patent Act 2005 (Amendment) allowed for patenting of innovations relating to agrichemicals as product .

After signing of TRIPs agreement it was compulsory to ensure the security of plant varieties.

In India, sui generis scheme was created which integrated breeders' peasants and groups with respect to safety of plant. The IPR security for fresh plant species in India came in the form of protection of plant varieties and framer Rights Act (PPVFR) of 2001. These developments established a legal circumstance for global biotechnology research.

PROTECTION OF PLANT VARIETIES

Table 1—Types of intellectual property rights

Intellectual property rights	Types of instruments	Subject matter covered	Main fields of application	Major international agreements
Industrial property	Patents	New, Non- obvious, indigenous application inventions	Manufacturing	Paris Convention Patent Cooperation Treaty, Budapest
	Utility models	Functional designs		Treaty Strasbourg Agreement
	Industrial designs	Ornamental designs		Hague Agreement
	Trademark	Signs or symbols to identify goods and services		Nice Agreement
	Geographical Indications			Lisbon Agreement
Literary and Artistic Property	Copyrights and neighbouring rights	Original works of authorships	Printing, entertainment, audio, video, etc.	Berne Convention Rome Convention Geneva Convention Brussels Convention
Sui Generis Protection	Breeders' right	New, stable homogenous, distinguishable varieties	Agriculture and food security	Union for Protection of Plant varieties (UPOV)
Trade Secrets	Integrated circuits	Original layout designs Secret business knowledge	Micro electronic industry All industries	Washington Treaty

Source: WIPO, 1995

India is one of the world's 1st nations to enact legislation which gives privileges to peasants and breeders under a single Act. These law gives producers privileges that doesn't compromise their self sufficiency while acknowledging the attempt to crop breeders for development of fresh plant varieties. The aims of the Act are to establish schemes for protecting crop, producers breeders freedoms and ensue accessibility for farmers and other land owners. PVP in India benefit the licenced breeders in saving, using seeding, reseeding sharing and selling its fresh range.

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Farmers Right

Farmer Right are defined as rights resulting from famers contributions to conserve improve and make accessible plant genetic resources .Biological variety refers to the variety of living organism from all sources and ecological complexes within or between species and habitats .According to Indian Biological Diversity Act 2002 Biodiversity is the most sustainable type of soil fertility and food security .The most significant effect of IPRs on biodiversity is immediate or indirect misappropriation of biological and genetic resources by the state sovereignty over their genetic resources .

Biodiversity is not safeguard it can have of Agri-biological diversity. Both advanced and developing countries benefitted economically through the use and financial exploitation of genetic resources .it is therefore essential for consumer and suppliers of these biological product to share the advantage efficiently.

The plant varieties and framer Rights Act (PPVFR) of 2001 became operative on October 30, 2001. It aids the breeder or farmer in promoting the preservation, enhancement, and availability of plant genetic materials for the creation of new plant varieties. To encourage both public and private sector involvement in research and development, it is essential to safeguard plant breeders' rights.

The fundamental distributive concept is the foundation of the Act.

The other forms of protection in agriculture -are **Trade secrets**

Trade Secrete protections for hybrid plant types can be used in agriculture. Commercial secretes by be shielded by legislation on unfair competition, contract law against the third parties.

The marks used in trade may apply to agriculture and industrial product as well as utilities for example trade mark can be used for market seeds or spraying services. The aim of trade mark is to differentiate goods and services of in company to others

Geographical Indication (GI) are class of trademarks mostly used fin agriculture. These marks connect the goods of a nation, area or locality where the product e.g. In India, the name Darjeeling is protected both as a certification mark and through a structure put in place by the Tea Act of 1953, which requires all tea dealers to obtain licences and requires the issuing of certificates of origin for all permitted tea exports.

As a GI, "Darjeeling Tea" is also protected. It might also be qualified for trademark filing under the Trade Marks Act.

FINDING

Agricultural patent is a agreement between the government and the inventor. The government set statutory standard as to what type of material may be patented. This may include living organism and in many. The law is silent on the matter. In exchange of the limited term (20 years) exclude others form making, using or selling, inventor must provide a complete and accurate description and the best mode of "practicing "it. That is, the information is available to all, however it cannot be used without a licence agreement.

This right to exclude means that a patent is a "negative right "since a holder may only exclude others from the using, manufacturing, copying or selling his /her invention/

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The Important concept in terms international agriculture is the patent are territorial. A patent in one country has no force in other countries. It varies considerably from country although the PCT provides a mechanism for some harmonization.

The 3 basic statuary types of patents: -

Utility, Design and Plant

Utility patent – in simple term it means any process, machine, manufacture or composition of matter or any new or useful improvement, which is useful

A design patent –Protects, an article of manufacture (new, original and ornamental design)

A plant patent -protect a new and distinct, asexually reproduced variety of plant

The key issue that arises on patenting in agriculture but perhaps greater impact on developing world

a) Should living organisms to be patented at all?

b) Role of other legal mechanisms, such as plant variety protection?

c) How far does the research exemption flow?

Trade secrets –

It is the weakness protection mechanism. issues that arise form it includes

a) Is it appropriate for public organization to keep information secret?

b) Cost associated with maintaining secret?

c) How to reduce the employee turnover, who are aware of the secrets?

Copyrights

It protects expression of an idea, computer program, video, musical works.

Issues includes

a) Copyright on database, implication for genomics

b) Clear position on fair use, impact of research?

c) What modification is required to indicate that information is novel?

d) Impact of internet

Trademarks

It is word, name or symbol used for identify their goods from others

Issues

a) Agricultural product branding and the effect on markets

b) Globalization of marketing, control on quality and image of brand

c) Use of secondary leverage or indigenous terms in a brand ie Jasmine or Basmati

Heated debates literally have fuelled the development of the regional and international trade pacts such as APEC (Asia Pacific Economic community) and NAFTA (North America Free Trade Association), WTO (World Trade Organization) as a forum for these matters.

Globalization of the world economy increase in trade has led to the application of rules and regulations at a global level. The TRIPS (trade Related Aspects of intellectual property Right), GATT have brought the concept of IP protection in trade matters , trade involving agricultural products are increasingly common eg the BANANA wars between USA and Europe

There is a large focus on non-traffic barriers to trade through a variety of international convention IP have become a trade related practice, the barriers that once clearly made patents a national; matters have slowly blurred in recent years.

Constrains

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There is a constrain of information to both policy makers and the general public as to advantage and disadvantage, of IPR regimes and trade matters. the lack of information in a useable format allows various interest group to take the lime light and spread their own message. There is a need to work during a time of unprecedented rate of changes. Global litigation of trade matters is slow and costly and favours the large entity. Efficient mechanisms must be devised for dispute resolution.

A variety must meet the following criteria in order to be granted these exclusive rights:

(a) New, which means it has not been sold commercially for more than a year in the country of protection;

(b) Distinct, which means it differs from all other known varieties by one or more significant botanical traits, such as height, maturity, colour, etc.;

(c) Uniform, which means the traits of the plants are the same from plant to plant within the variety; and

(d) Stable, which means the traits of the plants

PPV and FR Act allows four types of varieties to be registered–

- new variety,
- extant variety,
- essentially derived variety, and
- Farmers variety.

Every country in the world is working on creating solutions to the problem of ensuring food security for the entire population and adopting a modern lifestyle.

Modern, sustainable technologies made possible by science expertise and knowledge. Intellectual property rights have developed into a strategic asset for various sectors and the public domain at this point in the competitive landscape. It is crucial to adhere to a few fundamental rules in order to safeguard various intellectual property rights for the benefit of the entire globe. Success, though, is dependent on people's attitudes and desire to change. The following are the prerequisites for any nation's adoption of IPR to be successful:

- Awareness among people
- Knowledge about ground reality
- Confidence on IP policy
- Screening channels
- Nature of documentation
- Minimum time frame
- Agreement procedures
- Nature of guidance from IP authority
- Attitude of implementation
- Punishment procedure

SUGGESTIONS

New technologies and new trading relationships can offer opportunities for new growth and rapid expansion for new market.

The use innovative partnership in private sector will be crucial to the success for the transformation process.

Access to new science and increase the investment in science. Development of commercial relationships. Making the format and availing licences simpler

The more active stand is required form the scientist and policy makers. More training and education are required for institution to develop strategies to keep down the patent cost.

To provide benefit sharing to those person or communities that have served as “inventors” or holder of technology

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Training was wide of “product stewardship”

There is a massive need to understanding and development of human capital in this area and there should be more focus at education level by university. Scientist should be made aware of effective IP management.

Efforts should be made to practice ethics to ensure upscale of public goods through creative use of licences and partnership

CONCLUSION

The agricultural industry makes use of intellectual property rights like patents, geographical indications, trade secrets, and trademarks to secure the intellectual properties developed by farmers, agricultural engineers, scientists, researchers, breeders, and people engaged in similar activities. These people have monopolistic exclusive rights under IPR to profit commercially from the goods created with their labour. By offering legal protection and remedies in the event that the rights granted to the actual owners are violated, intellectual property rights (IPR) in the agricultural sector prevent third parties from misappropriating the produce coming from farmers, breeders, etc. and gaining unfair commercial benefits. A special piece of legislation that seeks to protect both farmers and breeders is India's Protection of Plant Varieties and Farmers' Rights Act, 2001.

farmers' efforts to preserve and advance plant genetic resources as well as plant breeders' efforts to treat plant diseases and create new types of plants that contribute to the expansion of India's agricultural industries. The legislation contains provisions to reward farmers and breeders with incentives, such as the Plant Genome Saviour "Farmer Reward" and others, to motivate them to keep up their efforts. This legislation serves as an excellent example of how developing countries, particularly those that are reliant on agriculture, like India, should safeguard the intellectual property rights of their farmers and breeders. The country's other intellectual property legislation, such as the Trade Marks Act of 1999, the Conservation of Biological Diversity Act of 2002, and the Geographical Indications of Goods Act, 1999.

A key role of international organization such FAO, WIPO and WTO get beyond the “mere words” and develop innovative programs of education, partnership and science development that can test the various models of use IP as mechanism in agriculture.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPORTANCE OF IPR IN GI TAGS

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ABSTRACT
A name or sign used on certain products which coincides to a specific geographical position or origin (e.g., a city, region, or country) is a geographical suggestion (GI). The purpose of a geographical suggestion may act as entrance that the product possesses certain attributes, is made according to traditional styles, or enjoys a certain elevation due to its geographical origin

For illustration – Mysore silk is a unique handcraft from Karnataka. A popular spice named Uttarakhand tejpatta used in this hilly region has been accorded a GI instrument making it the first product primitive to the state to have made it to this list. Spices – Alleppey Green Cardamom under the agrarian sector from Kerala

A geographical suggestion right facilitates those who have the right to use the suggestion to enjoin its operation by a third party whose product doesn't conform to the applicable norms. For illustration, in the horizon in which the Darjeeling geographical suggestion is defended, directors of Darjeeling tea can forget the term "Darjeeling" tea not grown in their tea auditoriums or not produced according to the morals set out in the law of practice for the geographical suggestions still, a defended geographical suggestion doesn't permit the holder to prohibit someone from making a product using the same approaches as those set out in the norms for that suggestion. Protection for a geographical suggestion is generally carried by acquiring a right over the sign that constitutes the suggestion.

Keywords: GI Tags, IPR, Geographical Suggestion, Importance, India

INTRODUCTION
Geographical suggestions (G.I.) are one of the forms of IPR which identifies a good as forming in the separate home of the country, or a region or position in that particular home, where a given quality, character or other characteristic related to good is basically attributable to its geographical origin. First, they identify the goods as to the origin of a particular region or position; Secondly, they suggest to consumers that goods come from a region where a given quality, character, or other characteristics of the goods are basically Third, they promote the goods of directors of a particular region. They suggest the consumer that the goods come from this area where a given quality, character or other characteristics of goods are basically attributable to the geographic region is a kind of sign used for goods

that have a specific geographical origin and retain rates or a character that are due to that particular 22 of the passages Agreements define a geographical suggestion as "signs that appear in a member or identify a good position in an area or position where a given quality, character, or thing is assigned to its geographical position Is given Is basically respectable".

I. Understanding GI
Geographical suggestion is different from other IPRs like Patent, Trademarks and designs Geographical Indication Protection is granted to a group of manufacturers who belong to a particular position, where the good was first originated. There are numerous determinants of GI products similar as place of origin, climate geomorphology, mortal work of a particular geographical position.

As per Section 2 (1) (e) of the Geographical suggestions of Goods (Registration and Protection) Act, 1999, "a geographical suggestion refers to an suggestion able of relating goods, including natural goods, agricultural goods, or manufactured goods, as manufactured or forming in a country's home, or a position or region within that territory, where a specific quality, character, or any other trait of similar good is particularly a characteristic to its geographical origin. In the case of manufactured goods, one of the conditionings corresponding to the processing, product, or medication of goods, should take place in the home, region, or position". Indian GI Act came into force with effect from 15 September 2003. Geographical suggestions (Civilians) are one of the significant intellectual property rights. India has got a larger number of GI tagged products now. India has implicit earnings and profitable situation due to the rich artistic heritage and traditional skills in colourful regions like Kashmir, Punjab, Kerala, Haryana. thus, it's material to understand the part and benefits of GI and to acclimatize the people. It has to be understood that distribution of the earnings accruing from the GI status of a product must trickle down to actual producers and crafters. This requires an effective institutional medium and legal frame.

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II. Recent initiatives

The Department for Promotion of Industry and Internal Trade (DPIIT) supported the setting up of the GI Pavilion from 26th April to 30th April 2022, with the ideal of Geographical suggestions creation in India. The event handed a platform to show Indian tradition, culture and enterprising conditioning.

A large number of trade callers including people from the hostel assiduity, caffs, feeding assiduity/ institutions, importers, and buyer's distributors were part of the callers. The GI Pavilion at Aahar 2022 handed the GI holders with a platform to help them to connect with businesses. The Tribal Cooperative Marketing Development Federation of India (TRIFED) has also shared, and the Civilians products from the ethnical communities similar as Naga Mircha, Chak Hao rice, and Assam tea were being displayed. The event stressed the GI totem and tagline "Inestimable Treasures of inconceivable India" to grease effective branding and creation of Civilians, and give a platform for both domestic and transnational engagement.

III. About IPR

- Intellectual property (IP) is a order of property that includes impalpable creations of the mortal intellect.
- Intellectual property rights include patents, brand, artificial design rights, trademarks, factory variety rights, trade dress, and geographical suggestions.
- The main purpose of intellectual property law is to encourage the creation of a wide variety of intellectual goods, to achieve this, the law gives people and businesses property rights to the information and intellectual goods they produce, generally for a limited period of time.
- This gives profitable incitement for their creation because it allows people to profit from the information and intellectual goods they produce and allows them to cover their ideas and abolish copying.
- These profitable impulses are anticipated to promote invention and contribute to the technological progress of countries. Intellectual property (IP) is a order of property that includes impalpable creations of the mortal intellect. Intellectual property rights include patents, brand, artificial design rights, trademarks, factory variety rights, trade dress, and geographical suggestions. rights to the information and intellectual goods they produce, generally for a limited period of time. These profitable impulses are anticipated to promote invention and contribute to the technological progress of countries.

IV. A GI Cannot Be Registered in the Following Situations

use of which would be likely to deceive or beget confusion; comprises or contains scandalous or stag matter; comprises or contains any matter likely to hurt the religious vulnerability of any class or sections of the citizens of India; which would differently be disentitled to protection in court; which are determined to be general names or suggestion of goods; which, although literally true as to the home, region or position in which the goods appear, but falsely represent to the persons that the goods appear in another home, region or position, as the case may be. Why Should You gain Geographical suggestion Protection? numerous people and associations across the globe frequently get confused while allowing about whether it's worthwhile to gain GI protection or not. Some of the benefits of registering a geographical suggestion are as follows, which will help you in understanding its significance

1- **Enhances Economic Growth** The protection of geographical suggestions leads to the overall profitable substance of the manufacturers and directors. likewise, the marketing and creation of the products with the GI markers enhance the secondary profitable conditioning in that specific region, which in turn boosts the indigenous profitable development. Last but not least, the protection of geographical suggestions creates a positive image and character of the product in the minds of the consumers and rewards the directors with impulses and better ROI.

2- **Prevents Unauthorized Use of Gi Tags** The registered holder of the GI label has all the legal rights to help anyone not belonging to the GI region from using their GI markers. The possessors can also initiate legal proceedings against the unauthorized stoner to save their character from being damaged.

3- **Expands Business** The high purpose of registering a geographical suggestion is to seek protection for specific products produced in a particular geographical region, which further encourages and motivates the marketers to expand their business at a global position. likewise, the protection of geographical suggestions boosts exports and helps the directors in earning well for themselves

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4- **Increases Tourism** The protection of GI markers builds a global character for the products. People around the world notice colourful GI products from different regions and get motivated to visit those regions and use similar products. thus, it helps in the growth of the tourism assiduity of that particular region as well.

V. History of GI

Governments are guarding trade names and trademarks used in environment to food products linked from a particular region, which until the late nineteenth century, laws were used or passed against inaccurate trade descriptions, which generally cover against suggestions that have a certain origin, quality, of the product., or association when it does not. In similar cases, the competitive freedom that arises from the entitlement of a monopoly of use on a geographic suggestion is justified by governments for consumer protection benefits. One of the first G.I. particulars which meet geographic origin and quality norms can be approved with a stamp of government that serves as the sanctioned instrument of the product's origin and norms to the consumer. exemplifications of products that have similar 'denotation of origin' include Gruyère rubbish Geographical suggestions have been associated explosively with the conception of Terrero and as a unit with Europe, where there's an actuality of a tradition of linking certain food products with particular regions and its origin. India has put in place a Sui Generis system of legislation for G.I. security as well as G.I. protection in particular. "Sui Generis" can be nominated as of its own kind and which involves laws which are honoured nationally. The laws relating to the preservation of G.I.s in India are the 'Geographical suggestions (Registration and Protection) Act, 1999 (G.I. Act), and the

'Geographical suggestions (Registration and Protection of Goods) Rules, 2002 (G.I. Rules). India legislated its G.I. law for the country to apply public intellectual property laws in compliance with India's scores under passages. Under the G.I. Act, under the G.I. Act, since 15 September 2003, the Central Government has established a Geographical suggestion Registry in Chennai, with the governance of Pan-India, where rights holders can register their G.I.

LITERATURE REVIEW

In India there are 320 products as given GI status. Among the products listed there are Tirupati Laddu, Kangra Paintings, Nagpur cha Orange, Darjeeling Tea, and Kashmir Pashmina shaul. In India, Karnataka has 38 G.I. products, Maharashtra has 32 G.I. products.

VI. Advantages of GI Tagging

- Legal Status and security to G.I. in India
- There is a protection to unauthorized utilization of an listed geographical indications by others
- Preserves origin of the product and protection in other WTO part nations.
- Preserves origin of the product and protection in other WTO part nations.
- Current status of G.I.

India has major G.I. share in the Handicrafts, Agriculture, manufactured items, Foodstuff products have to improve on the G.I. registrations

OBJECTIVE OF THIS STUDY

1) To dissect the current status of the food stuffs registered under geographical suggestion in India.
2) To punctuate the necessity and importance of GI Tagging for the food stuffs in India.
3) To spread the mindfulness about GI Tagging for food stuffs.

RESEARCH METHODOLOGY

The study is on secondary data. This data is collected from various governmental and official organizations such as WTO, the World Intellectual Property organization and Geographical Indications Registry (Intellectual Property India). There are some research papers did study for the same. There are few news articles in the magazines and newspaper also referred as part of data. Although, we found very less study and research on this subject available for the references.

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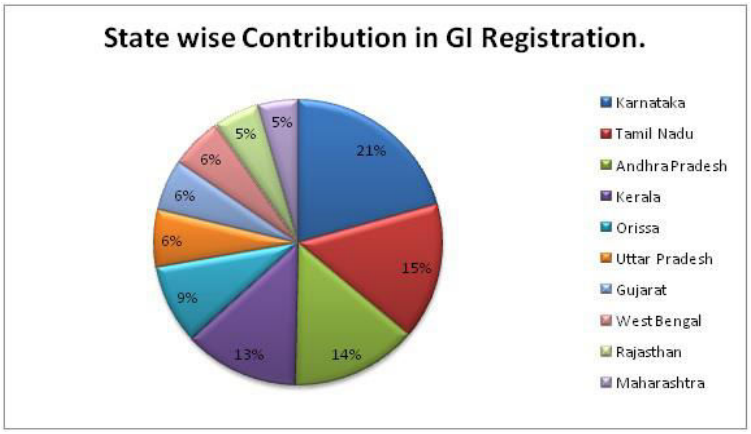
Food Stuff in G.I. in India



List of the Food Stuffs with G.I. tagging in India

Sr no	State	No of GI
1	Karnataka	32
2	Tamil Nadu	24
3	Andhra Pradesh	22
4	Kerala	20
5	Orissa	14
6	Uttar Pradesh	10
7	Gujarat	9
8	West Bengal	9
9	Rajasthan	8

VII. Who is the registered owner of GI?

Any association of persons, directors, organisation or authority established by or under the law can be a registered owner; and their name should be entered in the Register of GI as registered owner for the GI.

The persons dealing with three orders of goods are covered under the term Patron:

- Farm Goods includes the production, processing, trading or haggling;
- Ayurvedic Goods includes exploiting, trading or dealing;
- Crafts or plant goods includes making, manufacturing, trading or dealing.

A GI is violated in the following situations

- Unauthorized use when an unauthorized party uses a GI indicating or suggesting fabrication of the same other than the true place of origin of similar goods, in a manner which may mislead the public;
- Passing off when the use of GI results in an illegal competition including passing off in respect of registered
- False representation when the use of another GI results in false representation to the public that the goods appear in a home in respect of which a registered GI relates

Penalties for violation of GI

The Geographical suggestions of Goods (Registration and Protection) Act 1999, provides for a judgment of imprisonment for a term between 6 months to 3 times and a fine varying from Rupees Fifty Thousand (INR0.05 million) to Rupees Two Lakhs (INR0.2 million) in case of GI violation.

Can A GI be licensed?

No, a GI is a public property belonging to the directors of the concerned goods. thus, it isn't a subject matter of assignment, transmission, licensing, pledge, mortgage or similar other agreement. still, when an Authorised stoner dies, his right devolves on his successor in title.

Trademark in Comparison to GI

A Trademark is a sign which is used in trade and it distinguishes goods or services of one Product from those of other Products, GI is an differentially used to identify goods having special characteristics forming from a definite geographical home.

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Procedure for application of GI

Any association of persons, directors, organisation or authority established by or under the law can apply for enrolment of a GI, handed aspirant must represent the interest of the directors; operation should be in writing in the specified form; operation should be addressed to the Registrar of Geographical suggestions along with specified figure.

VIII. Rights Granted to the Holders

Right to sue the exclusive rights have been granted to the person who's defended under geographical suggestion act and, thus, can be inherited, blessed, vended, certified, entrusted or pledged. The holder of geographical suggestion has a type of property that he can use subject to certain conditions and take legal action against a person who uses his invention without his concurrence. The right to grant license others The holder has the right to transfer a license or entitlement license or enter into any other arrangement for consideration regarding their product. A license or assignment must be given in jotting and registered with the Registrar of geographic suggestions, for it to be valid and licit. Right to exploit Authorize stoner exclusive right to use geographic suggestion with respect to geographic goods for which the geographic suggestion is registered. Right to get reliefs Registered possessors and authorized druggies or druggies have the Rights to gain relief in relation to the violation of similar geographical suggestion.

CONCLUSIONS

There is a huge task and numerous food stuffs uncovered and vulnerable. There are multitudinous of traditional food in India, only but only many are being moment. There is a booming demand for Indian traditional food. GI trailing will cover the origin of our fashions and food stuffs and also helpful to induce employment for Indian food. India, primarily an agrarian frugality with social, artistic, ethnical, food diversities, having thousands of products that would need for a geographical suggestion. Still, the impact of civilians is to cover the Patron's rights and defenders their interest of the products whether the benefits are reaching to the people or not. In short there is a huge work and task remains covered specific to food stuff GI trailing. As a exploration person we all need to take this task ahead and maximum food stuffs need to be under Geographical index tagging to cover the origin of the same.

RECOMMENDATIONS

1. GI trailing is significant to cover the original IP rights of the food stuffs, it's judicious to all food concern people or businesses to register their product.
2. All government agencies related to food stuffs must act unfeignedly and seriously to cover our food stuffs registering the GI label

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3. We need further exploration and study on the same content in our hostel operation or culinary institute to concentrate on the subject.
4. We all need to bring forward Indian identity by exploring further and further Variety of traditional foods from all corridor of India

This is a descriptive research paper. Concepts of GI, legal aspects and various issues related with GI have been analyzed.

This is a qualitative research based on secondary source of information like GI Act and IPR provisions in India.

ACKNOWLEDGMENT
To list who all have helped me is not possible because they are so multitudinous and the depth is so enormous. I would like to admit the following as being fresh confines in the completion of this Research Paper. I take this occasion to thank the Institute for giving me chance to do this Exploration. I take this occasion to thank our Principal Dr. Srividhya Murali ma'am for her moral support & without her guidance it would not have been possible.

I would also like to express my sincere gratefulness towards our Conference Committee whose guidance and care made the Research paper successful.

Incipiently, I would like to thank each and every person who directly or laterally helped me in the completion of the Paper especially my Associates, Parents & Peers who supported me throughout my design.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

INTELLECTUAL PROPERTY RIGHTS IN THE ERA OF ARTIFICIAL INTELLIGENCE

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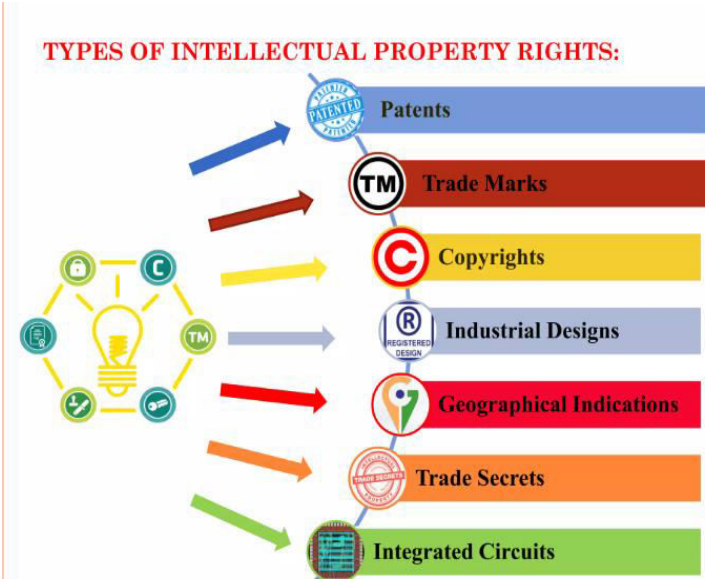
ABSTRACT
Artificial Intelligence, which seemed like a dreamy opportunity at one time, has already moved from books and movies to our world and has gathered motion over past few years and has directed to many expansions in almost all the sectors. No sector will remain intact by artificial intelligence and Intellectual Property Rights too will not be an exception to the same. Artificial Intelligence (AI) will have two aspects on IPR. One Artificial Intelligence will prove to be an advantage in the areas of patent and patent search tools, accurate and timely research s but on the other hand the Artificial Intelligence might also prove to be a danger to invention and inspiration which is the heart of Intellectual Property Rights. This research paper pursues to provide vision into the worth of IPR in AI, the advantages and disadvantages of AI on innovation and development in IPR, as well as the future perspectives of AI in IPR.

Keywords: IPR, Artificial Intelligence, Copyright, Patent, Trademark

I. INTRODUCTION
Artificial intelligence (AI) systems are rising at a rapid rate today, with more refined forms of software being fused into them. AI allowed systems have outdid from execution of simple calculations to creating poetry, art work, and other more complex creative work. This increases the query of whether or not such work can be meet the expense of any special status under Intellectual Property (IP) laws, like any other form of work produced by an recognizable human source which is have enough money under IP laws.

II. WHAT IS IPR
Intellectual property is the creation of the human brain including creativity ideas, creations, industrial models, trademarks, songs, literature, symbols, names, brands,....etc. IPR is similar to the other property rights. They permit their holder to get the complete benefit from his/her product which was originally an idea that established and preserved. They also allow him/her to stop others from consuming, trading or interfering with his/her product without their permission. He/she can in fact lawfully charge them and force them to stop and pay for any damages.

III. COMPONENTS OF IPR



Trademark
A trademark is a sign that customizes the properties or facilities of a given originality and differentiates them from those of opponents. To fall under law protection, a trademark must be unique, and not misleading, illegal or corrupt.

Geographical Indication
A geographical indication is mainly a notice declaring that a given product initiates in a given physical area.

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Industrial Design or Model
It is the philosophical study of beauty and taste, and the process of designing or arranging workplace, product and systems so that they fit the people who use them. It consists of three elements, such as the making of the product's shape, or two elements, such as visuals, designs and shades.

Patent
Patent is an special right approved by law to a creator to stop others from monetary benefit from his/her patented creation without approval, for a particular duration of time in exchange for thorough public revelation of patented creation.

Trade Secret
A trade secret is any evidence of marketable value regarding manufacture or sales operations which is not generally known. The holder of a trade secret must take sensible actions to keep its secrecy.

Integrated Circuit
A product, in its final form or middle form, in which the components, or at least one of them is an lively part, and whereby the internal connections are formed in and/or on a piece of physical material, which is planned to perform an electronic function.

Copyright
Copyright is a type of IPR related with the guarding works of human intelligence. The area of copyright is literary and artistic works, might that be writings, musicals and works of fine arts, such as paintings and sculptures, as well as technology-based works such as computer programs and electronic databases.

IV. WHAT IS AI
AI is known as Artificial Intelligence, it is something which is used in every phase of life nowadays. When we add different functions to a machine so that it can work and do all the works like humans can be said as artificial intelligence. It is also called as Machine Learning, as there is a very tinny wall between AI and robotics, scientists are working on the way to invent robots, that can work as ably as humans and can own the same feelings as humans do. AI's main part, machine learning, is served a lot more data and, when trained, will carry out a specific work. Examples of applications of machine learning are translating between languages, captioning photos, and document scanning.

V. AI AND COPYRIGHT
Customary Copyright law does not identify AI generated works. It only prevent the original designs of a human being. In a famous Monkey-Selfie copyright dispute, U.S. Copyright Office clarified that to fall within the protective shield of copyright law a work must be created by a human being.[1]This decision gave rise to challenges for the copyright ability of AI-generated works.

VI. AI AND PATENT
There are many challenges with patenting AI systems and platforms. In fact, an AI system is usually imitating a human task. Creations and new ideas are at the focus of societal revolution. Creations have been historically safe by a system of intellectual property law of which patents are at the core. At the same time as patent law is still deeply secured in its roots in the industrial revolution, to a greater extend it has been able to adapt to the successive revolutions like the computing although with some challenges. The world is now at an exceptional edge of the most far reaching revolution whose concerns to patent law in particular are so far reaching that its impact is still unknown. This is the AI revolution.[2]

VII. Importance of Intellectual Property in AI
Intellectual Property plays a very important role, particularly in the context of artificial intelligence. As, mentioned above intellectual property consists of different types of components like geographical indicators, copyright, patents, etc. Today almost every country is trying to kit and develop themselves with the help of AI, so they can decree the world. But, a lot of fear among the experts of different countries about their ideas or creations getting whipped, and here comes IPR, these are one fundamental right that helps them to protect their ideas even if they are discussed openly.

In today's scientific environment, there is an increasing interaction between patent laws and AI. AI has been extensively used to streamline the execution of fundamental processes and, primarily, reduce human effort. At first, AI systems seems to work similarly to simple calculators and other similar tools. It works in a faraway more complicated manner, though. Today's AI systems are skilled of performing tasks based on their crucial insights, which opens the door to the possibility of novelty and new creations.

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VIII. CONCLUSION

The Artificial Intelligence tied with IP can permit IP creation progressions. In fact, AI is now providing real value to companies that need to solve difficult and complex issues. The IP daily work can be time taking for human beings as the size of the data increases. Thus, AI technology permits professionals the time to concentrate on more planned results. It will also improve accuracy by reducing dependency on human study measures. For IP experts, the real chance brought by AI, is the access to the dense and distant volumes of data. AI will help IP experts to generate business vision that can open up new markets and bring a better acceptance of what and where the next generation of IP asset should come from.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

INTELLECTUAL PROPERTY PROTECTION IN ELECTRONIC INDUSTRY

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ABSTRACT
The major reasons why the world has taken a quantum leap in terms of technology is due to the vast development in the field of electronics. The field of electronics merges with any given domain and has application in almost each and every object you see around today.

IPR, or intellectual property rights, play a crucial role in the electronic industries. Electronic industries rely heavily on innovation, research and development, and the protection of their intellectual property to maintain their competitive advantage and maximize their profits.

Keywords: SICLD, outsourcing, trademarks

I. INTRODUCTION
Intellectual property rights (IPR) are essential to the consumer electronics industry, which relies heavily on innovation and product differentiation to remain competitive. There are several types of IPR that are relevant to the consumer electronics industry, including:

Patents: Patents protect new inventions and innovations, including new hardware and software technologies used in consumer electronic devices.

Trademarks: Trademarks protect brand names, logos, and other distinctive marks used to identify a particular company's products or services.

Copyrights: Copyrights protect original works of authorship, including software, music, and other digital content. In the consumer electronics industry, copyrights are essential to protect the software and user interfaces used in electronic devices, as well as digital media content sold to consumers.

Trade secrets: Trade secrets protect confidential business information, such as manufacturing processes, customer lists, and technical know-how. In the consumer electronics industry, trade secrets can be critical to protect a company's competitive advantage and maintain its market position.

Overall, IPR is vital in the consumer electronics industry to protect the investment in research and development, encourage innovation, and prevent competitors from copying or stealing intellectual property

II SEMICONDUCTOR INTELLECTUAL PROPERTY
A Semiconductor Intellectual Property (IP) Core is a pre-designed and pre-verified building block of a semiconductor device or system that can be licensed and integrated into a custom design. Semiconductor IP cores typically include analog or digital circuits, processors, memory blocks, or interfaces, and are often used to accelerate the design and development of complex semiconductor devices or systems.

Using semiconductor IP cores can offer several advantages, including:

Time-to-Market: Semiconductor IP cores can significantly reduce the time-to-market for new semiconductor products by providing pre-designed building blocks that can be easily integrated into a custom design.

Cost Savings: Developing custom semiconductor designs from scratch can be time-consuming and expensive. Using pre-designed semiconductor IP cores can reduce development costs and help companies bring products to market faster.

Quality Assurance: Semiconductor IP cores are typically pre-verified, which can help ensure the quality and reliability of the final product. This can be particularly important in safety-critical applications, such as automotive or aerospace.

Design Flexibility: Semiconductor IP cores can be licensed and integrated into a custom design, which provides greater flexibility and customization options compared to using off-the-shelf components.

Electronic companies can benefit greatly from design protection by preventing competitors from copying their designs and diluting their brand reputation. Design protection can also be used to generate revenue by licensing designs to other companies.

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III How Electronic Manufacturing Product Company Can Avoid Intellectual Property Violation and Litigation

Conduct a thorough IP clearance search: Before launching a new product, it's essential to conduct a comprehensive search to ensure that the product does not infringe on any existing patents, trademarks, or copyrights. A clearance search can help identify potential IP issues early on and enable the company to make necessary modifications or obtain licensing agreements to avoid infringement.

Obtain proper licenses and permissions: If the company intends to use third-party intellectual property, such as software or technology, it's crucial to obtain proper licenses and permissions. Failure to do so can lead to infringement claims and costly litigation.

Educate employees on IP laws: Companies should ensure that their employees understand the importance of intellectual property protection and are aware of potential infringement risks. Employee training can help prevent inadvertent IP violations and ensure that the company is operating in compliance with all relevant laws and regulations.

Establish an IP protection strategy: Companies should develop a comprehensive IP protection strategy that includes registering trademarks and patents, monitoring for potential infringement, and taking legal action when necessary. A well-defined IP protection strategy can help prevent IP violations and minimize the risk of litigation.

Work with experienced IP attorneys: Finally, it's crucial for electronic manufacturing product companies to work with experienced IP attorneys who can provide legal guidance and representation in the event of a dispute. An experienced IP attorney can help the company navigate complex IP laws, develop an effective protection strategy, and defend against infringement claims.

IV Lower Intellectual Property (Ip) Risk Outsourcing Electronics Manufacturing

Outsourcing electronics manufacturing can help lower intellectual property (IP) risks for companies. Here are some reasons why:

Shared IP risk: When a company outsources its electronics manufacturing, the responsibility for IP protection is shared between the company and the outsourcing partner. This can help reduce the overall IP risk for the company, as the outsourcing partner can help identify and mitigate potential IP issues.

Access to specialized expertise: Electronics manufacturing outsourcing partners often have specialized expertise in IP protection and can provide valuable guidance and support to their clients. This can include conducting IP clearance searches, obtaining licenses and permissions, and developing comprehensive IP protection strategies.

Reduced exposure to infringement claims: By outsourcing manufacturing to a partner in a different jurisdiction, a company can reduce its exposure to infringement claims in that jurisdiction. This can help minimize the risk of costly litigation and potential damages.

Greater flexibility: Outsourcing electronics manufacturing can provide companies with greater flexibility to adapt to changing market conditions and customer demands. By partnering with a manufacturing partner, companies can quickly scale production up or down as needed without incurring significant fixed costs.

Improved cost-effectiveness: Outsourcing electronics manufacturing can be a cost-effective way for companies to produce high-quality products without investing in expensive manufacturing facilities and equipment. This can free up resources to invest in other areas of the business, such as research and development and marketing.

V IPR IN ATVMs MACHINE

Intellectual property rights (IPR) can play a significant role in the development and operation of automated ticket vending machines (ATVMs).

ATVMs are computerized machines that allow users to purchase tickets for various modes of transportation, such as trains, buses, and subways, using cash or credit cards. These machines rely on software, hardware, and other technologies that can be protected by IPR.

Some examples of IPR that may be relevant in the context of ATVMs include:

Patents: Companies that develop new hardware or software for ATVMs may seek to patent their inventions to prevent others from copying their technology. For example, a company may seek a patent for a new type of ticket dispenser or for a software algorithm that improves the efficiency of the machine.

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Copyrights: ATVMs rely heavily on software code to function, and this code can be protected by copyright. Companies may seek to register their copyrights to prevent others from copying or distributing their software without permission.

Trademarks: ATVMs often display branding or logos to identify the company that operates them. These trademarks can be protected to prevent others from using similar marks that could create confusion among customers.

VI CONCLUSION

IPR is vital in the electronic industries to protect the investment made in research and development and to encourage innovation. Without IPR protection, companies would be less likely to invest in new technologies and innovations, which could stifle growth and innovation in the industry as a whole.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

LEGAL PERSPECTIVE OF IPR – AN OVERVIEW

Dr. Heena Samani

It is the myriad creation of my intellectual thought process,

The efforts of my intellectual brain,

And I reserve the right to use it in the manner I want!!

IPR – The Intellectual Property rights, as the name suggests is all about one's intellectual and intangible property, the creation of one's intellectual mind. It is the mindset of respecting one's novel creation and attributing the rights for the pain taken in the creation.

IPR is witnessed as key wealth indicator of 21st century. Globalization with rising collab, trade exchanges among countries, the social and political indicators and the economical edge, mark the need to protect IPR. It is all about the unique thought, creativity and innovations generated from the miracle box- i.e our brain.

❖ Meaning and Concept of IPR

Just as a person owns the rights for the physical property he owns, IPR are the exclusive rights owned by the person for his/her creation. IPR are intangible rights exclusively belonging to the owner of novel creation. It is the property rights created from one's own intellect. E.g – Artistic work, literature, inventions, trademark logos etc. It endows the owner with a commercial value and can be used only if licensed for consideration, or as licensed and permitted by the owner. The owner, as in physical property can sell, lease or license for a commercial gain or some other purpose, enjoys the same privileges and rights for the intellectual rights. The journey of IPR is from ideating, incubating and innovating.

Attributing the owner with exclusive rights also comes with its legal protection and legal remedies.

❖ Need to Protect IPR

IPR is pivotal to nation's identity and defines its growth trajectory, restructuring of infrastructure requirement, and most importantly it defines nation's perspective on fostering innovations and embracing changes as required.

As per WIPO (World Intellectual Property Organization, India is ranked at 40th position out of 132 countries in the Global Innovation Index (GII) in the global index 2022 rankings. But sadly, India is ranked 42nd outt of 55 countries in the International Intellectual property report which evaluates the protection of IP rights.

The unique creation or the novel idea gives an edge to nation in the global perspective and it reflects the nation's mindset in encouraging innovations further proving as reward to the entrepreneurs.

The Covid – 19 Vaccine, The Atal Tinkering and Atal Incubation Centre, Make In India campaign, Centres of excellence all are fine examples of fostering the culture of innovations and the need to protect these rights.

Every individual is different and so is the creation unique and different. Some creations are novel, important, unique which involve some process/ product, formulas, some with an aesthetic value which profoundly makes impact in the market and country's economic growth and gives an edge to form the geopolitical strategies.

As we understand the need to protect the rights of owner, it is pertinent to understand it from legal perspective as well. Today the time requires every layman to have a sound knowledge of the rights protected by the owner of the intangible rights, the consequences of infringement and the legal remedies against it.

The law of the land is to be known by every citizen and there is no excuse to it. The knowledge of the legal implications to some extent helps to curb the illegal use of the protected material and curb the infringement.

A small discourse on the legal implications can contribute in protecting the IPR rights.

❖ Legal Overview of IPR Protection

India recognizes copyright, trademarks, patents, industrial designs and geographical indications as IPR. IPR is part and parcel in business strategies. Aligning to the needs of globalization and prominently the need to protect IPR, India ratified the consent to WTO (World Trade Organization) agreement which paved ways for TRIPS (Trade Related Aspects of IPR). The Paris Convention, The Berne Convention, The Madrid Protocol and other important conventions and various forums emphasized the need to legislate laws for the protection of the Intellectual Rights. The governing IPR regulations in India are-

- Trade Mark Act – 1999

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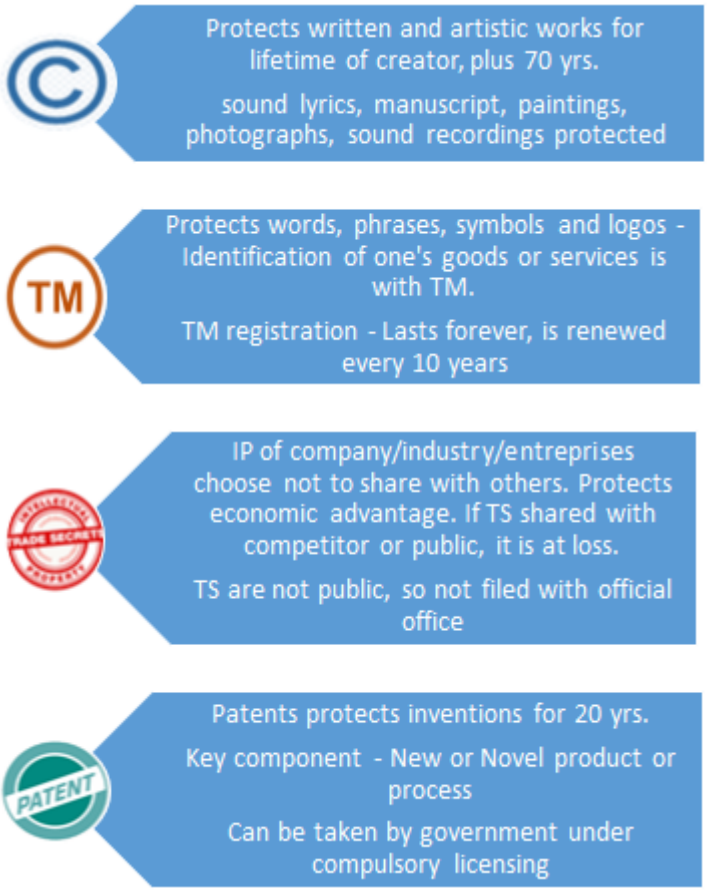
- The Patents Act – 1970 (As amended in 2005)
- The Copyright Act, 1957
- The Designs Act, 2000
- The Geographical Indication of Goods, 1999
- The Information Technology Act, 2000

IPR is all about the legal rights conferred on the inventor or creator to protect the invention for certain period of time. The Dept. for Promotion of Industry and Internal Trade (DPIIT) governs the IPR in India. If there is an infringement then certainly there is a legal remedy. One must be aware of the procedures of registration and availing the remedies.

The IPR rights can be protected by Civil and Criminal remedies.

❖ **Types of IPR in India – Prominently the recognized IPR in India are**

1. Copyrights
2. Patent
3. Trade Marks
4. Trade secrets
5. Geographical Indications



A Brief Infographic of IPR Types, Protection and Tenure

There are certain procedures for enjoying the rights and using them. Further the owner gets the exclusive rights to sell, lease or license the intangible property rights for commercial use with or without consideration.

Infringement is nothing but the trespassing and it has legal remedies to which the tenure, process of registration and legal remedies vary.

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❖ **Challenges in Protection of IPR**

India making a strong presence on the global front, and with its economical evolution, it is prudent to ensure the protection of IPR.

India joined the WTO and became signatory to the TRIPS agreement, further ensuring the IPR protection by legislating different laws as discussed in the early discourse.

Even after having laws legislated, India faces certain challenges due to reasons like-

- No proper enforcement of rights and legal actions against infringement
- Evergreening – i.e. Continuing patent in perpetuity is another challenge
- Lack of contemporary redressal mechanism
- Lack of awareness on IPR protection, legal formalities of registration, protection and infringement consequences
- Stringent enforcement of laws
- Plagiarism, piracy and other violations
- Accountable use of internet/technology

It is prudent for the country to foster culture of innovation with required subsidies, research and making resources available. The challenges in protecting IPR also lies with one's mindset. Plagiarism and piracy has killed the natural instinct of one's own creativity, the potential of one's own manifestation and unfolding myriad creations of human intellect!! Thus protection of IP rights is all about respecting the ownership rights of the owner, and if not it the abuse of law!!

International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IPR PROTECTION OF COMPUTER PROGRAMS AND COMPUTER SOFTWARE

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ABSTRACT
Associated with literature, music, and movies, computer software is a relatively new form of intellectual property. Computer software is such a diverse phenomenon that any attempts to arrive at conclusions claiming general validity are bound to fail. The object of copyright protection in a computer program is not the underlying idea but the computer language used to express the idea. Copyright is the most commonly used to protect computer programs because the writing of a software code is similar to a literary work. Under copyright laws, protection is available only to the form and expression of the idea and not to the idea itself. The use of software is ubiquitous in the creation of many copyright works, yet the requirement in copyright law that every work has a human author who engages in independent intellectual effort means that its use may prevent copyright subsistence In India the Copyright Act, 1957 grants protection to original expression and computer software is granted protection as a copyright unless it leads to a technical effect and is not a computer program per se. The computer software which has a technical effect is patentable under Indian Patent Act, 1970 The persons seeking protection for their software related inventions follow the three important intellectual property rights for the protection of their programs are copyright, patent and trade secrets.(sometimes trade mark and trade dress law also apply for the protection of computer software).

Keywords: IPR, Copyright, patent, Protection, Software Introduction

1. WHAT IS SOFTWARE?

Technical Definition
"Software, in its most general sense, is a set of instructions or programs instructing a computer to do specific tasks. Software is a generic term used to describe computer programs that run on PCs, mobile phones, tablets, or other smart devices."

"Computer software" also referred to as computer programs are the instructions executed by a computer.

1.1 Types of Software

Programming Software – They are a set of tools like compilers, linkers etc. They aid developers in writing of programs.

System Software – They serve as a base for application software and enhance the efficiency of the system.

Application Software – They are a group of programs that are designed for the end users. Examples include games, word processors, news applications etc.

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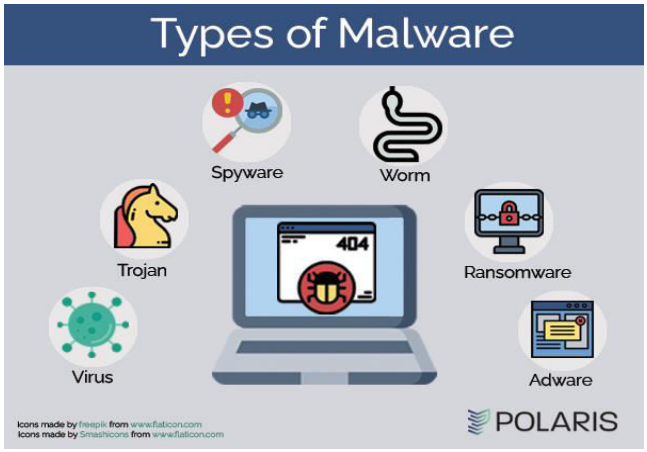
Malicious Software – They have the motive to damage a system, steal information, distort data etc.



WHY TO PROTECT COMPUTER SOFTWARE

"Computer software" also referred to as computer programs are the instructions executed by a computer. In other words, the explanations, instructions, commands and systems which have been developed in order to run the machine are called "computer software". Software comprises of the following one or more components: the source code itself which contains the programmer's invaluable comments any literature that may be supplied with the package which could be in the form of manuals or explanatory material regarding the running of the programme. All these components require protection because the making of it involves the expenditure of skill, time and labour and therefore the resultant work should be protected from misappropriation.

Software has a market value. Computer software is subject to ferocious competition with a shorter life circle and is liable to be copied soon, as it is "read all on the face" technology. Because of its nature the owner of computer program will have two problems (i) economic problem and (ii) competition. Economic problem means, others can access it without payment to the creator. Competition means the competitors will make competing products based on the creation either by reserve engineering or blatant copying. Apart from protecting the economic interest of the owner the protection of software through appropriate IPR mechanism is considered necessary to encourage creativity, innovation and investment. As already mentioned software may be reproduced at no cost, some means of restricting the free copying and redistribution of software work is necessary to preserve an investment in a software product.

2. THE TWO MAIN TYPES OF SOFTWARE

For the purposes of this report, the most helpful way of categorising computer software is to divide it into two categories:

(a) Proprietary software;

(b) FLOSS (Free / Libre / Open Source Software)

2.1 Proprietary Software

Proprietary software is available only after buying the proper license of the software. Moreover, it has proper copyright and license. Besides, the software always remains the property of the owner/developer itself. The users can only use the software and that too under certain predefined conditions. Furthermore, only the owner has the right to modify or sell the software.

The owner can be an individual developer or an organization. Closed Source Software, Non-free Software, or Commercial Software is its other name. Examples are macOS, Adobe Suite, Microsoft Windows Professional Edition.

Examples are macOS, Adobe Suite, Microsoft Windows Professional Edition. Besides, it has certain restrictions like:

- The number of people who can use the software is limited.
- Requires a license.
- Users cannot distribute the software further
- The system or type of environment that the software requires.

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2.1.1 Rights of Proprietary Software owners
There are certain rights that the owners hold while selling this software. They are as follows:

1. Software Use
The owners can restrict the number of computer systems that a user can use to run the software. Besides they can restrict this through a product key, serial number, or product activation, etc.

2. Modification in Source Code
The owners do not provide the source code of the software. Moreover, users have no right to modify the software.

3. Distributing the software
The users have no right to distribute or share the software. Moreover, every user requires a proper license for use.

4. Software Compatibility
This software is usually not compatible with other software. Besides, the software have their own protocols and codes which are not compatible with other software.

5. Hardware Compatibility
Some vendors restrict particular hardware for use. Such as the macOS can run only on Apple devices.

2.2 FLOSS
Both types of Free/Libre/Open Source Software share one key characteristic: all users must have open access to the source code, which is considered a shareable and non-'propertised' resource. At the same time, there are certain differences in approach. "FLOSS", "FOSS", and "Free and Open-source" redirect here

Free and open-source software (FOSS) is a term used to refer to groups of software consisting of both free software and open-source software where anyone is freely licensed to use, copy, study, and change the software in any way, and the source code is openly shared so that people are encouraged to voluntarily improve the design of the software.

2.2.1 Free Software
The term "free software" does not refer to the monetary cost of the software at all, but rather whether the license maintains the software user's civil liberties. ("free" as in "free speech," not as in "free beer")This alternative approach means that all users have "the freedom to:

- Use the software as they wish, for whatever they wish, on as many computers as they wish, in any technically appropriate situation.
- Have the software at their disposal to fit it to their needs. Of course, this includes improving it, fixing its bugs, augmenting its functionality, and studying its operation.
- Redistribute the software to other users, who Could themselves use it according to their own needs. This redistribution can be done for free, or at a charge, not fixed beforehand.

3. FORMS OF IP PROTECTION FOR COMPUTER SOFTWARE

3.1 Copyright Protection
Copyright protection, like patent protection, exist on the theory that "the public benefits from the creative activities of authors, and that the copyright monopoly is a necessary condition for such creative activities". Copyright protects the expression of an idea and not the idea itself, provides that the expression constitute „the fruits of intellectual labour", and it should not be copied from else where. Under copyright laws of different jurisdictions world over, software is considered as a literary work. Copyright subsist in original works that are capable of being reproduced from a fixed medium. Movies, musical compositions, painting and other creative expressions are protected by copyright. The copyright regime is oriented towards the protection of existing works, already accessible to the public, the existence of the protection making it possible to regulate by subsequent contracts the way the public can access these works. It is a well established principle that computer programs are copyrightable subject matter, just like any other literary work. Both the TRIPS Agreement, 1995 and WIPO Copyright Treaty (WCT), 1996 state that computer programs, both in source and object code must be protected by copyright. Copyright protection applied to software, would protect only the intellectual property embodied in the software as a mode of expression. Copyright is a bundle of rights, which entitle the owner to prevent copying of the protected work, to prevent the distribution of copies and to prevent preparation of derivative works.

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3.2. PATENT PROTECTION

Unlike the copyright law which merely protects the expression of an idea, patent law protects the concepts of the invention. Currently some countries protect computer software like any other invention as long as it is a proper subject for patent protection i.e .if it is a new and useful process involving an inventive step and capable of industrial application. The subjects which excluded from patent protection are laws of nature, natural phenomena, abstract ideas and mathematical expressions of scientific truths. Mathematical and scientific expressions are denied patent protection because technology is suppressed against the desires of the authors of the constitution, if such patents are granted.

Comparing to the protection given under patent law, the protection given by copyright and trade secrets has limited scope. The owner of the copyright over an item of software has the right to prevent any other person from copying the code as it is written but does not have the right to prevent the utilization of idea behind the code, providing that the person utilizing the idea must use in a manner that different from the arrangement of the code. The copyright law is also limited to prohibit unauthorized copying of the protected work but it does not prohibit all forms of copying. The expression of a method of operation and principles of a computer program cannot be protected by copyright. Functional aspects of a computer program are excluded from copying. A patent provides more secure protection than the copyright and the trade secret. It protects the „idea" or „functionality" of the software. Copying of an idea is very easy to do and anybody can describe it simply, that is might a patent is restricting from doing. If a computer software is merely an algorithm it should not be protected under patents. The term of algorithm is not defined in the patent act. If the invention is technical in nature it will entitled to get protection under patents. The mathematical algorithms which per se are not regarded as patentable subject matter universally, they are merely considered as abstract ideas or mental steps.

3.2.1 SOFTWARE PATENT HISTORY IN INDIA

In India the 1970 patent Act exclude mathematical or business or a computer program or algorithms from patentability. In 2004 a major amendment was introduced in section 3 through Patent Amendment Ordinance with respect to the patentability of computer programs. By the new clause sec.3 (k), a computer program per se other than its technical application to industry or a combination with hardware; a mathematical method or business method or algorithms.The key expressions in the amendment are "technical application to industry" and"combination with hardware". This means that if an invention is directed at computer software having technical application to industry or coupled to hardware then it is patentable. But this attempt was short lived as the government repealed ordinance through an amendment Act in 2005.

This section laid down a blanket prohibition on the patentability of computer software; it extends only to computer programs standing alone. So this clause would be interpreted to mean that an invention would be patentable only if a computer program is one of its elements. If the invention as a whole includes something more than the computer program that is eligible for patent protection.

4. CONCLUSION

In India, computer software does not form the subject matter of patents as the requirement of the patent law is that the process must result in something "tangible" and "vendible." Though not many in India demand software protection, it is a much needed protection considering the growth of the Information Technology industry in the country. India has adopted most of the particulars of the international instruments discussed above and has incorporated its own law on software protection based on the essentials of these instruments..

The primary protection for computer software in India is found in the Copyrights Act,1957. There are very few cases pertaining to protection of software in India, most of them with Microsoft Corporation as the aggrieved party .With the growth of importance of software in every business, more and more companies want protection under the legal regime to eliminate and stop software piracy.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPACT OF LEGAL PROTECTION ON UNSCUPULOUS BUSINESS PRACTICE

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ABSTRACT
Intellectual Property is a kind of intellectual creativity of a creator. It is an intangible asset of a person. Intellectual Property Rights (IPR) are the exclusive rights which is given to the creators to their creations. Common types of Intellectual Property Rights are patents, copyrights, trademarks, industrial deigns, geographical indications, trade secrets, layout designs for integrated circuits etc. GIs (Geographical indication) generally refer to any indication that gives identity of good which is originating from a particular place, where a given quality, reputation or other characteristics of the good which are essentially attributed to its geographical origin. In India the Geographical Indication of Goods (Registration and Protection) Act was introduced in 1999 in compliance with Article 24 of the TRIPs(Trade Related Intellectual Property Right) in the realm of the World Trade Organization (WTO).

Keywords: WTO -World Trade Organisation, TRIP(Trade Related Intellectual Property Right).GI (Geographical indication).

INTRODUCTION
Intellectual property rights are provided an incentive to the creator to develop his own creation and it is shared with other people for the growth and development of the society. The IPRs are used to help to reduce the challenges in developing counties in the process of growth and development like reducing poverty, stimulating economic growth, improving the health and facilities of people by creating new technology and appliance, providing medicines to the poor. Though IPRs provide incentive to the author or the creator and lead to a competition in the field of invention but at the same time it is an intellectual protection and a form of a temporary monopoly enforced by the state. when we see in the area of beverage product India is the world's largest producer and consumer of tea. India is in among largest tea exporter . The tea industry has played a significant and important place in the Indian economy. Tea is the country's primary beverage, with almost 85% of total households in the country consuming tea made by local producer.

In this paper I have tried to make an attempt to highlight the necessities of moving towards IPR and other legal protection GI in the context of Indian tea as well as the steps that have been taken by the government in this regard.

OBJECTIVES OF THE STUDY
- To analyse the attempt that has been taken by India to protect the name and authenticity of The Indian product under certification of Intellectual Property Right.
- To highlight the requirement and need of protection of original product that has unique identity and originated in particular place or area through certification.
- To focus on methods and measures to maintain the quality and reputation original product from duplication and retain the trust among consumer

METHODOLOGY
The nature of research is descriptive and analytical. The study is based on secondary data, which has been collected from various newspapers, journals, websites etc.

NEED FOR GI
For the picking of two-leaves and-one-bud shoots has been followed here, unlike other tea-growing areas in India. A Geographical Indication are confined through a wide variety of appropriate legislations in our country. The commonly used laws regarding specific legislation are Geographical Indications, Appellations of Origin, Certification Trade Marks, Collective Marks, etc.

In order to ensure the supply of genuine Darjeeling tea and check labelling of other teas as ‘’Darjeeling Tea’’ the Government has incorporated a compulsory system of certifying the authenticity of exported Darjeeling tea into the Tea Act. This system makes it compulsory for all the dealers in Darjeeling tea to enter into a licence agreement with the Tea Board of India on payment of an annual licence fee..

The objective of the Tea Board, under the Darjeeling Certification Trade Mark Protection Scheme, was to create a mechanism to ensure the supply chain integrity for DARJEELING tea so that the tea exported from India can

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claim as 'DARJEELING' tea worldwide . For fair and competitive marketing of Indian tea in the international markets, the Tea Board was administering its intellectual properties (Logos) which was under Tea Logos of the Board indicative of the geographical origin of produce.

Other Indian products required GI protection

- Basmati Rice
- Darjeeling tea
- Madras Paan
- Kashmir karpet
- Pochampally saree
- Alphanso Mango

The objective of all local stakeholders in this field

- The first objective of all local stakeholders is that of protecting the name Darjeeling from misuse the name by many countries in various ways. Misappropriation of the name was a major problem. 20 years ago, Darjeeling tea producers claimed to sale an estimated 40 to 50 million kilograms of tea worldwide as 'Darjeeling tea' to credulous customers, whereas the actual exports of genuine Darjeeling tea from India was not more than 8 or 9 million kilograms.
- The foreign market had been exploited by unscrupulous seller .They had sold happily Kenyan or Sri Lankan tea in the name of Darjeeling tea . A major objective of traders, exporters, blenders, packers etc. to improving market access.
- An objective of producer-exporters and trader is that of reducing the adverse effects of price fluctuations in the international market in order to achieve a strong, stable position on both domestic and international markets.
- The objective of both producers and the Government of India is that of supporting a collective dynamic in favour of rural development. GI registration will protect the product in the market, so that all the actors in the supply chain can get good price and consumer can get original product.
- A objective of producer and the Tea Board (i.e. the Government of India) is that of doing welfare to the local population by providing employment civic, educational and medical facilities and other opportunities as within the locality.
- The secondary objective of producers and processors is of preserving biodiversity on the estates and in the locality by protecting various animal species and endangered plant species, enhancing soil fermentation etc. There is a high international demand for organic products, for which purchasers pay a higher price

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Variables	Before GI	After GI
No of Tea estates	102 in 1991 ↓ 80 in 1997	85 from 1998 to 2009
Area under tea	20085 ha in 1991↓ 17228 ha in2000	17818 ha in 2008
Quantity of production	13.93 million kg in 2002↓ 9.18 million kg in 2002	11.59 million kg in 2008
Yield per hector	694 kg /ha in 1991↓ 492 kg/ha in 1999	650 kg in 2008
price	Rs 128.52/ kg in 2002 Rs 77.50 /kg in 1991	Rs 204.88/kg in 2008

ECONOMIC IMPACT

The economic effects has been summarised in the above table in respect of five variables(No of Tea estate, Area under tea ,Quantity of production, yield per hector, price).The positive result has been shown in term of economic effects from the year 1991 till 2008 before and after GI. The growth and price chart are relevant and showing positive impact over the period of time. The Area under tea quantity of production yield per hector price before GI was 102 in 1991 and 80 in 1997. The area under tea 20085 hector in 1991 to17228 hector in 2000,quntity of production13.93 million kg in 2000 to 9.18 million kg in 2002 Before GI Yield per hector was 694kg per hector in 1991 declined to 492 kg per hector in 1999. Price was 128.52 per kg in 2002 from 77.50 per kg in 19991. After GI the scenario has been changed it has been observed that number of tea estate was increased to 85 from the year 1998 and area under tea17818 hector, quantity production 11.59 million kg ,yield per hector 650and price rose up to 204.88 per kg. There was seen a significant change in all the variables in respect of tea market. A positive growth has been recorded due to GI protection .Without suitable legal protection, the competitors who do not have any legitimate rights on the GI may ride free on its reputation. Such unfair business practices result in loss of revenue for the genuine right-holders of the GI and also misleads consumers. such practices may eventually hamper the goodwill and reputation associated with the GI.

The objectives behind the entire initiative towards ensuring an effective protection of ‘‘Darjeeling’’ as a GI include the following:

- To prevent misuse and misappropriation the word ‘‘Darjeeling’’ for tea sold worldwide.
- To deliver the authentic Darjeeling tea to the consumers all over world .
- To get commercial benefits of the brand ‘‘Darjeeling’’ to reach the legitimate producers of Darjeeling tea;
- To preserve the original flavour of Darjeeling tea and to uphold its reputation worldwide

Darjeeling Certification Practices

Certification is carried out in two ways – either by the Tea Board, or by a third party or accredited agency:

- The genuineness and origin of Darjeeling tea is certified by the Tea Board which acts as a guarantee that the tea is cultivated and processed within the geographical zone of Darjeeling.
- Other certificates regarding quality, food safety, organic or eco friendly product are approved by third-party agencies accredited (in the case of organic production) by the Tea Board though the authority given by the Ministry of Commerce and Industry in 2001.

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Support of Stakeholders to the Supply Chain

External support is considered as an important to the stakeholders in the supply chain for improvement of the Darjeeling tea industry through the establishment of a quality sign. Such support can come from government, for example the Tea Board of India and a development agency or a research institution.

❖ **Administrative Support**

The Tea Board provides administrative guidance and advice as required, and also makes physical contributions when required through the introduction and implementation of various schemes in this respect.

❖ **Financial Assistance**

The Tea industry needs financial assistance in the form of term loans or subsidies for many purposes such as replanting, rejuvenation, creation of irrigation facilities and drainage systems, purchase of vehicles, factory modernization, capacity building etc.

❖ **Integration into a Network**

Support in this respect of tea industry monitoring and integrating is important. Integration of all the stakeholders into a network is important for the industry as a whole for establishment of the quality sign and ensuring the authenticity.

❖ **Research and Training**

Research and training on various aspects of tea cultivation, processing, packaging and marketing, including protection of the quality sign, are required by the stakeholders with a view to product and market development.

Problems and Weaknesses in the Qualification Process Initial Difficulties

The Tea Board of India had faced various obstacles and difficulties regarding the registration process for the Darjeeling tea quality sign. In the initial stage, when attempts were made to register a certified trademark under the Trade and Certification Marks Act of 1958 and the Trademarks Act of 1999, and again under the GI Act of 1999, the traders, packers, blenders and exporters were all had shown their unwillingness to follow the regulations for trading in Darjeeling tea. The main reasons for their opposition were the prohibitions on passing off non-Darjeeling tea as Darjeeling tea and blending or mixing non-Darjeeling tea with Darjeeling tea. These were the significant requirement for a licence from the Tea Board etc..

CONCLUSION

All teas produced in the tea growing areas of India are administered by the Tea Board of India under the Tea Act, 1953. The functions of the Tea Board are to regulate the production and cultivation of Indian tea, to improve the quality of Indian tea and to improve the marketing of Indian tea within India and abroad. Certain varieties of tea like (Darjeeling, Assam, Nilgiri teas) are grown only in India and are in great demand across the world. Darjeeling tea was required full protection under the umbrella of IPR (Intellectual property rights) and GI (Geographical Indications) as per Trade Related Aspects of Intellectual Property Rights (TRIPS) guided by WTO. The Tea Research Association and the Darjeeling Tea Research and Development Centre played important roles in this connection and undertaken scientific and technical research to provide producers with effective results.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPACT OF COPYRIGHT IN ACADEMIC CURRICULUM WITH RESPECT TO STUDENTS AND PROFESSORS IN MUMBAI AND NAVI MUMBAI

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ABSTRACT
IPR plays a very important place in today's era. IPR protects the beautiful creation of God that is human mind's creativity from literary to art work in an universe. IPR is a great solution for the creator to protect their own innovation and invention. Copyright is one of the type of rights under IPR which gives a legal right to the creator of intellectual property in the field of literary work. Copy right is given for an original work of an author which require the original work to be converted into tangible form that is in form of art, literature, videos, images, photography, speech, discoveries, poetry, music, film etc. Research is an attempt to find the impact of copyright in an academic curriculum with respect to students and professors. A fast-developing technology has impacted greatly on academic curriculum which makes a student and a professor to be aware of the copyright's fair use and infringement. A study focuses on the different aspects of copyright in academic curriculum and its critical review on students and professors.

Keywords: - Academic Curriculum, Copyright, Students, Professors, Impact.

X. INTRODUCTION

The term "copyright" designates a group of exclusive rights that Section 14 of the Act confers to the copyright holder. These rights may only be exercised by the copyright owner or a third party with the owner's consent. Among other things, these rights provide you the freedom to modify, duplicate, publish, translate, and interact with the general public. Without granting any rights, copyright registration just creates an entry for the work in the Copyright Register maintained by the Registrar of Copyrights. Copyright act, 1957 which extends its rights to the whole of India which governs the law pertaining to copyright to the owner of the work. It protects the authors original work of literary, art, music, drama, images, audio recording, computer programmes etc from manifestation of ideas.

The two main objective of copyright are firstly the legislation was developed by nations to protect the creative expression of authors, musicians, designers, artists, and other creators as well as the financial risk taken by film and sound recording producers.

Second, copyright laws enable others to freely build upon the knowledge and suggestions included in a work. Furthermore, it allows for some unfettered uses of copyrighted content.

Copyright is a form of legal protection that allows the creators of original works to control how their work is used. Copyright law in India is based on the Copyright Act 1957 which was amended in 2012. The Copyright Act protects literary, musical, dramatic and artistic works, cinematograph films, sound recordings, and broadcasts. The law gives the copyright owner the exclusive right to do or authorize the following:

To reproduce the work in any material form

To perform the work in public

To broadcast the work

To make an adaptation of the work

To sell or give away the work

To rent or lease the work

To display the work in public

The Copyright Act also gives the copyright owner the exclusive right to sue for infringement of copyright. Copyright infringement is the unauthorized use of a copyrighted work without the permission of the copyright owner. Copyright infringement can be a civil or a criminal offence. The Copyright Act provides for a number of remedies that the copyright owner can pursue in the event of copyright infringement, including damages, an injunction, and delivery up of the infringing copies of the work.

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The Copyright Act is an important part of the academic curriculum in India because it protects the rights of creators of original works. Copyright law helps to ensure that the creative works of authors, artists, and musicians are not copied or used without permission, and that they are not unfairly exploited. Copyright law also encourages creativity and innovation by providing creators with an incentive to create new works.

Copyright provides two types of rights under its act 1957 that is economic rights under section 14 and moral rights section 57 which allows the owner to enjoy their legal rights over their expressions of idea.

XI. LITERATURE REVIEW

A. Academic publications' copyright practises are mostly controlled by publishing firms rather than by copyright laws. The copyrights that are currently attached to academic works should be transferred to the publisher because most academic publications use a subscription-based business model. By placing the works behind paywalls, such publishers commercially exploit the content. Though some publishers forbid it, authors are occasionally permitted to distribute a small number of copies of their work. Taking the American Physical Society as an example, the Society demands the transfer of all rights. However, it enables authors to disseminate preprints, publish a preprint on their websites, and disseminate both the published version and the preprint without being charged a fee. As opposed to this, open access publishers allow authors to have copyright over their works because their academic works would be available in public domain.

(Sanjana, a BBA LLB student of Symbiosis Law School (Hyderabad), currently an intern at Khurana & Khurana, Advocates and IP Attorneys)

B. The copyrights are accountable for safeguarding not only the assets of sizable businesses and corporations but also the thoughts or notions that people have in relation to such assets. A person has the right to protect his ideas by using patents, trademarks, or copyrights if he has a noteworthy and original idea for a business venture or anything else. After this, no one else is allowed to use or replicate his ideas. Because they safeguard the innovative and brilliant ideas of the next generation, intellectual property rights are incredibly beneficial for emerging businesses. The owner also has a responsibility to watch out for plagiarism of his ideas. These rights honour the brilliant minds of property's inventors.

The exploitation of intellectual property would have been much increased if these rights had not been available. These legal protections guarantee that everyone is valued and compensated for their contributions to society.

(Sheetal Maggon, September 15,2020)

XII.OBJECTIVES OF THE STUDY

a) To understand the various aspects of Copyright in the field of academic curriculum.

b) To analyse the impact of copyright on students and professors in academic curriculum.

c) To find out the difficulties of copyright in academic curriculum.

d) To suggest measures to encourage academician to acquire copyright on their own work.

IV. METHODOLOGY

The research has been undertaken by primary and secondary methods to test its reliability. Secondary data has been collected through scholarly books, news articles, published texts and Internet

Primary data is collected through structures close ended questionnaire through google form. The random sampling technique is used in Mumbai and Navi Mumbai to collect data from students and professors of various education sector and the sample size is 150. The collected data has been codified and analysed by using IBM SPSS statistical software. The collected and codified data were inferred with appropriate tools like male and female, different age group, jobs and experience in nominal form and aspects of copyright, usage of copyright and difficulty with copyright is measured in terms of ordinal hence, T-test, independent variable test, Annona tests were performed on the collected data to test the hypothesis.

XIII. HYPOTHESIS

1. H0: These is no significant impact of copyright in academic curriculum with respect to students and professors.
2. H1: There is a significant impact of copyright in academic curriculum with respect to students and professors.

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XIV. DATA ANALYSIS & INTERPRETATION

A. **GENDER**

Gender					
		Frequency	**Percent**	**Valid Percent**	**Cumulative Percent**
Valid	Male	11	5.5	7.3	7.3
	Female	**139**	**69.8**	**92.7**	**100.0**
	Total	150	75.4	100.0	
Total		199	100.0		

Table A indicates that majority of the respondents are from **Female** category who contributed the survey i.e 92.7% than the male respondents.

B. **AGE**

Age					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	ABOVE 40	**52**	**26.1**	**34.7**	**34.7**
	31-40	41	20.6	27.3	62.0
	21-30	33	16.6	22.0	84.0
	UPTO 20	24	12.1	16.0	100.0
	Total	150	75.4	100.0	
Total		199	100.0		

Table B indicates that the 1st majority of the respondents are from the age group of above 40 **(35%)** and the 2nd majority is of from the age group of **31-40 (21%)**. So, majority of the respondents are from **adult** category than the younger group of people.

C. **PROFESSION**

Job					
		Frequency	**Percent**	**Valid Percent**	**Cumulative Percent**
Valid	Professor	78	39.2	52.0	52.0
	Student	72	36.2	48.0	100.0
	Total	150	75.4	100.0	
Total		199	100.0		

From the Table C it can be interpretated that majority of the respondents are from **Professors** category **(52%)** who could give personally experienced opinion to validate the points.

VI.A Descriptive Analysis of Data

1. Aspects of Copyright awareness (AS)					
	Minimum	Maximum	Mean	Std. Deviation	Cronbach's Alpha
AS1- Sole monopoly over their creations	1	5	3.58	1.101	----------
AS2- Grants the protection for written or published work	**1**	**5**	**3.91**	**1.095**	----------
AS3- Enhances market value	1	5	3.81	1.197	----------
AS4- Turn ideas & thoughts into profit making assets.	1	5	3.64	1.281	----------
Total			14.93	4.133	**.905**

AS2 variable "Grants the protection for written or published work" was considered as an important parameter by all respondents with a low degree of standard deviation 1.905. Respondents have rated AS2 between 3.91 +/- 1.095. AS2 is considered as an important factor and a popular aspects of copyright. Cronbach's alpha shows a value of 0.905 which is more than 0.89 which shows a excellent reliability level of factors.

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1. Usage of copyright among students and professors (US)					
	Minimum	Maximum	Mean	Std. Deviation	Cronbach's Alpha
US1 – Market your own product and services	**1**	**5**	**1.87**	**.946**	----------
US2- Enhances export opportunity	1	5	2.22	1.192	----------
US3 – Can reproduce work for education considered as fair use	1	5	1.97	1.064	----------
US4- Ability to create derivative works based on copyright.	**1**	**5**	**2.25**	**1.215**	----------
Total			8.30	3.479	**.791**

US4 variable "Ability to create derivative works based on copyright" was considered as an important parameter with mean 2.25 and standard deviation +/- 1.215. The other most important with least standard deviation is US1 that is "Market your own product and services" This means that the respondents view about this variable was not uniform. Cronbach's alpha test the value is above 0.71 which shows a good and acceptable reliability among variables.

2. Difficulty with copy right work (DI)					
	Minimum	Maximum	Mean	Std. Deviation	Cronbach's Alpha
DI1- Limits the uses by academicians	1	5	3.25	1.242	----------
DI2 – Infringement of copyright work	1	5	3.61	1.305	----------
DI3 – Copyright material can be expensive	**1**	**5**	**3.79**	**1.172**	----------
DI4- Less approach to get copyright of one's work.	1	5	3.67	1.250	----------
Total			14.33	4.178	**.861**

DI3 variable "copyrighted material can be expensive" was considered as an important parameter by all respondents mean 3.79 and standard deviation +/- 1.172. As per Cronbach's alpha test the value is above 0.81 which shows a good reliability among variables.

3. Descriptive Analysis of All Factors- ANOVA						
		Sum of Squares	df	Mean Square	F	Sig.
AS1	Between Groups	5.343	1	5.343	4.514	**.035**
	Within Groups	175.197	148	1.184		
	Total	180.540	149			
AS2	Between Groups	4.771	1	4.771	4.059	**.046**
	Within Groups	173.923	148	1.175		
	Total	178.693	149			
AS3	Between Groups	7.724	1	7.724	5.558	**.020**
	Within Groups	205.669	148	1.390		
	Total	213.393	149			
AS4	Between Groups	11.957	1	11.957	7.608	**.007**
	Within Groups	232.603	148	1.572		
	Total	244.560	149			
US1	Between Groups	2.016	1	2.016	2.272	.134
	Within Groups	131.317	148	.887		
	Total	133.333	149			
US2	Between Groups	1.147	1	1.147	.806	.371
	Within Groups	210.593	148	1.423		

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	Total	211.740	149			
US3	Between Groups	.680	1	.680	.599	.440
	Within Groups	168.153	148	1.136		
	Total	168.833	149			
US4	Between Groups	.722	1	.722	.488	.486
	Within Groups	219.151	148	1.481		
	Total	219.873	149			
DI1	Between Groups	1.353	1	1.353	.876	.351
	Within Groups	228.521	148	1.544		
	Total	229.873	149			
DI2	Between Groups	4.465	1	4.465	2.653	.105
	Within Groups	249.108	148	1.683		
	Total	253.573	149			
DI3	Between Groups	9.281	1	9.281	7.033	**.009**
	Within Groups	195.312	148	1.320		
	Total	204.593	149			
DI4	Between Groups	4.027	1	4.027	2.603	.109
	Within Groups	228.967	148	1.547		
	Total	232.993	149			

AS1, AS2, AS3, AS4 and DI3 are the most important copyright aspects which has impacted more on academic curriculum with respect to students and professor with low level of variants among the respondents.

1. Comprehensive Table (AS, US and DI)					
	N	Minimum	Maximum	Mean	Std. Deviation
Aspect of copyright awareness	150	5.00	20.00	**14.9333**	4.13313
Usage of copyright work	150	4.00	19.00	8.3000	**3.47908**
Difficulty with copyright	150	4.00	20.00	14.3267	4.17808
Valid N (listwise)	150				

A comprehensive analysis states that the aspect of copyright is mostly aware to the people as it shows the highest mean i.e. 14,9333 and the usage is the copyright work is also given second most importance to the impact factors as compared with difficulty level of usage of copyright work.

Descriptives analysis with respect to Gender									
						95% Confidence Interval for Mean			
		N	Mean	Std. Deviation	Std. Error	Lower Bound	Upper Bound	Minimum	Maximum
Aspect of copyright	Male	11	11.8182	3.25017	.97996	9.6347	14.0017	5.00	16.00
	Female	**139**	**15.1799**	**4.10417**	**.34811**	**14.4915**	**15.8682**	**6.00**	**20.00**
	Total	150	14.9333	4.13313	.33747	14.2665	15.6002	5.00	20.00
Usage of copyright	**Male**	**11**	**7.0909**	**2.30020**	**.69354**	**5.5456**	**8.6362**	**5.00**	**13.00**
	Female	139	8.3957	3.54397	.30060	7.8013	8.9901	4.00	19.00
	Total	150	8.3000	3.47908	.28407	7.7387	8.8613	4.00	19.00
Difficulty with copyright	Male	11	11.9091	2.70017	.81413	10.0951	13.7231	8.00	16.00
	Female	139	14.5180	4.22098	.35802	13.8101	15.2259	4.00	20.00
	Total	150	14.3267	4.17808	.34114	13.6526	15.0008	4.00	20.00

The aspect of copyright factors has impacted more on female gender than male. And usage of copyright has impacted more on male members with less standard deviation 2.30020.

XV. C. ONE WAY ANOVA						
	Professor		Students		Value	
Factors	Mean	Std. Deviation	Mean	Std. Deviation	F-Value	P-Value
Aspect of copyright	3.73136	8.1875	3.71687	1.817	.181	9.1923
Usage of copyright	**16.9231**	**3.42909**	14.9583	4.50984	6.070	.015*

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Difficulty with copyright	14.6154	4.56394	14.0208	4.06589	.470	.495

Since p value is less than 0.05, the null hypothesis is rejected at 5% level of significance with respect to usage of copyright, Hence there is a significant impact of copyright in academic curriculum with respect to students and professors.

VII FINDINGS

1. Majority of the respondents are female students and professor than male students and professors.
2. Majority of the respondents are from the age group above 40 which indicates that an adult category has contributed majorly to the survey.
3. Majority of the respondents are from professor's category who could give personally experienced opinion to validate the survey.
4. From the descriptive analysis of aspects of copyright is mostly aware to the people as it grants the protection of written or published work as compared with other factors..
5. Ability to create derivative works based on copyright was considered as an important parameter as it gives a basic ideas to people with the copyrighted creativity work to get some knowledge and enhance it further, a students can take a basic ideas to develop a programme, to make project and a professor can take a can make lesson plan, teaching materials etc and market your own product and services considered as an next importance aspect of copyright which makes people to market their own product and make capital out of it by commercialising the expression under copyright.
6. Under difficulty in copyrighted work it is considered to be a most important factor as copyrighted work can be more expensive to use the copyright work with pay and download may lead to an expense.
7. Descriptive comparison of factors gives an more importance to aspects and usage of copyright work than the difficulty of copyright right work, which makes the points clear that which has greater impact though it has some difficulty in its uses.
8. Null hypothesis got rejected as one way anova test with all descriptive factors gives an more weightage to an usage of copyright impact has got an significant effect on academic curriculum with respect to students and professor.

VIII CONCLUSIONS

Null hypothesis got rejected and alternative hypothesis is accepted as it has a significant impact of copyright work on students and professors. Copyright under IPR plays an positive role in todays technological growing world, which makes students as well teachers to come up with lot of creative ideas in academic curriculum.

New creative, innovation of expression of ideas makes the people to get application-based learning in spite of focusing on just theoretical knowledge. As creative as the professor is can motivate the same for students also which may bring up the students to capitalise their own asset and come up with many startup ideas which may develop a young entrepreneurship in India.

IX SUGGESTIONS

1. Students and professors both needs to be clear with a line of difference between fair use dealing and infringement of copyrighted work through seminars and lectures.
2. They should be encouraged to publish their work in an authorised publications to get a proper recognition of work.
3. Professors should encourage students to come up with lot of innovation and expression of new ideas which need to be identified and developed and motivated to further development.
4. Consistency in thinking process among students may help them to be a fruitful citizen of India and can contribute the society and countries GDP.
5. Incubation centres mooting ideas need to identify the students or professors having startup ideas and promote them towards business by keeping tie up with the young seed funding companies.
6. A quality research or project given by student or professor need to be appreciated and motivated to get their work certified under IPR act.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

PATENT ON TURMERIC

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I. ABSTRACT

An energetic component in turmeric is an herbal compound (polyphenol) called curcumin, which has both antioxidant and anti-inflammatory effect. Turmeric is nature's best powerful healers. Turmeric has been used for over 2500 years in India, at first it used as a dye. A recent study is proving that turmeric is beneficial in many distinct health conditions from cancers to Alzheimer's ailment. Turmeric is a tropical herb grown in East India, and the powdered product crafted from the rhizomes of its flower has several popular uses worldwide. In the mid-1990s, this product became the problem of a patent dispute with essential ramifications for international trade regulation.

A U.S. Patent on turmeric changed into provided to the university of Mississippi scientific middle in 1995, in particular for using turmeric in wound restoration.

One of the most complicated problems confronted in India, as well as many other oriental countries is to shield the traditional expertise possessed by means of human beings through ancestral community inheritance. Traditional Knowledge is generally not protected, as it ordinarily fails to meet the modern criteria of IP protection (primarily that of originality, novelty or uniqueness, and arising from identifiable individuals or entities), however holds as much importance in the livelihoods of indigenous people, local communities, and developing nations, such that governments, have demanded equivalent protection for traditional knowledge as compared to modern industrial innovations. It is unfortunately quite common, that foreigners or savvy corporate often mine indigenous conventional knowledge, cultural expressions, or maybe native genetic resources for restrictive patents or different highbrow belongings rights, thereby depriving the real inheritors of that knowledge from deriving popularity and blessings from it.

II. Keywords: Intellectual Property Rights, Traditional Knowledge Digital Library, Turmeric, Traditional Knowledge, Bio-piracy

III. INTRODUCTION

Intellectual Property is something which is creation of human mind and intellect & hence is referred to as Intellectual Property. Traditional knowledge is the knowledge that is passed on to generation after generation, thus forming a part of the cultural identity of the community, it is the living body of knowledge. The present system of Intellectual Property protects for a fixed or limited period to inventions and novel works and as a result, the traditional knowledge is not easily given protection by it. We can fairly observe that the living nature of Traditional knowledge implies that it couldn't be easily defined. It is possessed by various local and indigenous communities, and is further developed by experiences gained over centuries and decades and is then adapted to form a part of the local culture or environment and it is then recognized and termed as Traditional Knowledge. India's successful challenging of a U.S. patent for healing has been an encouraging victory for Indian activists campaigning to protect indigenous wisdom.

IV. LITERATURE REVIEW

Traditional Knowledge is a living body of knowledge. We refer Traditional knowledge as a TK. Traditional knowledge is sustained by one generate and then passed from one generation to the next within a community. Over the time it becomes an important part of the community cultural and spiritual identity. We pass traditional knowledge by informal way and orally and thus TK is not protected via conventional intellectual property protection systems.

India's was trying to revocate patent on wound healing properties of turmeric at the USPTO. In India mostly traditional medicinal knowledge exists only in local languages such as Sanskrit, Hindi, Arabic, Urdu, Tamil etc. which is not accessible & comprehensible for patent examiners at the international patent offices. TKDL expert group identify in 2005 that annually around 2000 patents were granted around the world erroneously concerning Indian system of medicine by patent offices around the world.

Bio-piracy means use of intellectual property systems to take over the exclusive ownership and control over biological resources and biological products and processes that have been used over centuries in non-industrialized culture. In other words bio-piracy means misuse of traditional knowledge with an intention to gain patent protection over that knowledge.

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In 1995, america awarded to the college of Mississippi clinical center patent on turmeric for its wound healing assets. The concern be counted claimed become the use of turmeric powder and its administration for wound treating. An distinct proper was granted to them to promote and distribute. The Indian Council for medical and commercial studies (CSIR) objected to it and provided documented evidences of the prior artwork to America Patent enterprise. It is a fact that the use of turmeric for all the ones purposes has been in Indian households for a long time, but it is a very difficult task to provide and locate posted information on the usage of turmeric powder through oral as well as a topical. After a complex conflict, the U.S. Patents and trademarks office ruled on Aug. 14 that a patent for turmeric issued to the college of Mississippi scientific center in December 1993 changed into invalid because it became no longer a unique invention. The turmeric patent turned into just one of the masses that the North has claimed by using ignoring indigenous and present knowledge. One of the most complicated problems in India is to shield the traditional knowledge which is possessed through the humans as inheritance from their ancestors, however is not blanketed since it doesn't incorporate any resourceful person.

Turmeric powder has been extensively used in India as a medicine, a meals ingredient and a dye to call some of its makes use of. It is also used as crucial ingredient in cooking many Indian dishes. In 1995, the USA provided patent on turmeric to college of Mississippi medical center for wound recovery assets. The claimed subject was "turmeric powder and its administration", both oral as well as topical, for wound healing. A specific right has been granted to promote and distribute. The Indian Council for medical and industrial research (CSIR) had objected to the patent granted and supplied documented evidences of the earlier artwork to USPTO. Even though it turned into a famous fact that using turmeric became known in every household in view that a while in India, it became a herculean mission to locate published facts on using turmeric powder via oral in addition to topical course for wound healing. Due to massive researches, 32 references have been located in one of kind languages specifically Sanskrit, Urdu and Hindi. Consequently, the USPTO revoked the patent, declaring that the claims made in the patent were obvious and predicted, and agreeing that the usage of turmeric is an old art of recovery wounds. Therefore, the TK that belonged to India become safeguarded in Turmeric case.

The Council of clinical and enterprise research last year applied to the United States Patent administrative center for a reexamination. Indian scientists shouted from rooftops about how we're dropping our traditional knowledge to the marauding overseas organizations that've commenced poaching on our historic recovery strategies. The US Patent office mentioned they had made a mistake and cancelled the patent on turmeric.

The Global IP Watch Monitoring System plays an important role in enabling the identification of published TK related applications that can be monitored by third parties in accordance with the relevant country's patent laws.

ADVANTAGES

TKDL has enabled submission of Third Party Observations (TPOs) which has proved the only cost-effective way of misusing TK at the pre-grant stage.

TKDL is enabled the successful opposition of hundreds of patent applications filed worldwide.

Enables immediate corrective action at zero cost to prevent bio-piracy.

V. ANALYSIS AND INTERPRETATION

1. World has recognized the importance of successful documentation of indigenous Traditional Knowledge.

2. IPR is a global measure to curb bio-piracy and misappropriation of Traditional Knowledge.

VI. CONCLUSION

The global community has come to understand and recognise the want to defend the traditional understanding collected over generations in non-business groups and civilizations in order to stop unauthorized use and misappropriation of such knowledge, as it form the cornerstone of a good deal of cultural identities international. World Intellectual Property Organisation (WIPO) as a international measure to curb bio-piracy and misappropriation of TK the some techniques are suggested. Inventions based on or developed using genetic resources may be patentable or protected by plant breeders' rights. The other couple of measures considered, discussed and developed by WIPO are firstly, defensive protection of genetic resources which aims at preventing patents being granted over genetic resources which do not fulfill the existing requirements of novelty and inventiveness. The importance of a documentation, digitization and accessibility to traditional understanding (TK), has come to be even extra essential with time.

India is the only country in the world to have set up an institutional mechanism TKDL to shield our indigenous conventional information after the combat to have the overseas patent granted for wound healing property of turmeric revoked by USPTO. In reputation of the pressing need, the World Intellectual Property Organization (WIPO) has mentioned legal units to cut down bio-piracy and misappropriation of conventional information by

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using way of defensive and effective Protections, but much need to be executed to implement those measures in most nations and it's miles vital that protection of conventional knowledge does not get overshadowed by means of urgent concerns.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

INTELLECTUAL PROPERTY: A POWERHOUSE FOR PROTECTING YOUR INNOVATION IN A DIGITAL ERA

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ABSTRACT
Innovation in technologies impacts almost all industries and existing business models face challenges with respect to privacy, safety, public infrastructure, and spectrum allocation that need to be addressed to protect innovation in the intersection of technologies. In this acceleration of digital change, it is equally important to keep strategies ready to make the most of your Intellectual Property. Government and private sector companies all over the world are looking for various competitive ways by developing and incorporating innovative ideas, products, and services. This paper explores the benefits of IPR in achieving these goals. This paper also explains the vital role of IPR in the growing economies of developing countries in spurring innovation in this digital era.

Keywords:- IPR, Intellectual Property, infringement, technology

1. INTRODUCTION

Protection of Intellectual Property (IP) is essential while planning for digital transformation. IP encourages innovation and preserves diversity of creation. The innovation in technologies such as Internet of Things (IoT), Artificial Intelligence, and ChatGPT requires the acquisition of new knowledge as well as the utilization of existing data. In such advanced data-driven technologies, effective data utilization is the key to success but at the same time, exceptional issues regarding the proper utilization of data and its protection are also arising.

1.1Intellectual Property

Intellectual Property is a key aspect of digital transformation. While advanced technologies offer opportunities for new creation, it might also accelerate the infringements of IP rights. In this digital era, it is often difficult to prove data breaches or protect against data intrusion or protect content from being shared. In today's digital environment, awareness of IPR and how to protect it is very essential. Trade secrets also play a very important role in innovation and the digital economy. Trade secret protection is the way to retain the value of data that is not a part of database protected under copyright.

1.2 IP Challenges in the Digital World

In this digital era, piracy and forging issues are the biggest areas of concern. Unauthorized sharing, utilization, and integration of data need attention. Technology advancement and the use of the internet, it is very easy to gather information about any products, software, digital code, hardware, etc. The anonymity of the internet and its lack of scope leads to IP infringements. The digital environment also develops legislative challenges in terms of IPR.

2. METHODOLOGY

The data set is prepared from https://www.WEF.com/ It as many parameters but we have used two main parameters.

3. IPR Benefits the Economy

IPR plays a very important role in promoting foreign investments and technology transfers in developing countries. IPR is considered to be an essential component of the overall health of the economy. Data used for this research is gathered from World Economic Forum (WEF) survey 2021-22 for IP protection economies of 133 countries in the world.

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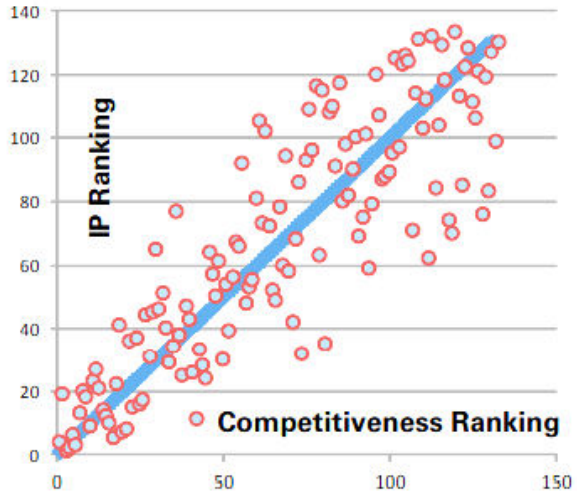


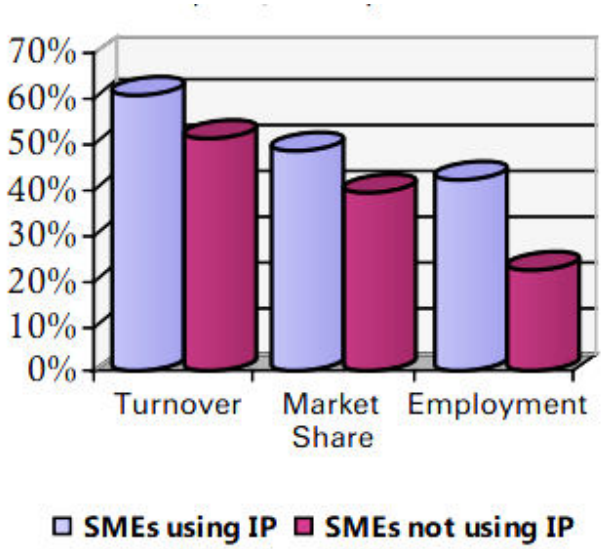
The analysis represents the countries having the strongest intellectual property protection in the economy found to be the most economically competitive countries whereas the weakest IPR systems tend to be at the bottom in ranking against growth and competitiveness. This survey analysis depicts a high degree of correlation (r = 0.86) between the country's IP ranking and its overall competitiveness ranking.

Conclusion

The quality of institutions has a strong impact on competitiveness and growth. Though IP is not the only driver for a successful economy, it is a substantial policy that drives economic growth.

4. IP promotes innovation

Small and Medium Enterprises (SMEs) contribution to innovation is noteworthy and vital. There is a link between business performance and IPR use. Data is gathered from WEF for SMEs using IP and not using IP. The analysis represents firms with patents are more likely to grow than firms with less IPR or without IPR. Effective IP protection increases R&D and innovation. IP for firms helps in developing trade secrets and benefits from their work and innovations. The functioning of IP is like intellectual currency. That means, it is a mechanism for valuing otherwise intangible inventions that give organizations more possibilities to understand values from their innovations.



CONCLUSION

Effective IPR rises funding for innovation by helping organizations to appreciate the value of innovations that are IPR protected over those that are not.

5. IP protection in a digital world

Poor IP enforcement results in forging and piracy weakening the economic benefits of IPR. A high priority for any government should be an information society where IPR not only highlights computer technologies and

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communications that work together as infrastructure in an information society but also it is the driver for the work and technologies protected by IPR in a digital environment. IPR helps in addressing many of society's important needs for a truly digital economy. It endorses consumers' trust in pirated products. The government's IPR not only protects their innovations but also collaborates and licensees out their technologies.

6. CONCLUSION

For any organization, one of the assets is the IP they own for new innovations they develop. IPR has truly developed as an intellectual currency that helps in promoting digital economic growth, technology implementation, and innovation worldwide. As there is improvement in knowledge and the digital economy, most of the standards that the overall economy will achieve will arise from IP innovation, brands, and technical developments. While planning for digital transformation, organizations need to keep in mind that IP protection plays a vital role in encouraging innovation and protecting diversity in the creation of strategies.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IPR AN INSPIRATION FOR INNOVATION AND ECONOMIC GROWTH IN INDIA

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ABSTRACT
Intellectual property rights are crucial to the prosperity of a nation. The laws governing intellectual property vary from nation to nation. In many developed nations, the strict enforcement of the IPR role has a considerable positive impact on economic growth. Intellectual property rights promote innovation, which fuels economic development. Because of innovation, every company exists today. In the current period, the value of IPR laws has been acknowledged. Innovation nowadays is important, but so is a company's reputation. The economic development of a nation is significantly influenced by intellectual property rights. IPR encourages innovation, which boosts the economy. Today, innovation is the source of all businesses worldwide. IPR regulations are now recognized as being important in the modern day. In today's world, not just innovation but also brand identity important. Both negative and good growth in economic development can be attributed to the IPR. It is impossible to overestimate the contribution of intellectual property rights (IPR) to India's innovation and economic progress. This article gives a general review of India's IPR regime and discusses how it affects economic growth and innovation. The article also examines and offers solutions for the difficulties India has in implementing its IPR laws.

Keywords: Intellectual property rights, Economic growth, Innovation, Laws.

I. INTRODUCTION
Intellectual property rights (IPR) can undoubtedly inspire creativity and outgrowth economic development in India. IPR refers to the legal privileges bestowed on people or organisations for their creative and innovative work, including trade secrets, patents, trademarks, and copyrights.

These days, intellectual property and the rights that go with it are highly prized and valued. In India, IPR is protected by well-established administrative, regulatory, and judicial systems. By passing the required legislation, India must abide by the Agreement on Trade-Related Intellectual Property Rights ("TRIPS"). Trademarks, copyrights, patents, and geographical indications of origin for products are all covered under intellectual property rights.

Indian IPR rules and enforcement methods have improved significantly in recent a year, which has improved the environment for innovation and investment. To encourage entrepreneurship, innovation, and digitalization in the nation, the Indian government has also established a number of programs, including the Start-Up India, Stand-Up India, and Digital India campaigns.

II. OBJECTIVES OF THE STUDY
1. To overview and understand the Value of intellectual property rights.

2. To know Impact of IPR on innovation and economic growth

3 . To know Challenges in enforcing IPR laws in India.

III. REASEARCH METHODLOGY
The research method used is a descriptive qualitative methodology based on a literature review and analysis of several references. The references used in this study serve as a basis for providing valid information to discuss and draw conclusions on the positive impacts

the negative impacts of IPR. The secondary data which were collected from different published sources like, online Data, Research Journals, Articles, Journals, etc.

IV. IMPORTANT ROLE OF IPR TOWARDS ECONOMIC GROWTH IN INDIA
- **Profitable innovation** - IP has a huge potential to transform an innovation into services and products that are commercially viable and profitable. In addition, these IP ideas have no intrinsic value and need to be registered as innovations in order to be profitable. Since there will be a continual supply of fees and an increase in earning capacity as a result of registering patents and copyrights, the overall market outcome will be improved.
- **Possibilities for Export Business** - A company’s productivity in the export market are increased by intellectual property. The owner of the intellectual property rights may use these designs and logos to

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market goods and services abroad. Also, it may result in a franchise agreement with a foreign firm or aid in the exportation of the brand-name goods.

- **Ideas are encouraged by Securing Them** - With the market's rising competitiveness, there are many who are always prepared to imitate others' ideas in order to profit financially and advance their businesses. As a result, company owners and innovators should safeguard their original concepts. Intellectual properties must also be protected up until a third party is wrongfully infringed upon.
- **Business Development** – Registering for intellectual property rights is vital since it will safeguard the unique products or services and keep competitors from using them. Market share increase will be ensured by protection, and this will lead to consistent profits and expansion. Since losing any market share at the beginning might be hazardous for the long term to the corporate growth of the small scale firms, it is crucial that they obtain protection in order to have their own name in the marketplace.

V. Intellectual Property Rights in India

The National Intellectual Property Rights (IPR) Policy 2016 was approved in May 2016 and serves as a vision statement for how IPRs will develop in the future.

Its catchphrase is "Creative India; Innovative India".

It includes all intellectual property rights (IPRs) and unites them on a single platform while taking into consideration all connections between them. As a result, it attempts to foster and take advantage of synergies between all types of IP, relevant laws, and government organisations.

The World Trade Organization (WTO) has really had India as a member since 1995. WTO members are obligated to include some type of intellectual property protection in their domestic laws. This suggests that if you conduct business with India, you'll see some similarities between the country's IP laws and enforcement practices and those in the UK. Examples of registered intellectual property include registered trademarks, registered design rights, and patents. You can register copyright as well.

The Successes of the New Ipr Strategy

Increase in GII Ranking: India rose from 81st to 52nd place in the Global Innovation Index (GII) published by the World Intellectual Property Organization (WIPO) between 2015 and 2019.

Clearing Backlog in IP Applications: The government's increase in technical manpower has led to a significant decrease in the amount of time that IP Applications are pending.

Electronically created certificates for patents and trademarks are now automatically issued.

Growth in Patent and Trademark Filings: When compared to the same period in 2017–18, patent filings climbed by about 7% in the first eight months of 2018–19. Over this period, trademark filings have gone up by almost 28%.

The 2003 IP Process Re-engineering Patent Regulations have been updated to streamline procedures and improve user experience. New Trade Marks Regulations were announced in 2017.

Spreading IPR Awareness: IPR Awareness initiatives have been carried out for business, law enforcement, the judicial system, and remote schools using satellite communication.

Technology and Innovation Support Centers (TISCs): In collaboration with WIPO, TISCs have been established in numerous institutions throughout various states.

Impact of IPR on Innovation and Economic Growth

Strong IPR laws foster innovation and creativity by giving inventors and innovators a legal framework to safeguard their rights, which is one of its key advantages. This therefore improves the atmosphere for spending on research and development and draws in outside capital, spurring economic expansion and employment creation.

India's IPR law has been crucial in fostering the nation's creativity and economic development. The granting of patents has encouraged inventors to make research and development investments, which has resulted in the development of new goods and services. Trademark protection has made it possible for companies to build their brand identities and compete in the market. Copyright protection has encouraged creators to generate unique works, fueling the expansion of the creative economy.

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As enterprises are guaranteed the protection of their intellectual property rights, India's IPR law has also attracted global investment. This has aided in growing exports, creating jobs, and helping the Indian economy expand.

The market began to change after Trade-Related Intellectual Property Rights ("TRIPS") were introduced. The law began to provide businesses room to operate and possibilities to innovate. The business sector has begun to make investments in R&D. The number of patent applications filed in India has increased since TRIPS was implemented.

India has a sizable population of gifted people who could support economic development and innovation. But because there hasn't always been IPR protection, many have shied away from pursuing their ideas out of concern about losing control of their creation. Innovators and artists now feel more confident in their abilities to safeguard their work and get money from their ideas because to India's strengthened IPR regulations.

Moreover, IPR protection might encourage companies to spend money on R&D and promote an innovative culture. This can then result in the development of fresh goods and services that will advance the economy and benefit society.

Challenges in enforcing IPR laws in India

Despite having a strong IPR regime, India nevertheless has difficulties implementing its IPR rules. Piracy and counterfeiting, which have a large influence on the creative sector and the economy overall, are one of the biggest problems. It has been challenging for rights holders to defend their intellectual property due to inadequate enforcement measures and the cumbersome legal system.

IPR's major weakness is that it occasionally prevents technology from being used in the most effective manner. Sometimes the individual with the rights misuses those rights. Companies are free to set their own prices, and because their innovation is protected by IPR, competitors cannot use it.

Inventions involving new forms of a known substance are not eligible for patent protection under Section 3(d) of the Indian Patent Act 1970 (as modified in 2005), unless there are significant differences in the material's qualities that affect its efficacy.

Compulsory licensing (CL) is a difficulty for foreign investors who bring technology because they worry that it will be abused to copy their products. It has affected the negotiations for an FTA between India and the EU.

CL refers to the government's approval of an organization's use, manufacturing, import, or sale of a patented innovation without the patent owner's consent. In India, CL is covered by the Patents Act.

India is "one of the world's most troublesome major economies" in terms of the protection and enforcement of intellectual property, according to a Special 301 report recently published by the United States Trade Representative (USTR). Ineffective enforcement of the Copyright Act leads to regular piracy of works protected by the law.

VI. SUGGESTIONS

To analyse the economic effects of stronger IPR systems, particularly those that are upheld and praised by international organisations like WIPO and WTO, this opens up new research and study options.

The IPR regime in India has been instrumental in promoting innovation and economic growth in the country. However, there is a need for the government to address the challenges faced in enforcing IPR laws, particularly piracy and counterfeiting. With the right measures in place, India can continue to be a global innovation hub and a driver of economic growth.

For addressing IPR-related disputes, a suitable resolution process is required.

India won't be able to fully benefit from the transformational advantages of a strong IP system until it fills in the holes in its IP laws and regulations.

The success of India's two most important initiatives, Made in India and Start up India, hinges on the expansion of the innovation ecosystem and improved Intellectual protections.

To encourage the Indian industry to develop as well as to defend and enforce their ideas, more knowledge about the creation, protection, and enforcement of IPRs is required.

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VII. CONCLUSION

India has improved the effectiveness of its IPR policy and reduced the amount of time it takes to grant patents. Innovation culture is becoming more prominent across the nation. India is perfectly positioned to concentrate on R&D. Its rising position in the Global Innovation Index over time reflects this.

IPR may undoubtedly serve as a catalyst for creativity and economic development in India. The government's attempts to support entrepreneurship and innovation, along with efforts to tighten IPR laws and enforcement systems, have produced a supportive climate for innovation and investment. A positive cycle of innovation, economic expansion, and job creation may result from this, which would be advantageous to both the nation and its people.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

DIGITAL PIRACY AND INTELLECTUAL PROPERTY RIGHTS: A SYNTHESIS

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ABSTRACT
In today's digital age, it's common to practice engaging in online piracy. The sale of a copyrighted work in whole or in part in black market, for a significantly reduced price is termed as "piracy". Copyright Act, 1957 and IT Act, 2000 are two of the many regulations in India that prohibit this type of criminal behavior and piracy.

The objective of this research paper is to provide a comprehensive overview of digital piracy. Digitization's effect on agents suggests questions that will include the impact of digitization on the supply of new works, new business models available and methods for consumer discovery of new products.

Keywords: Copyright, digital piracy, Cyber Lockers

INTRODUCTION
In this high-speed internet era, the digital piracy has emerged as the latest fashion for the users. It is illegal to reproduce and distribute copyrighted without terms, piracy is getting materials without permission from the right holder, such as by sharing it online. As time goes on, the idea of pirated content has become more and more relevant. Let's understand why do individuals indulge in piracy? There are several, reasons like international arising delays, cheap, digital restrictions, trial runs and lack of different promotion. This happens when somebody doesn't hold the copyright of the merchandise and makes copies and sells for a less price than the initial price. There are numerous technologies known as watermarking that help track and establish illegal downloading, or whether somebody shared a file lawlessly. Imperceptions watermarks unambiguously identify such file, for example: if one takes a clever file and makes many copies, and each copy having its own unique watermark. Another technology is fingerprint: process IDs different form watermarks because of it doesn't insert any data. Rather, it takes a video/music and identities distinctive and might establish them later. The outlaw trade software package, videos, digital videos devices (DVDs), and music. Piracy happens when somebody other than the copyright holder copies the merchandise and resells it for very less cost than the original legitimate cost. In other words, piracy is getting materials without the rights of legal possession. Piracy represents an entire range of intellectual and physical theft.

Original creators have place in manufacturing their product and they are doing is for a living. Web piracy is stealing and simply that it's worse, as several are often not tracked down for their illegal act.

It is a fact that not all laws are going to be completely excellent. Hence, one must always not only accept existent and future laws, but also reach out and increase awareness about web piracy.

Currently, the privacy downside spans several company sectors. The MPAA, RIAA, ESA, and SIAA, representing the show, music, gaming, and software package industries have all taken strict measures to deal with the consequence from outlaw sharing of their proprietary works. Commercial enterprise annual injury reports regarding the millions upon billions of lost profit and issuance, pre-litigation notices to celebrated violators, industries have begun to collaborate with academic institutions to bring piracy awareness into colleges. With the increasing usage of the web and technology, a lot of individuals are consuming their content online. Online digital consumption is increasing and turning into the people's alternative for accessing film, TV, music, book, software package and games, with increasing users across countries making use of the content on-line. However, with this increase in demand for on-line consumption and as broadband speed become quicker and cheaper, businesses from across the industries are seeing a lot of content being pirated and accessed on-line.

A recent survey discovered that 25% of web users accessing content on-line have accessed a minimum of one item lawlessly. Therefore, it is essential that the industries and therefore the individuals operating inside them are protected. The large server's space for file-storage and file-sharing services for media file varieties is called the cyber lockers, from these cyber lockers various file such as photos, videos, and sound files. They provide quick, convenient, and distribution of many contents, which may be downloaded & distributed and usually these sites make huge financial gain through distribution and subscription services.

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As Cyber lockers are unsearchable, hence pirated content is shared on blogs, forums, and social media and peer to peer sites.

While individual could believe their files are solely obtainable to many friends, these files are often accessed by many individuals everywhere the in the plant who are the part of P2P network. The default setting for many P2P networks insures that people downloading files are simultaneously uploading files, which means if you transfer movies, you are distributing illegal content to others. By permitting stranger to excess file from your PC nonpublic files could become accessible and place you in danger.

Software piracy is the repetition of distribution of software package from out of the law. It's such a profitable business that it is widespread in different states. According to the business software package alliance, regarding 12 months of all software packages in current use are stolen. Typically, the license states that you simply will install the initial copy of software package you purchase on one PC which you can create a backup copy just in case the initial is lost or broken.

Following Are the Types of Software Package Piracy

1. Counterfeiting
2. Web piracy
3. User piracy
4. Client-Server Overuse
5. Hard-Disk Loading

The explanation behind digital piracy is that we have to make a start towards ending it. Researchers suggest though the recording and film industries were able to bring down large- scale file sharing services and programs.

The Researchers Concludes that there are five Motivations for Scouring:

i. Justification
ii. Economic incentives
iii. Believed generality.
iv. Experiential reasons
v. Believed lack of risk

Effects of piracy

Decrease in sales of legal copies the number of further licensed copies that maybe sold out isn't adequate to the quantity of illegal duplicated copies. Pirates usually sell their wares at very low price from street. This induces some individuals to get the merchandise who wouldn't otherwise purchase it due to price factor. Also, at times some unauthorized copies are made for noncommercial reasons (e.g., creating a duplicate copy for a friend).

Retail worth Effects of Piracy

The outcome of the road price of legal copies will have two sides of coin…

Positive: The road worth of pirated software can rise if most price-sensitive customers switch to outlaw copies whereas the foremost price-insensitive customers don't.

Negative: The road worth can fall if customers don't dissent in worth sensitivity. In this case, all customers are equally probably to search for from a pirate if given a chance, so the result of piracy is to form the demand for legal copies a ton of worth elastic.

About Software Package Protection Strategies

There are some ways to undertake to shield your software package from piracy … not of them is 100% effective.

Most protection schemes are sometimes composed by following parts:

Check if user incorporate a license to run the software package.

This point is often accomplished by numerous suggest that, like dongles, package licenses to one machine. LAN/internet activation and original media checking. Make troublesome for malicious user to defeat the protection theme. This point is often achieved by numerous suggests that, from straightforward code

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obfuscation, that makes debugging/ disassembly troublesome, up to code coding, which makes dismantlement just concerning impossible if user hasn't a program license. First step is that the best to attain and its security degree depend virtually solely on authentication media chosen.

CONCLUSION

It's time to require a stand against piracy to shield your valued paying customer and your company's name and future success. By mobilization your software package with unjust data and following through on your accusations against infringers, you can set a name that your software isn't to be pirated and you will facilitate creating a force on the worldwide piracy epidemic. People who create a living because of they can sell inventive works to others, like video, game creators are unable to urge any pay and take advantage of their job because of web piracy, which distributes pirated content to alternative users over the internet, therefore, showing however web piracy affects the daily livers of people.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

THE EMERGING TRENDS OF INTELLECTUAL PROPERTY LAWS WITH SPECIAL REFERENCE TO PROTECTION OF TRADE SECRETS

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ABSTRACT
Intellectual property laws are an essential component of the legal system of any country. In India, the laws pertaining to intellectual property have undergone significant changes in recent years.

In recent years, India has recognized the importance of protecting trade secrets as a separate IPR and has introduced new legislation to address this issue. The Indian government has recently enacted the Trade Secrets (Enforcement and Protection) Act, 2018, which provides a legal framework for the protection of trade secrets in India.

Keywords: *Intellectual property, trade secrets, legal framework*

1. INTRODUCTION
Intellectual property rights (IPRs) refer to the legal rights that protect the creations of the human mind, such as inventions, literary and artistic works, symbols, designs, and images. One of the crucial IPRs is the protection of trade secrets, which refers to confidential information that gives a business a competitive advantage over its competitors. In today's highly competitive business world, trade secrets are an integral part of any company's success, and their protection is critical for the company's survival.

In India, the protection of trade secrets is primarily governed by contract law and common law principles of equity. The Indian Contract Act, 1872, defines the legal framework for protecting trade secrets by imposing confidentiality obligations on the parties to a contract. Additionally, Indian courts have recognized the common law principles of breach of confidence and the equitable doctrine of restraint of trade as essential tools for protecting trade secrets.

In India, the protection of trade secrets is primarily governed by contract law and common law principles of equity. The Indian Contract Act, 1872, defines the legal framework for protecting trade secrets by imposing confidentiality obligations on the parties to a contract. Additionally, Indian courts have recognized the common law principles of breach of confidence and the equitable doctrine of restraint of trade as essential tools for protecting trade secrets.

However, in recent years, India has recognized the importance of protecting trade secrets as a separate IPR and has introduced new legislation to address this issue. The Indian government has recently enacted the Trade Secrets (Enforcement and Protection) Act, 2018, which provides a legal framework for the protection of trade secrets in India. The Act defines trade secrets as any information, including a formula, pattern, compilation, program, device, method, technique, or process that is not generally known or reasonably ascertainable and is capable of conferring economic benefit on the person possessing it.

2. REVIEW OF LITERATURE
2.1: A Research Paper on Importance of Trade Secrets: and Empirical Research Author- "Katherine Linton" Particulars- ¬ United States International Trade Commission. ¬ Journal of International Commerce and Economics.

Brief: This article is the outcome of ongoing research of United States International Trade Commission (USITC) staff and is exclusively meant to signify the ideas and research of the authors. It is not meant to signify in any way opinion of the USITC or any of its specific Commissioners. This article debates the significance of trade secrets to large and small firms in many manufacturing sectors. It also high spot their importance in international and domestic policymaking.

2.2: Trade Secrets: International Trade Policy and Empirical Research

Author- Andre Barbe and Katherine Linton Particulars Available at- https://www.oecd.org/sti/144%20%20OECD%20Trade%20Secrets%202016- 85.pdf

Brief: Of all types of intellectual property, trade secrets are important to the processes of the most

U.S. businesses. This comprises both small and large firms, and spans many industrial sectors.

Furthermore, trade secrets have become progressively prominent in international and domestic policy. Newly constructed data sets have permissible more experimental research to be conducted on the outcome of policies that upsurge trade secret protections. And yet, our understanding for trade secrets still comprises of number of gaps.

2.3: Author- "Md. Zafar Mahfooz Nomani" (Faculty of Law at Aligarh Muslim University) and Faizanur Rahman (Faculty of Law at Jamia Millia Islamia)

Particulars-

Article in Journal of Intellectual Property Rights. July 2011

Vol 16, July 2011, pp 341-350

Available at: https://www.researchgate.net/publication/295139494_Intellection_of_Trade_Secret_and_Innovation_Laws_in_India

Brief: The individuality of trade secret law is that it outbursts into the wide framework of competition, contract, intellectual property rights and innovation. The trade secret doctrines are thoroughly linked to the area of criminal law and tort although subject to diverse explanations. The Framework to Emerging Trends of Intellectual Properties and Trade Secret counteractive part of the law is unreliable to the cause of action. The diverse nature of trade secret calls for its complete comprehension as a form of intellectual property. An encouragement based approach in permitting legal protection to trade secret connects the idea, utility patent and inventions. This is best suited to diverse categories of inventors and innovators in a TRIPS compliance and post liberalized Indian economy. The paper traces development and expansion of trade secret law in a comparative viewpoint and critically examines the potential influence of innovation law on trade secret protection in the framework of laws of India and national innovation policy.

3. OBJECTIVES

3.1: To study emerging trends of IPR

3.2: To study about trade secrets

3.3: To study protection plans of trade secrets in India

3.4: To study protection plans of trade secrets in

Global trends.

SEARCH METHODOLOGY

External Secondary Data Research

– The most basic method for data collection used in research paper is External secondary data research that represents a study that uses existing data on a certain research subject from government statistics, published market research reports from different organizations, international agencies (such as DPITT,CGPDTM ,WIPO etc.), and so on.

5. LIMITATIONS

5.1: The study area is restricted only to one aspect i.e. "Trade Secret" of IPR

5.2: Study is based only on secondary data

5.3: Paper only covers general aspect of trade secret.

6. EMERGING TRENDS OF IPR

Intellectual property laws are an essential component of the legal system of any country. In India, the laws pertaining to intellectual property have undergone significant changes in recent years. The country has seen a surge in innovation and creativity, which has led to a growing need for stronger legal protection of intellectual property rights. The Indian government has responded to this need by introducing several amendments to the existing laws and creating new laws to keep pace with the changing times. This has led to the emergence of several new trends in the intellectual property landscape of India, which are shaping the way intellectual property is protected, enforced, and exploited in the country. In this context, this essay will explore the emerging trends of intellectual property laws in India and their impact on the innovation and creativity landscape of the country.

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Intellectual property rights (IPRs) refer to the legal rights that protect the creations of the human mind, such as inventions, literary and artistic works, symbols, designs, and images. One of the crucial IPRs is the protection of trade secrets, which refers to confidential information that gives a business a competitive advantage over its competitors. In today's highly competitive business world, trade secrets are an integral part of any company's success, and their protection is critical for the company's survival

7. TRADE SECRETS

In India, the protection of trade secrets is primarily governed by contract law and common law principles of equity. The Indian Contract Act, 1872, defines the legal framework for protecting trade secrets by imposing confidentiality obligations on the parties to a contract. Additionally, Indian courts have recognized the common law principles of breach of confidence and the equitable doctrine of restraint of trade as essential tools for protecting trade secrets.

However, in recent years, India has recognized the importance of protecting trade secrets as a separate IPR and has introduced new legislation to address this issue. The Indian government has recently enacted the Trade Secrets (Enforcement and Protection) Act, 2018, which provides a legal framework for the protection of trade secrets in India. The Act defines trade secrets as any information, including a formula, pattern, compilation, program, device, method, technique, or process that is not generally known or reasonably ascertainable and is capable of conferring economic benefit on the person possessing it.

The Act also provides for civil and criminal remedies for the misappropriation of trade secrets, including injunctions, damages, and imprisonment. This legislation provides a more comprehensive legal framework for the protection of trade secrets and brings India in line with international standards for IPR protection.

Intellectual property rights (IPRs) refer to legal rights that protect creations of the human mind, such as inventions, literary and artistic works, and symbols, names, and images used in commerce. The main purpose of IPRs is to provide incentives for innovation and creativity by granting exclusive rights to creators or owners of the intellectual property.

Trade secrets are one form of intellectual property that refers to confidential information that is used in business operations and gives a competitive advantage to the owner. Trade secrets can include formulas, designs, processes, customer lists, and other confidential information that is not generally known to the public or competitors.

The protection of trade secrets is an important aspect of intellectual property rights. Unlike patents, trademarks, and copyrights, trade secrets do not require formal registration with a government agency. Instead, trade secret protection relies on maintaining the confidentiality of the information.

8. PROTECTION PLANS OF TRADE SECRETS IN INDIA

The 2006 National Intellectual Property Policy states in objective 3.8.4 that the protection of trade secrets is essential for strong and effective intellectual property legislation to balance the interests of rights holders with the general public interest.

Trade secrets are protected by various means, such as the formation of “confidentiality clubs”, non-disclosure agreements and other contractual obligations. In the event of a breach of such contractual agreement, the owner of the trade secret may bring actions such as compulsory execution, evasion of common torts, criminal breach of trust, theft, damages, etc., and the trade secret thus obtains a just right to status.

9. PROTECTION PLANS OF TRADE SECRETS

IN GLOBAL TRENDS

The protection of trade secrets varies across different countries, but most jurisdictions provide some level of legal protection for confidential information. Some of the common protection plans of trade secrets in the world include:

(A) Confidentiality agreements

(B) Non-disclosure agreements (NDAs)

(C) Access controls

(D) Physical security measures

(E) Training and education

(F) Legal remedies

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(G) International treaties

10. CONCLUSIONS

Overall, the protection of trade secrets involves a combination of legal protection and practical measures to maintain the confidentiality of the information. Companies should be aware of the laws and regulations in their respective jurisdictions and take appropriate measures to protect their confidential information.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

AN EMPIRICAL STUDY ON IMPACT OF FACULTY WILLINGNESS, AWARENESS AND INSTITUTIONAL SUPPORT ON HEI INNOVATION CAPABILITY & PERFORMANCE

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ABSTRACT
Professors, and undergraduate college students, scientists, and R&D professionals are involved in research and producing new project work in a variety of fields. Things and actions in the sphere of industrial property, including copyright, patents, trademarks, designs, instruments, devices, processes, spices, software, and other information, often contribute to the development of intellectual property rights (IPR) in many forms. The complexity of the problem has only gotten more complex due to the quick development of science and technology. As a result, there have been numerous discoveries of novel things, as well as ongoing innovation and creation. Since scientists and R&D engineers want to protect their inventions, intellectual property rights are provided to support creative activities. The importance of intellectual property in education Because inventors seek to safeguard their creations, intellectual property rights exist to support creative endeavors. The protection of knowledge through intellectual property is crucial for technical education because many technical advances have been made in this discipline. This protection extends beyond only ideas and includes licensing and development. This study has used SEM model to understand perception of students and their level of awareness w.r.t intellectual property rights.

Keywords: Innovation, Intellectual Property Rights, perception, awareness SEM Model.

INTRODUCTION
Innovation is crucial to advancing both established and developing countries' economies and increasing their level of global competitiveness, many governments have made it the centerpiece of their growth strategy. People can be motivated by the appreciation and celebration of innovation in developing markets, especially the next generation of managers and business owners.

Research on the effectiveness of countries and businesses indicate to the importance of technical innovation as a factor in the rise in global competitiveness and, consequently, the creation of material prosperity.

In response to the difficulties provided by ever-turbulent market circumstances, the traditional innovation literature has recently gone deeper into several topics relating to the development of organizational capabilities that support enterprises in this area. Being agents for the transfer and diffusion of innovation and new technologies, organizations play a crucial part in this process since they have the power to alter their realities in accordance with the information they get from their surroundings. Studies in organizational behavior and microeconomics have been conducted to learn more about the significance of innovation in enhancing business performance.

Literature Review and Hypothesis Formulation.
According to (Anandhalli, 2019)Parajuli (2020) purpose of conducting a literature review is to make possible and encourage further study on the subject. The researcher becomes an expert in that particular area of inquiry because he thoroughly studies the subject. The document should critically evaluate every preceding study conducted on a national or international scale, in addition to providing a synopsis of earlier research on the same subject. He went on to explain that as the goal of any research project is to determine the causes and effects of a phenomenon to establish proof and facts, a strong literature review is a necessary addition. They highlighted a step-by-step procedure for conducting a literature review first, followed by an evaluation of the data gathered. Only mere collection and summarizing previous work is not sufficient for a researcher but also synthesizing it critically is the key step for an effective review of literature process. For a researcher, just gathering and summarizing prior work is insufficient; instead, critical synthesis of material is the essential first step in a successful review of the literature process.

Faculty Awareness and Institutional Innovation Capability (IIC)
Anandhalli (2019) said that Patents, trademarks, service marks, industrial design registrations, copy rights, and trade secrets are examples of intellectual property rights (IPR). Both faculty & Students should be educated on the importance of intellectual property rights. Both of them must develop and build new things in order to find solutions to problems that arise in every part of our contemporary life. The academic community is thus made

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aware of IPR through the holding of seminars, conferences, invited presentations and lectures, and training programmes.

H1: Faculty Awareness on IPR has impact on the Institutional Innovation Capability.

Faculty Willingness (FW) and Institutional Innovation Capability (IIC)
Tinao et al. (2018) in their studied highlighted Faculty members have expressed a desire to enhance IP services, IP processing, and IP application in order to increase the effectiveness and productivity of the IP system at the university. According to the study's findings, attention should be placed on patents, copyrights, plagiarism, and design rights to raise public understanding of various areas of IP delivery.

H2: Faculty Willingness has impact on the Institutional Innovation Capability.

Institutional Support (IS) and Institutional Innovation Capability (IIC)
(Deshpande et al., 2022) highlighted that the pillar of any institution is its faculty and students. In addition to protecting unique creations, their understanding of IPRs would also benefit them in terms of licensing, improved collaboration, and funding prospects. This demonstrates that postgraduate students and teachers are both eager to learn about intellectual property rights and the regulations that govern them. The instructors and students of the health care industry were evaluated for their knowledge, attitudes, and practices respecting IPRs.

H3: Institutional Support has impact on the Institutional Innovation Capability

Institutional Innovation Capability (IIC) and HEI Performance (HP).
Titu et al. (2017), Evidence on academic patenting indicates a rise over time, but it also demonstrates how concentrated the phenomenon is in a small number of institutions, a small number of technological fields, and a small number of academic patents with high (licensing) value. However, academic patenting and licensing are only two of many possible routes for knowledge transfer from universities to industry. Public and private research institutions are endowed to conduct research. Hence, universities must enforce intellectual property laws primarily because doing so will encourage scientific inquiry and development. Also, it makes clear how the institution aims to strike a balance between its two objectives of sharing knowledge and compensating knowledge producers. promoting those who generate information. promoting those who generate knowledge.

H4: Institutional Innovation Capability has impact on the Higher Education Institutions Performance.

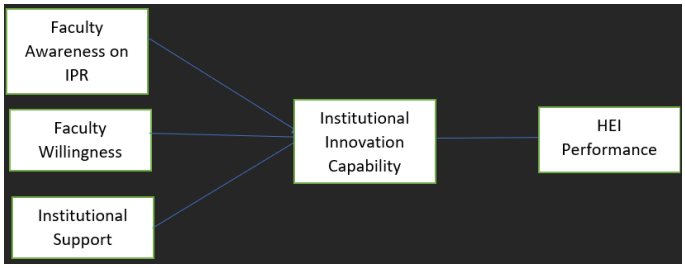

Figure1: Proposed Research Model

RESEARCH METHODOLOGY
To gather information from the sample, a properly constructed structured questionnaire was employed as a tool. Following a thorough study of the literature, five constructs—Faculty Awareness, Faculty Willingness, Institutional Support, Institutional Innovation Capability and HEI Performance —were identified. Over 150 participants rated the constructs from "strongly disagree" (1) to "strongly agree" (5). Data was gathered from professors in aided and unaided colleges in Mumbai who fell into various age and experience groups.

Table 1: Demographic Description

Variable	Category	Number	%
Gender	**Male**	65	43.33
	Female	85	56.66
Institute	**Aided**	55	36.66
	Unaided	95	63.33
Age	**Upto 30**	63	42.00
	31-40	53	35.33
	41-50	28	18.66
	50& Above	6	04.00
Experience	**Upto 5**	70	46.66

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	6-15	50	33.33
	16-25	25	16.66
	Above 25	5	03.33

ANALYSIS AND RESULTS

The sample adequacy score (MSA) calculated by Kaiser-Meyer-Olkin is 0.858. In order to identify the most important factors among all the other components, I utilised the Kaiser-Meyer-Olkin (KMO) and Bartlett's Test. Bartlett's test of sphericity is found to be pertinent for factors influencing career advancement. Faculty Awareness on IPR (FA), Faculty Willingness (FW), Institutional Support (IS), Institutional Innovation Capacity (IIC), and HEI Performance were selected as the dependent and independent variables following factor loading (HP)

After the exploratory factor analysis (EFA), the confirmatory factor analysis (CFA) is conducted (EFA). Validity and reliability for discriminant, construct, and convergent variables are established. The use of structural equation modelling helps researchers comprehend the relationships between latent variables and test and reject hypotheses.

Table 2: Fitment indices of measurement model

Indices	Saturated model	Suggested value
Chi-square value /df	1.013	< 5.00 (Hair et al , 2013)
P value	0.03	> 0.05 (Hair et al , 2013)
GFI	0.946	> 0.90 (Hu and Bentler, 1999)
AGFI	0.929	> 0.90 (Hair et al , 201s3)
NFI	0.966	> 0.90 (Hu and Bentler, 1999)
CFI	0.987	> 0.90 (Daire et al, 2008)
RMR	0.08	< 0.08 (Hair et al , 2013)
RMSEA	2.000	< 5.00 (Hair et al , 2013)

Table 3: Measurement Model (CFA)

Factor & Items	Factor Loading	Critical Ratio	Alpha	Average Variance Extracted	Construct Reliability
Faculty Awareness on IPR (FA)			**0.878**	**0.772**	**0.882**
FA1	**0.781**	**12.482**			
FA2	**0.876**	**14.402**			
FA3	**0.810**	**13.080**			
FA4	**0.831**	**Fixed**			
Faculty Willingness (FW)			**0.870**	**0.640**	**0.890**
FW1	**0.821**	**12.241**			
FW2	**0.799**	**Fixed**			
FW3	**0.833**	**12.233**			
FW4	**0.781**	**11.444**			
Organization Support (OS)			**0.895**	**0.665**	**0.890**
OS1	**0.802**	**13.579**			
OS2	**0.842**	**14.629**			
OS3	**0.765**	**12.513**			
OS4	**0.861**	**Fixed**			
Institution Innovation Capability (IIC)			**0.809**	**0.521**	**0.810**

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IIC1	**0.741**	**8.849**			
IIC2	**0.839**	**8.841**			
IIC3	**0.779**	**8.211**			
IIC4	**0.723**	**Fixed**			
HEI Performance (HP)			**0.811**	**0.519**	**0.810**
IIC1	**0.741**	**8.849**			
IIC2	**0.839**	**8.842**			
IIC3	**0.779**	**8.222**			
IIC4	**0.723**	**Fixed**			

The table indicates that all of the elements in the measurement model have factor loadings above 0.6. (Netemeyer, Bearden & Sharma, 2003). For analysis, all items with factor loadings above 0.6 are kept, while those with factor loadings below 0.6 are removed (Field, 2013). The average variance extracted (AVE), according to Fornell and Larcker (1981), should be more than 0.5. Since the Cronbach alpha values are more than 0.8, the model's convergent validity is also proven.

Table 4: Discriminant Validity

Factors	**AVE**	**Squared Interconstruct Correlation (SIC)**				
		FA	**FW**	**IS**	**IIC**	**HP**
FA	**0.695**	**0.820***				
FW	**0.643**	0.220	**0.819***			
IS	**0.681**	0.602	0.311	**0.816***		
IIC	**0.527**	0.218	0.040	0.333	**0.818***	
HP	**0.652**	0.513	0.231	0.732	**0.567**	**0.719***

NOTE: The values in * indicate the square root of Average Variance Extracted (AVE) while others indicate correlation coefficients

Structural Equation Model Analysis

Observed, Endogenous Variables
1. HEI Performance

2. Institution Innovation Capability

Observed, Exogenous Variables
1. Faculty Awareness on IPR

2. Faculty Willingness

3. Institution Support

Unobserved, exogenous variables
1. E1: Faculty Awareness on IPR

2. E2: Faculty Willingness

3. E3: Institution Support

Table 5: Structural Model Estimates.

Variables	**Unstandardized co-efficient (B)**	**S.E of B**	**Standardized co-efficient (Beta)**	**t value**	**P value**	**Hypothesis**
IIC<--- FA	0.232	0.075	0.157	2.770	***	Accepted at 1%
IIC<--- FW	0.103	0.030	0.148	2.900	0.003	Accepted at 5%
IIC<---IS	0.510	0.040	0.303	8.872	***	Accepted at 1%
HP<---IIC	0.420	0.048	0.011	0.155	***	Accepted at 1%
Goodness of fit indices: P=0.137, CMIN/DF= 2.114; CFI=0.978 ; GFI=0.988 ; AGFI=0.974 ; NFI=0.938 ; IFI=0.926 ; TLI=0.911 ; RMSEA=0.055 , SRMR= .0260						

DISCUSSIONS

The findings of the study validates the findings of Ong et al.(2012) who analyzed important predictors of thorough knowledge of IPR's significance will lower the expense of enforcing it and penalizing those who do not. To effectively teach the younger generation how to preserve their own IPR and respect that of others,

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government agencies, the corporate sector, and higher education institutions must actively participate in protecting IPR.

RECOMMENDATIONS

It is first Recommended to Motivate Faculties through Various Monetary and non-Monetary.
incentives to first enhance their knowledge in the field of IPR. It is the responsibility of both institutions as well as policy makers to make higher education stakeholders understand the importance of IPR in education and their career as well. Various programs through conference, seminars, workshops, talk shows etc. should be organized by both bodies for creating increased awareness and enthusiasm regarding the same. Ultimately HEI should understand that in era of increased need for accreditation and with advent of NEP 2020 it has become imperative to ensure both students and faculties of HEI understand and implement the knowledge in best possible manner.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPACT OF IPR ON BOOK PUBLISHING INDUSTRY

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XVI. ABSTRACT
Ipr Stands For Intellectual Property Rights. It Is Set of Exclusive Rights that Are Granted to Creators And Investors Over Their Original Works And Inventions. These Rights Are Intended to Protect And Encourage Innovation And Creativity By Giving The Creators and Inventors Control Over The Use And Distribution of Their Creations. Copyrights Protect Literary and Artistic Works Such As Books, Music and Movies.
Copyright is the Most Common Form of Ipr In Book Publishing, Which Gives the Author or Publisher Exclusive Rights to Their Original Work.
This Paper Explores The Laws And Regulations And How This Affects The Publishing Industry.

XVII. INTRODUCTION
Ipr Plays an Important Role for authors and Publishers To Protect their Work. Because they need to Protect Others from Copying and distributing their work Their without Permission.

XVIII. OVERVIEW OF IPR
IPR refer to the legal rights granted to creators and innovators for their creations and inventions. It includes copyrights, patents, trademarks, trade secrets etc. It plays an important role in fostering innovation and creation.

It is very important because new ideas and inventions can be replicated by competitors for their profits.

XIX. EVOLUTION OF IPR AND ITS IMPACT ON THE MUSIC INDUSTRY
The concepts of intellectual property dates back to ancient times, where inventors and creators were granted certain privileges or monopolies by the ruling authorities to protect to protect their work. The law of IPR emerged during 19th century.

The first modern patent law was enacted in England in 1623 and was used for 14 years. In the US, the first patent law was enacted by 1790. This excluded others from making, using or selling their invention for a period of 14 years.

In 1980's, there has been a significant increase in the number of IPR laws and the scope of protection offered by them. This has been driven by the growing importance of intellectual property in the global economy, as well as the increasing use of digital technologies and the internet, which have created new challenges for IPR enforcement.

XX. CURRENT STATUS OF IPR IN BOOK PUBLISHING INDUSTRY
Intellectual property plays a crucial role in the book publishing industry, where authors and publishers rely on the legal protection of their works to earn revenue and maintain control over their creations.

The current status of IPR in book publishing industry can be summarised as follows:

1. Copyrights protection: this is the primary form of IPR in this industry, as it protects the original works of authors, such as books, articles and other written material. Copyright law grants authors and publishers exclusive rights to reproduce, distribute and display their work as well as create derivative works based on them.
2. Piracy and copyright infringement: the book publishing industry is facing challenges regarding privacy and copyright infringement. Specially in the digital age it is very easy to copy content and distribute, copyright laws have been enforced strictly.
3. Fair use: it is an exception to copyright law that allows limited use of copyrighted material without permission for purposes such as criticism, comment, news reporting, teaching, scholarship, or research.
4. Open access: open access is a movement that advocates for free and unrestricted access to scholarly works and other contents. Open access can be seen as a potential threat to traditional publishing models, as it challenges the idea of exclusive ownership and control over intellectual property.

XXI. TYPES OF INTELLECTUAL PROPERTY RIGHT
1. Patents: Patents protect inventions, like new products, processes, machines etc. they grant the holder the right to exclude others from making, using or selling the invention for a certain period.

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2. Trademarks: It protects logos, symbols, words or phrases used to identify good or services from a particular source.
3. Copyright: This protects original works of authorship, including literacy, artistic, musical or architectural works. They grant the holder the exclusive right to reproduce, distribute and display the work.
4. Industry designs: industrial designs protect the visual appearance of a product, including its shape, colour, texture or pattern. They prevent others from copying or imitating the design.
5. Geographical indications: They protect the names of products that originate from a specific region and have unique qualities or characteristics. This may include wines, cheeses or textiles.
6. Trade secrets: They protect confidential information that gives a business a competitive advantage.

XXII. RESERCH METHODOLOGY

Research methodology refers to the systematic approach used to conduct research and gather data for the study.

Method of Collection of Data

The researcher has collected information from secondary data. Secondary data refers to the data collected and published by other sources.

Sources of secondary data includes government database, academic journals, industry reports, international organizations, news articles and many more.

XXIII. CONCLUSIONS

In conclusion, research on IPR in the book publishing industry is a critical area of study. The book publishing industry is heavily reliant on intellectual property protection to encourage innovation, creativity and investment in new works. The use of various types of IPR, such as copyrights, trademarks and patents are important to protect the interests of authors, publishers and other stakeholders in the industry.

Research in this area can provide insights into current trends and challenges related to IPR in the book publishing industry. It can also help identify best practices for managing and protecting intellectual property, as well as opportunities for innovation and growth. This can be beneficial for policymakers, publishers, authors and other stakeholders who are interested in understanding the impact of IPR on the book publishing industry and how to navigate its complex legal and economic landscape.

Overall ongoing research on IPR in the book publishing industry is essential to ensure the continued growth and success of the industry and to support the interests of all those involved in the creation, distribution and consumption of books and other written works.

XXIV. ACKNOWLEDGMENT

This paper and the research behind it would not have been possible without the exceptional support of my supervisors. The enthusiasm, knowledge and exacting attention to detail have been an inspiration and kept my work on track.
i want to express my gratitude for looking over my transcriptions and answered with unfailing patience numerous questions.
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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

IMPORTANCE OF IPR

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XXVI. ABSTRACT
Intellectual property refers to creations of the inventions; literary and artistic works; andsymbols, names and images used in commerce. Intellectual property rights are like any other property right. They allow creators, or owners, of patents, trademarks or copyrighted works to benefit from their own work or investment in a creation. These rights are outlined in Article 27 of the Universal Declaration of Human Rights, which provides for the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary or artistic productions. Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce

XXVII. INTRODUCTION
Intellectual property (ip) refers to exclusive rights associated to creations of the mind. under ip law, intangible assets such as inventions, literary and artistic work, designs, and phrases, symbols and images can be protected. this protection can be obtained thanks to different kinds of ip rights (for more information go to section “types of intellectual property protection rights“) like patents, trademark, designs, copyright, and enables their owner to earn recognition or financial benefit from their creation or invention.

intellectual property (ip) is a category of property that includes intangible creations of the human intellect. there are many types of intellectual property, and some countries recognize more than others. the most well-known types are copyrights, patents, trademarks, and trade secrets. early precursors to some types of intellectual property existed in societies such as ancient rome, but the modern concept of intellectual property developed in england in the 17th and 18th centuries. the term "intellectual property" began to be used in the 19th century, though it was not until the late 20th century that intellectual property became commonplace in the majority of the world's legal systems.

III. THE ORIGINS OF IPRs
The idea of IP dates all the way back to 500 BC. It came about because the Greek state of Sybaris allowed its citizens to obtain a patent for “any new refinement in luxury.” Since then, refinements have been made and laws regarding copyrights and trademarks have become more complicated. However, the intent of the laws has always remained the same. The laws are created to encourage people’s creativity and make it possible for inventors to reap the benefits of their original ideas.

IPR is not a new concept. It is believed that IPR initially started in North Italy during the Renaissance era. In 1474, Venice issued a law regulating patents protection that granted an exclusive right for the owner. The copyright dates back to 1440 A.D. when Johannes Gutenberg invented the printing press with replaceable/moveable wooden or metal letters. Late in the 19th century, a number of countries felt the necessity of laying down laws regulating IPR. Globally, two conventions constituting the basis for IPR system worldwide had been signed; Paris Convention for the Protection of Industrial Property (1883) Berne Convention for the Protection of Literary and Artistic Works (1886)

IV. THE IMPORTANCE OF INTELLECTUAL PROPERTY RIGHTS
Intellectual Property plays a pre-eminent role in any business entity and lies at the core of it. A business entity should be driven in identifying and implementing IP solutions which will, in turn, help the company reach new heights of success. The myth that only lawyers can handle or deal with IP assets is a hoax because in order for a company to position itself as a leader in the marketplace it is of utmost importance that its IP assets are managed and strategized as required. Development of skills and competence to manage intellectual property assets has become mandatory for sustainable competitiveness. Management professionals are best suited to manage and commercialize these assets in order to generate revenue.

Knowledge has become a crucial factor in differentiating enterprises from their competitors. 21st century has been called the century of knowledge. As Henry Ford has aptly

stated that the only real security a man has in today’s world is the reservoir of knowledge. However, it is of utmost importance that this reservoir is protected under various property rights protection of the human mind. IP assets are very important business assets which need to be utilized and managed effectively to attain and sustain competitive advantage.

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Intellectual property rights entities to have exclusivity over their innovative new or original products, their creative designs and their brands. The exclusivity creates an appropriate incentive for investing in improving their competitiveness. A company builds strong goodwill with consumers, by its trademark. The brand acts as corroboration of quality and is a source of certain products or services which are extremely valuable. Trademark or brand is considered to be a direct reflection of the owner by clients or customers. Copyrights

are an exceptionally valuable asset for creative and software companies, media and film industry as this protection aids the companies in maintaining their business in cut-throat competition. It is a widely known fact that Intellectual Property provides a strong position when it comes to entering into business partnerships.

The asset class of Intellectual Property generates revenue for business entities through licensing, franchising, sale of protected products or services. In case of a merger or acquisition protected IP assets increase the value of business significantly. The importance of Intellectual Property is evident in export markets as well. Protected Intellectual Property assets can be exported abroad or franchising agreements can be sought with foreign companies. It is pivotal to note that the top organization in the world which have been ranked in billions namely, Apple, Microsoft, Blackberry have developed a powerful revenue stream because of their extensive IP assets. Maximum benefits can be reaped through a strong IP portfolio which can be used to increase revenue through licensing stream.

The rapid rate of development, globalization, advancement of technology, increase in commercial activities, development of international business and last but not the least increase in knowledge has made the business entities perceive the importance of Intellectual Property assets and its stipulation in the growth of business. There is strife in the sector and in order to survive and to grow at the desired pace it is necessary to realize the importance and need of this class of asset because they no longer just add exclusivity to the organization but are also paramount for the foundation of the company. It will be befitting here to conclude by quoting the famous American businessman Mark Getty who suitably reflects that Intellectual Property is directly proportional to the growth of any business organization, 'Intellectual property is the oil of the 21 century. Look at the richest men a hundred years ago; they all made their money extracting natural resources or moving them around. All today's richest men have made their money out of the intellectual property.

V. RESERCH METHODOLOGY

Research methodology refers to the systematic approach used to conduct research and gather data for the study.

Method of Collection of Data

The researcher has collected information from secondary data. Secondary data refers to the data collected and published by other sources.

Sources of secondary data includes government database, academic journals, industry reports, international organizations, news articles and many more.

VI. CONCLUSIONS

It is obvious that management of IP and IPR is a multidimensional task and calls for many different actions and strategies which need to be aligned with national laws and international treaties and practices. It is no longer driven purely by a national perspective. IP and its associated rights are seriously influenced by the market needs, market response, cost involved in translating IP into commercial venture and so on. In other words, trade and commerce considerations are important in the management of IPR. Different forms of IPR demand different treatment, handling, planning, and strategies and engagement of persons with different domain knowledge such as science, engineering, medicines, law, finance, marketing, and economics. Each industry should evolve its own IP policies, management style, strategies, etc. depending on its area of specialty. Pharmaceutical industry currently has an evolving IP strategy. Since there exists the increased possibility that some IPR are invalid, antitrust law, therefore, needs to step in to ensure that invalid rights are not being unlawfully asserted to establish and maintain illegitimate, albeit limited, monopolies within the pharmaceutical industry. Still many things remain to be resolved in this context.

To conclude our discussions on IPRs, specifically patents, trademarks, copyrights, and trade secrets, we wish to emphasize that these IPRs are financial assets. Not merely registration, but meticulous protection of IPRs will lead to the indispensable road to economic growth

VII. ACKNOWLEDGMENT

This paper and the research behind it would not have been possible without the exceptional support of my supervisors. the enthusiasm, knowledge and exacting attention to detail have been an inspiration and kept my work on track.

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International Journal of Advance and Innovative Research
Volume 10, Issue 1 (X): January – March 2023
ISSN 2394 - 7780

AN OVERVIEW ON CELEBRITY RIGHTS UNDER IP REGIME IN INDIA

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ABSTRACT
The entertainment industry in India is considered as one of the biggest in the world. This industry has significantly grown and is considered to be one of major contributor in the Indian Economy. The Indian entertainment industry is witnessing a steady growth and is expected to grow by 100 billion by the year 2030 despite the pandemic which had a critical impact on the Entire Indian Economy. The industry is growing at a rapid pace and bringing about innovations in the technological development and advancement. Copyright, being one of the imperative aspects of Intellectual property rights (IPR), safeguards the rights of creators of artistic works, literary works, sound, films and related creations. These rights provide the creator the authority over the conception of his or her own to discover benefits if used by others. When it comes to the entertainment industry – intellectual property rights, explicitly copyrights and trademarks, come into play. Media platforms, including social media, uses new concepts, images, sounds, scripts and many more means and methodology of communication for professional, commercial and personal purposes. The entertainment industry and the celebrities associated with the fraternity faces the most genuine and serious issue as concern to piracy. Safeguarding celebrity rights under intellectual property (IP) laws is a significant development in the arena of intellectual property rights. Celebs can display their popularity and are permitted to make riches out of their individuality. Though few celebrities have often lended their voices, faces and names to various commercial and non-commercial events for free, there have been instances where snaps of celebrities have been used in advertising and for other purposes without their consent, leading to a scenario where celebrities are incompetent to make selections regarding the exposure which is suitable to them as well as fiscal benefits that they wish to obtain. In this paper, a modest effort has been made to highlight and explain the key issues with regards to personality rights and their protection under IP laws.

Keywords: Intellectual Property Rights (IPR), Copywrite, Celebrity

I. INTRODUCTION

Who is a Celebrity?
A celebrity is a famous individual. In today's genre, any author, actor, model, athlete, musician, politician, or anyone who have gained or captured as the public figure is referred as a celebrity. (Garg, 2021)

They are determined as celebrities by the general audience or public, as professed and regarded by the masses. They have a great fan following and they influence and act as inspiration in the eyes of society.

What is a Celebrity Rights
Celebrity rights as a idea is still not having much clarity in its form in India. It is one of the major present-day issues in the field of broadcasting which is ought to be protected and safeguarded by the IP laws and regulations. It was one the key area to be studied due to following reasons:

a) The consistent interface of the celebs with the media.

b) The dynamic and versatile nature of media which has further led to exploitation of celebrity rights.

Celebrity Rights are further divided under three different aspects:

- Personality Rights,
- Privacy Rights, and
- Publicity Rights. (Saathi, n.d.)

Personality Rights: Personality includes any individuals signature, image, likeness, voice, and other traits of one's own individuality. Personality Rights is one of the major components of any celebrity, as one has to be a celebrity to enjoy these rights, and that is why Personality rights are sometimes also referred as Celebrity Rights. These rights mostly apply to those celebs or well-known public personality so that their identity cannot be misused or misappropriated. (Garg, 2021)

Publicity Rights, which is yet another important aspect of Personality Rights, are rights related to images, pictures or photographs. It is been laid down with reference to avoid or safeguards usage of any photograph of

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the celebrity having commercial value or any representation of that that superstar whose fame and reputation might be misused by another. (Garg, 2021)

This right branches from the **Right to Privacy** and vest only in individuals who are famous, in other words, who are personalities, who are proficient of being commercially exploited by the use of their goodwill and reputation. Any kind of unauthorised commercial misuse of celebrities shall be in desecration of their personality right, as the fame and reputation they have gained are the result of their hard work and determination towards the same.

II. LITERATURE REVIEW

A celebrity's interest can be protected under the umbrella of Trademark Law and Copyright Law. The Right to Publicity can be found in statutes like– The Trademarks Act 1999, The Copyright Act 1957, and the Right to Privacy has become a fundamental right in India. (Ambaskar, 2022)

III. RESEARCH METHODOLOGY

The methodology used for conducting study on this research paper is purely Secondary in nature. It is conducted to gain insight on the concept of celebrity and their rights availed to them under IP Regime.

 It involves gathering of relevant data from various sources such as from manual as well as OTT platform which has helped to create basis on understanding in the same concern.

 The secondary source used is internet website, journal and newspaper dailies for the conducting the research paper.

IV. OBJECTIVES OF THE STUDY

1. To develop an understanding about the various aspects of Celebrity rights under the IP regime
2. To develop a critical outline by understanding with examples of how the celebrity rights are violated in accordance with publicity and privacy rights.
3. To develop an insight in understanding the importance of these rights for the entire film fraternity.

V. LIMITATIONS OF THE STUDY

1. The basic limitation to this study is the understanding of the common concept of IPR among the common masses.
2. The pace of responses to conduct primary research with reference to IPR laws with retrospect to Indian Celebrities.
3. The wide scope of entertainment sector of India which cannot be entailed within the stipulated time frame.
4. The legal acceptance of the concept celebrity rights and its scope across the entertainment sector in India.

VI. WHY THESE RIGHTS ARE IMPORTANT FOR CELEBRITY?

It is a general thought of media that it is their fundamental right to capture, interfere and publish information about personalities stating them "as matter of public interest" which arises out of the concept of **Freedom of Press.**

To this, Celebs have challenged for interfering their personal lives and invading their privacy. Like any other being they also have their personal choice of exercising control over their identity and its use. The right to control the commercial use of one's own identity is bestowed upon the individual oneself and can only be used on his /her consent**.**

To add further, celebrity rights are assignable and commercially licensable. Identifying this intangible advantage as a property or a good means that, like any other intellectual assets, it will be subject to taxes as a capital asset**.**

One such recent case example from the celebrity fraternity is **Krishna Kishore Singh vs Sarla a Saraogi**, Krishna Kishore Singh father of late actor Sushant Singh Rajput, filed a case for the protection of his rights of privacy and reputation of his late actor son, in the Delhi High Court. (The IP Press , 2021) Krishna Kishore Singh made a statement to the court that there should be no book, movie, web series or any medium of entertainment should not be made or created on his Son's Life or work without the consent of the Late actor's father. The court dismissed the suit, after studying similar relevant cases and instances, that celebrity rights cannot be granted or documented without relevance to the actual idea of The Right to Privacy.

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CONCLUSION

Celebrity rights are an important feature of an artist or person and do fall under the scope of IPR. Taking into attention the influence of celebrities on a common man's life and developing law in our country. It is therefore important for legislators to enact clear legislation regarding the rights of the celebrity that will create, demonstrate and shield the rights of celebrated persons from misuse and simultaneously provide them with privacy. This is a fast-growing digital era in which a 'name' has a value, artistic work must be protected by a myriad of laws

If a celebrity's right to privacy, right to publicity and personality rights are not safeguarded, their creations, names and likeness would be misused against them.

Personalities should make sure that their rights are safeguarded and thereby some of the ways are mentioned below:

- Applying for Trademark processes for names, signatures, brands, nicknames, and brands.
- Obtaining Copyright registrations for acts, literary works, images, videos, sound recordings, etc. to prevent misuse and have control over its circulation, publication, community performance, etc.

Therefore, above are some of the methods that can help them secure themselves from any monetary benefits that infringers might gain from using such possessions. It might be time for our legislators to device some more stringent laws in reference to the celebrity rights that will introduce, exemplify and provide protection from misuse of a celebrity's rights and at the same time provide privacy to them.

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Raine, A. (Ed.). (2006). *Crime and schizophrenia: Causes and cures.* New York: Nova Science.

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Greenspan, E. L., & Rosenberg, M. (Eds.). (2009). *Martin's annual criminal code:Student edition 2010.* Aurora, ON: Canada Law Book.

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- **Electronic sources should include the URL of the website at which they may be found, as shown:**

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Central Bank of India (2005). *Income Recognition Norms Definition of NPA.* Retrieved August 10, 2005, from http://www.centralbankofindia.co.in/ home/index1.htm, viewed on

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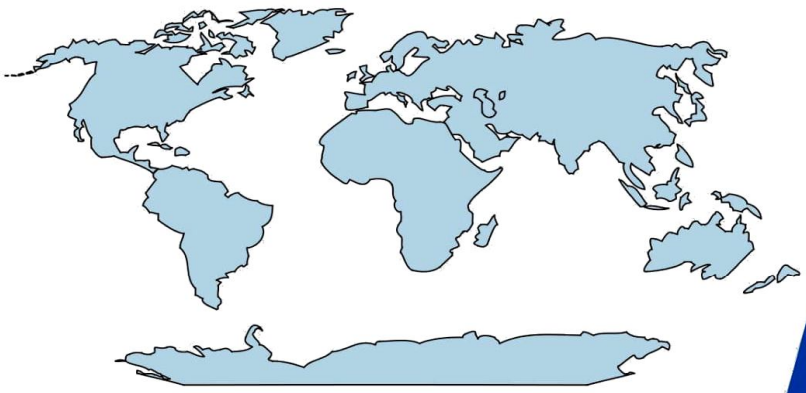

Volume 8, Issue 2
April - June 2020

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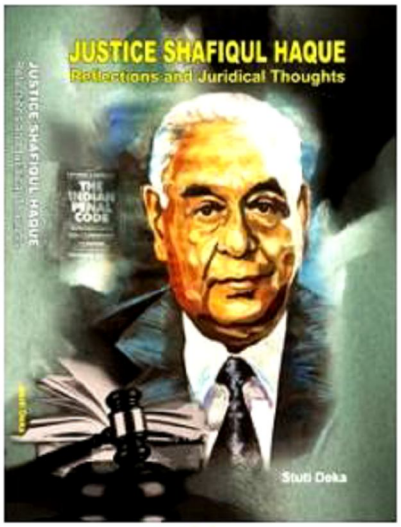

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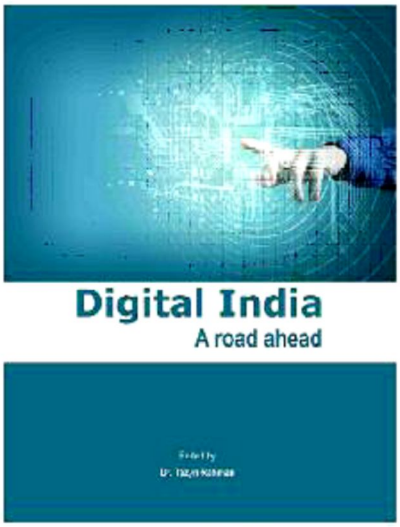

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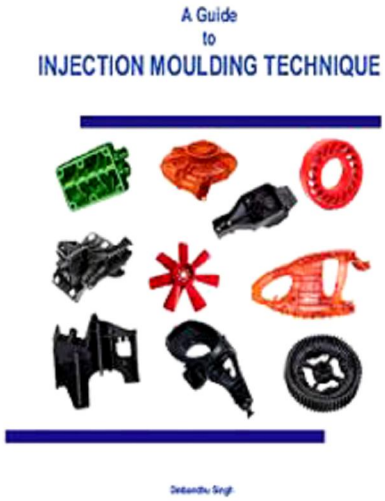

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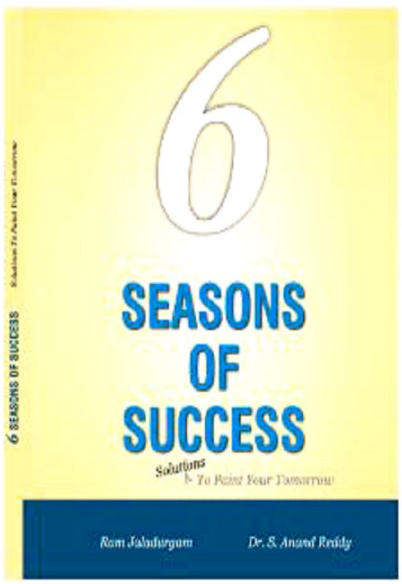

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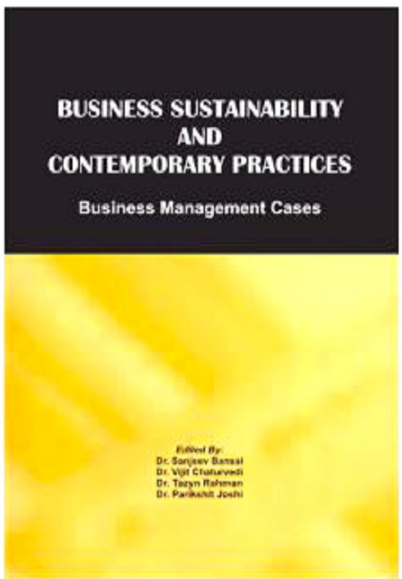

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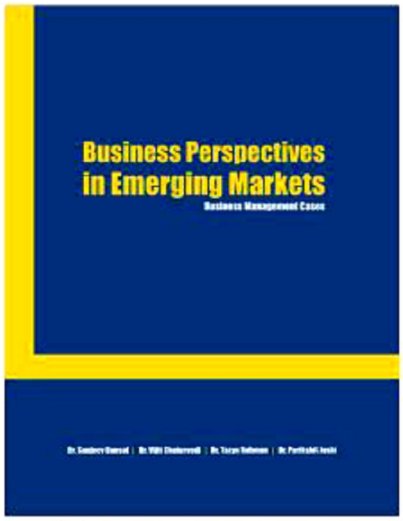

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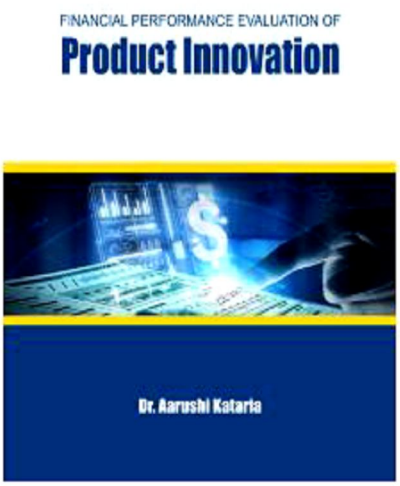

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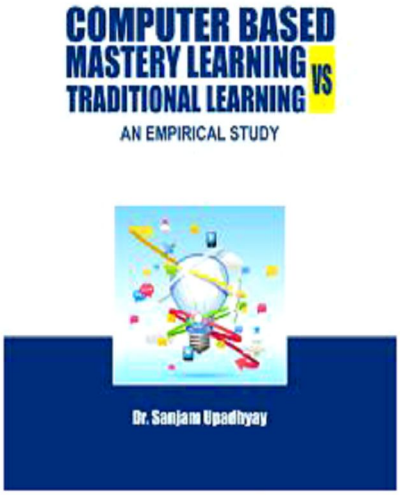

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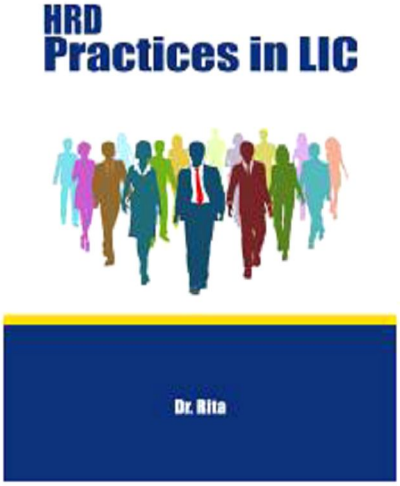

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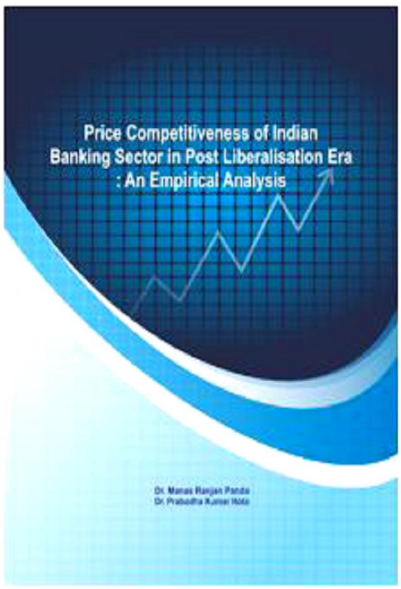

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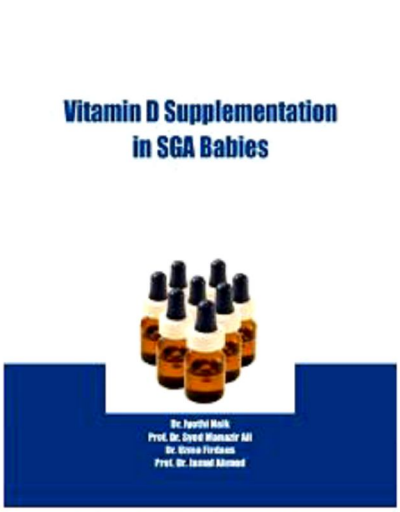

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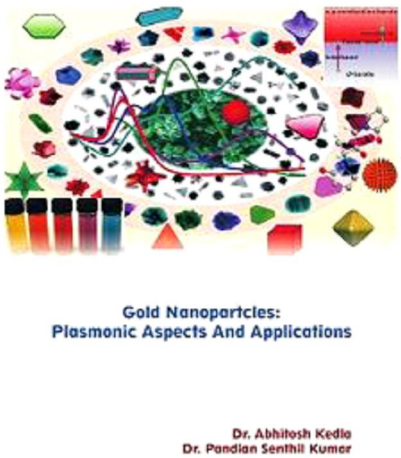

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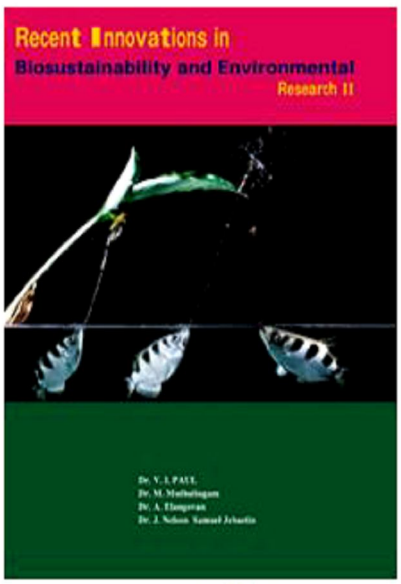

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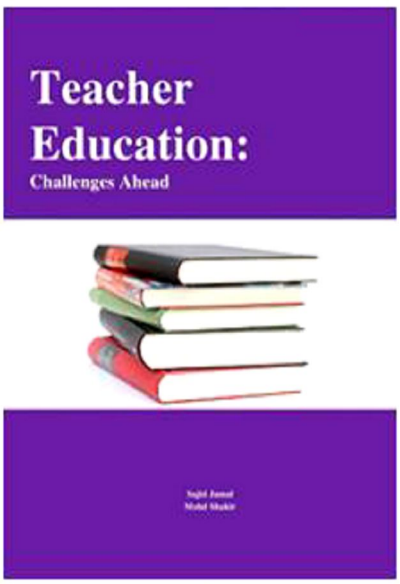

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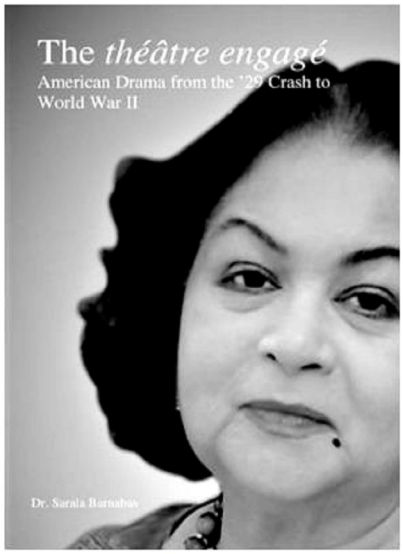

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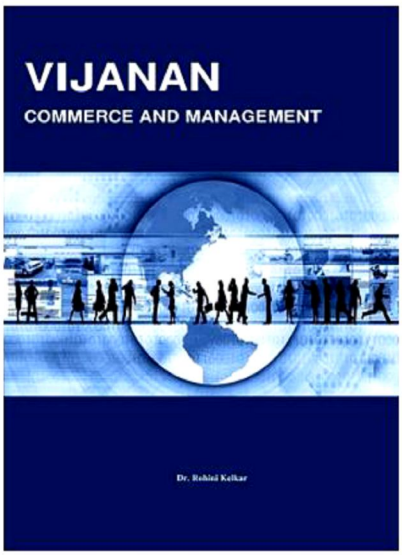

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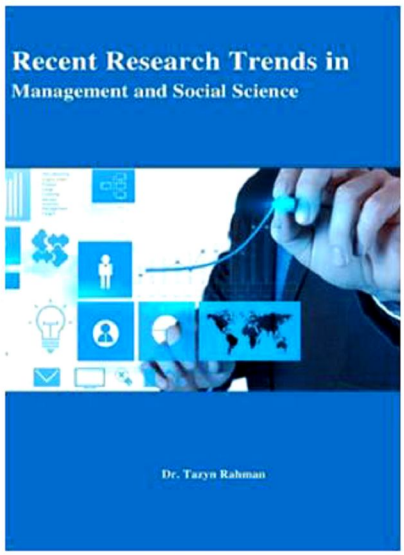

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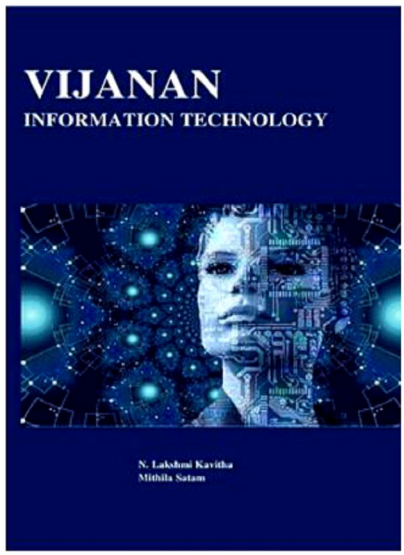

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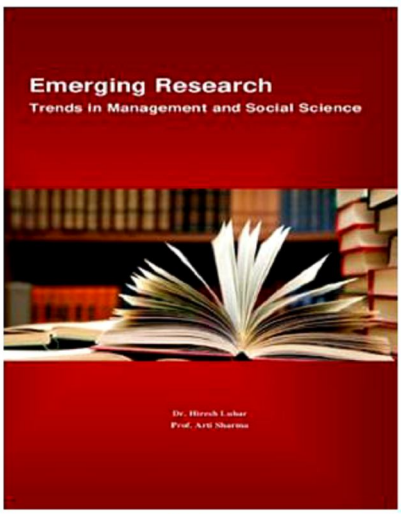

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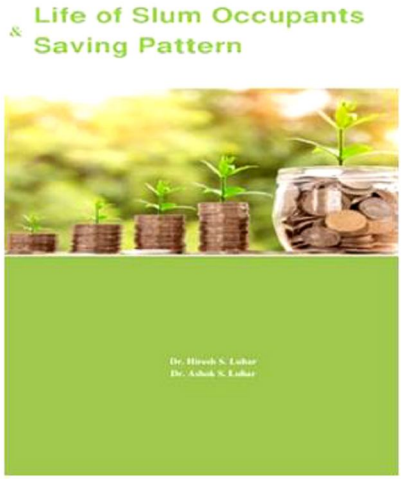

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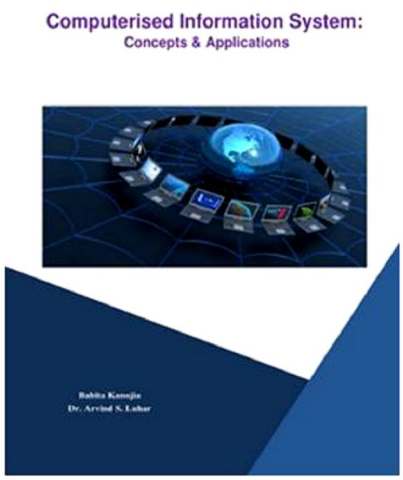

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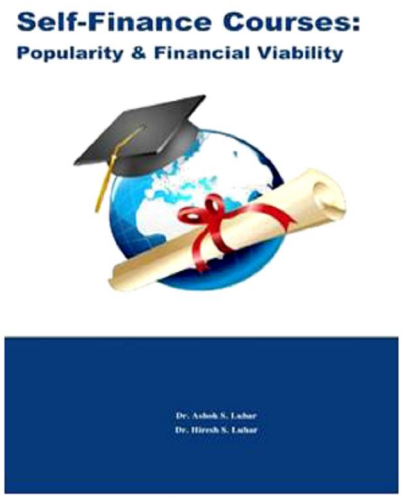

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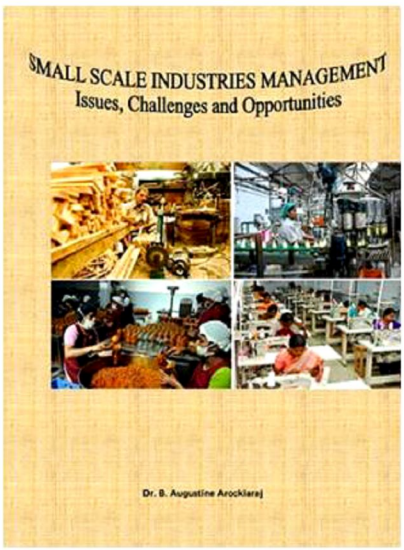

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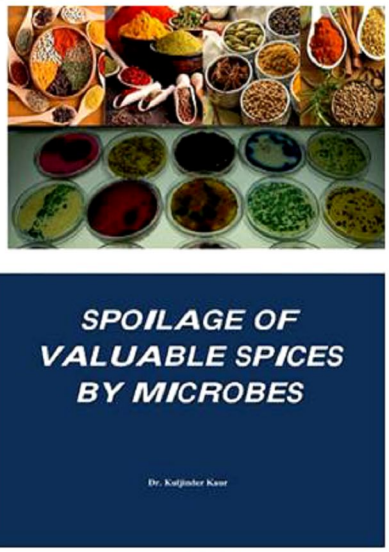

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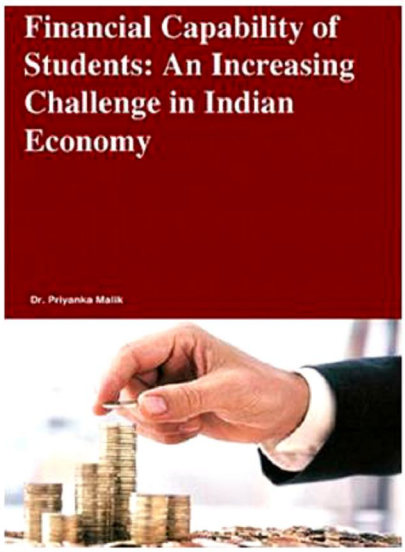

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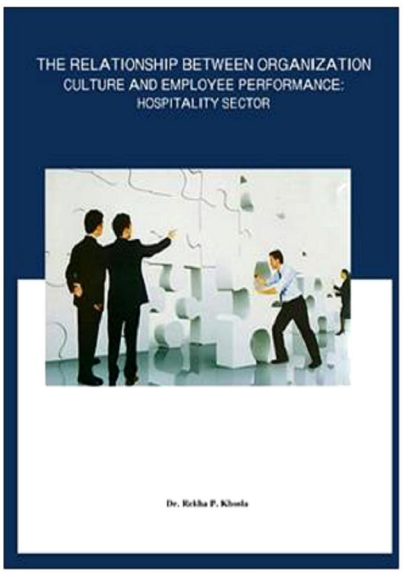

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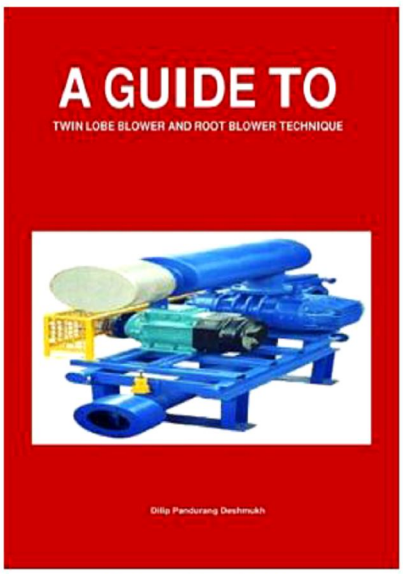

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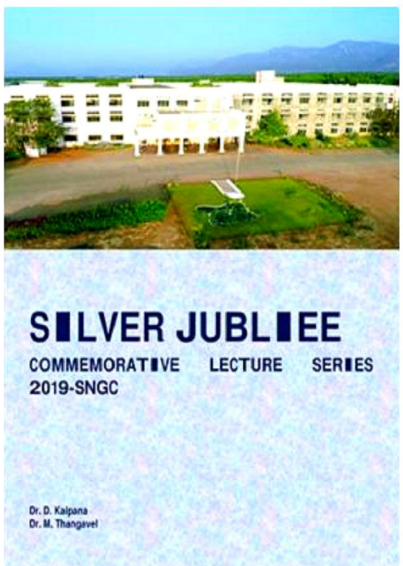

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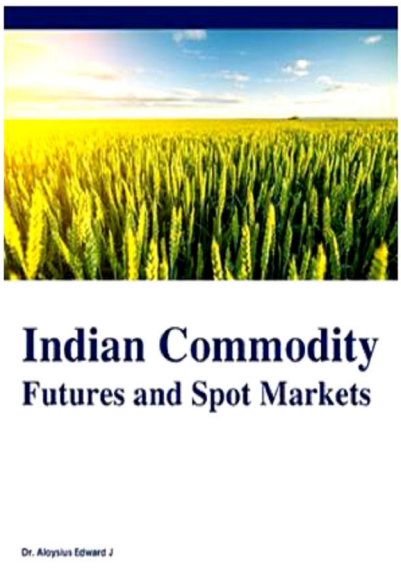

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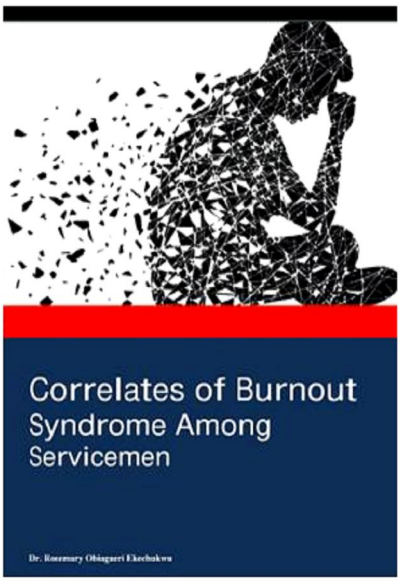

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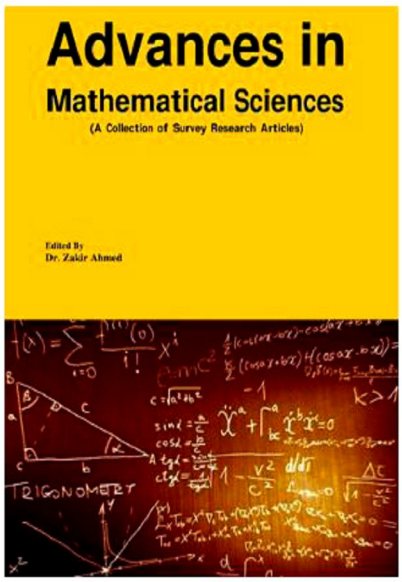

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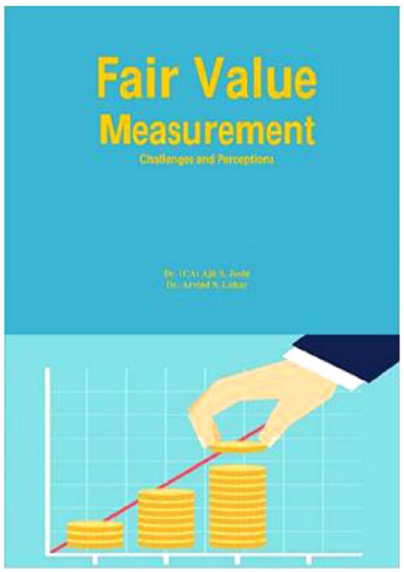

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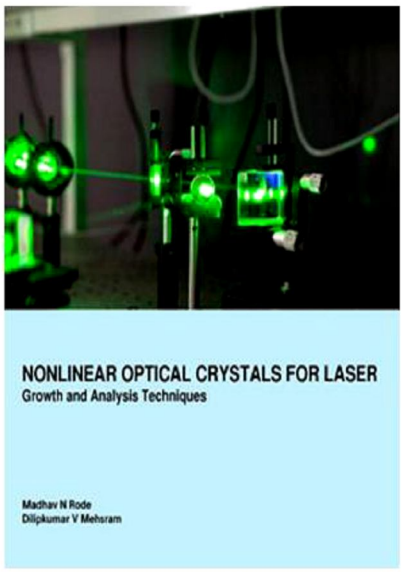

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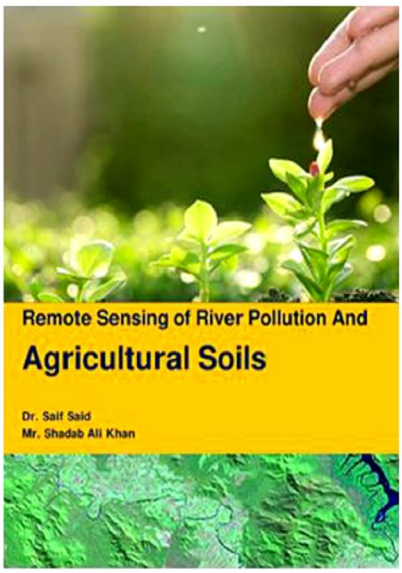

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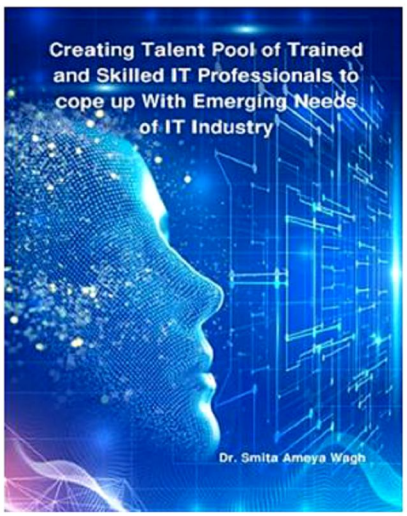

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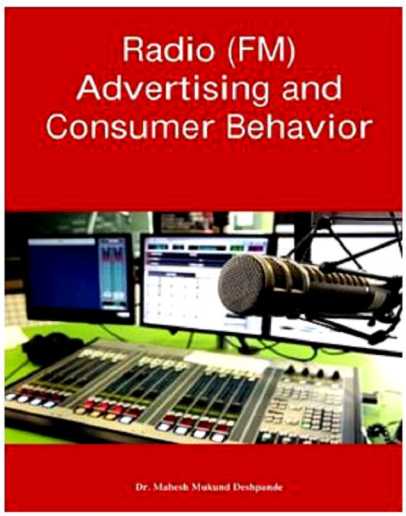

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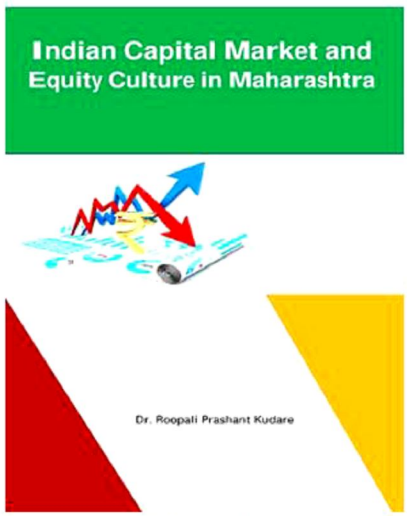

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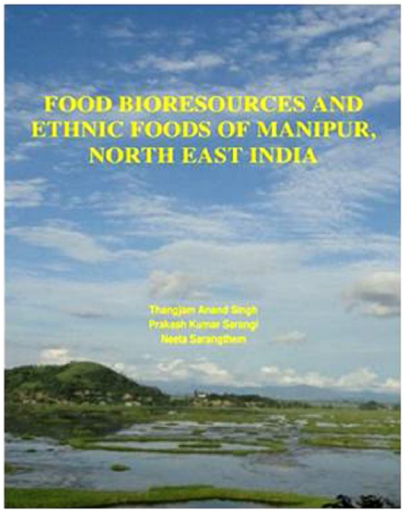

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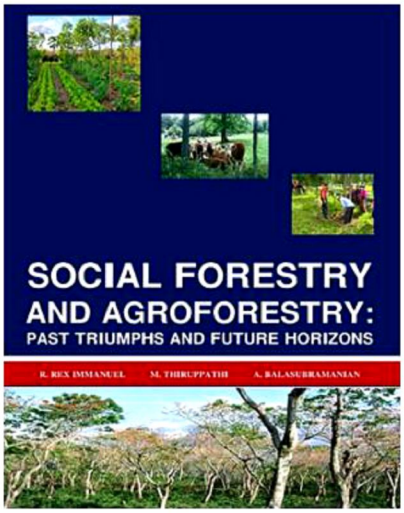

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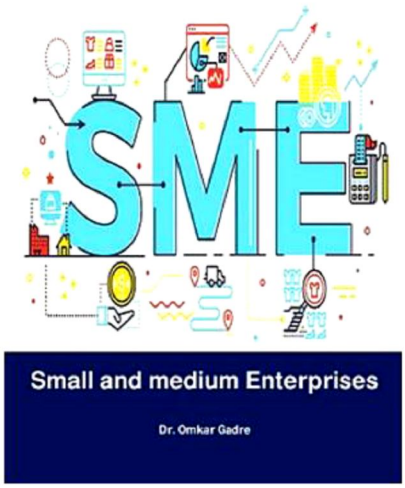

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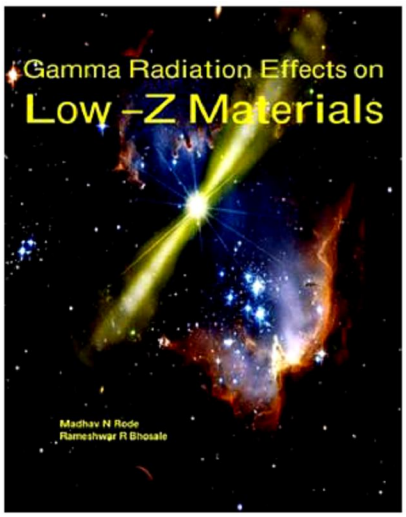

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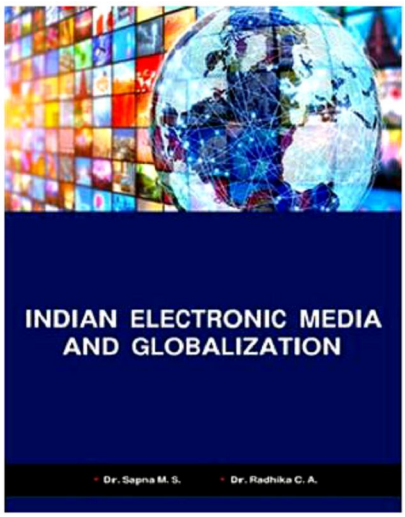

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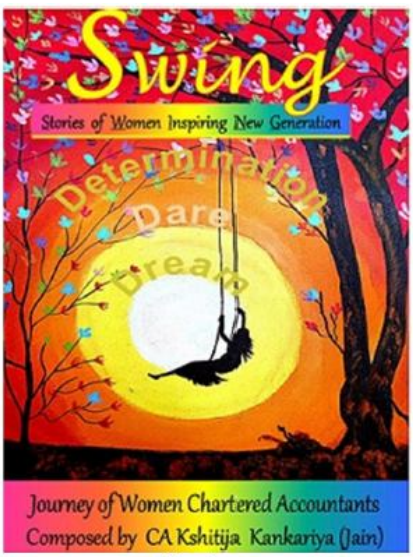

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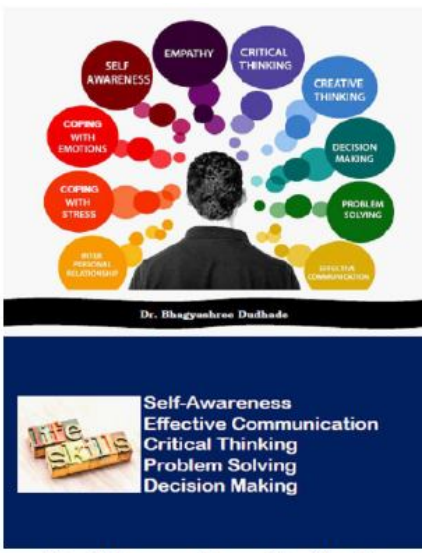

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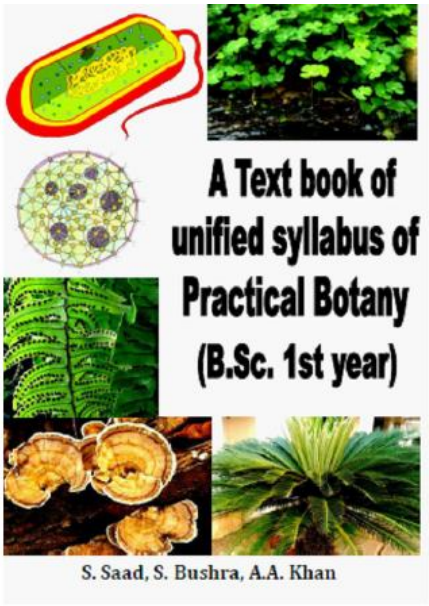

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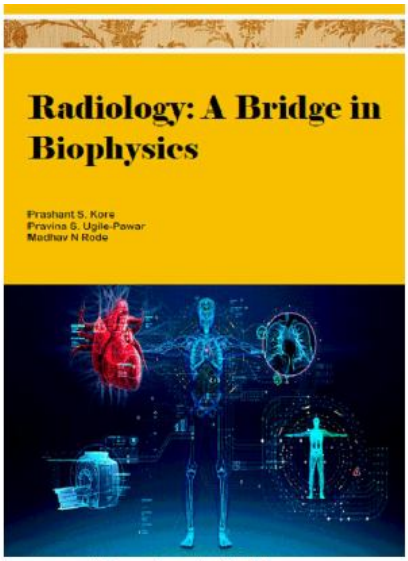

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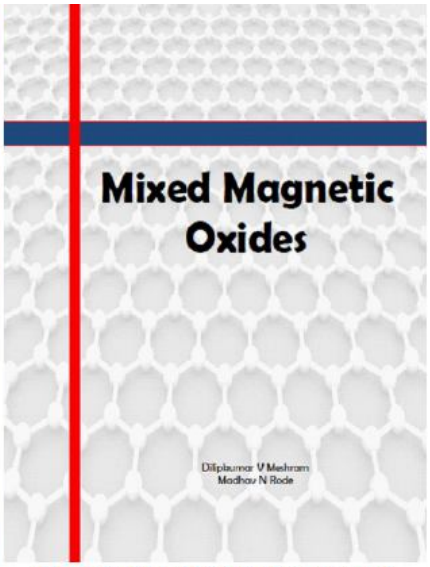

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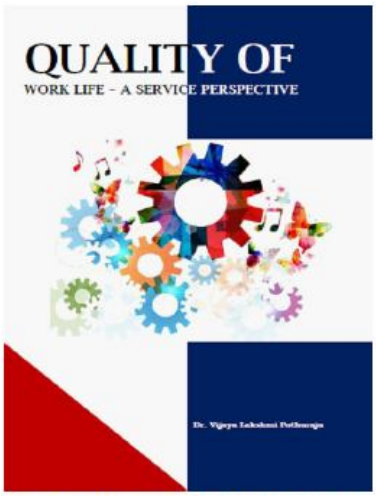

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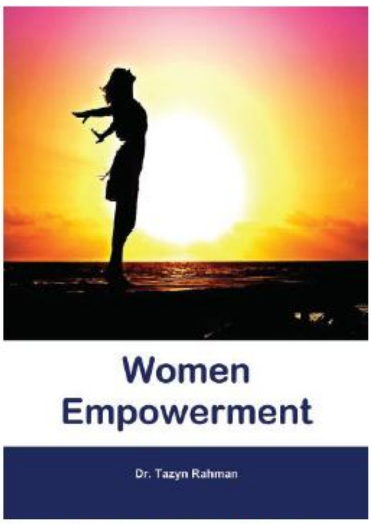

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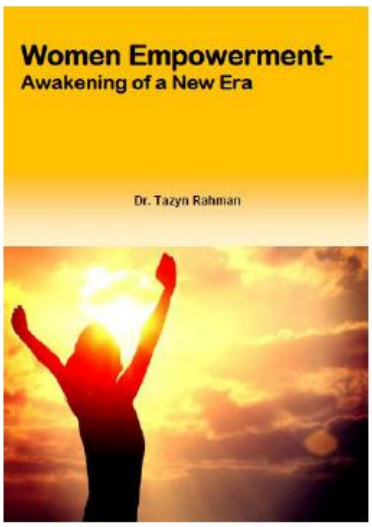

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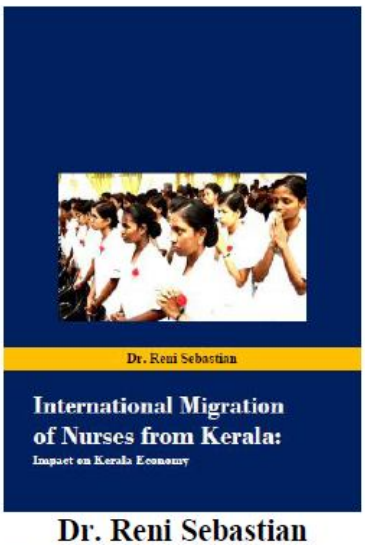

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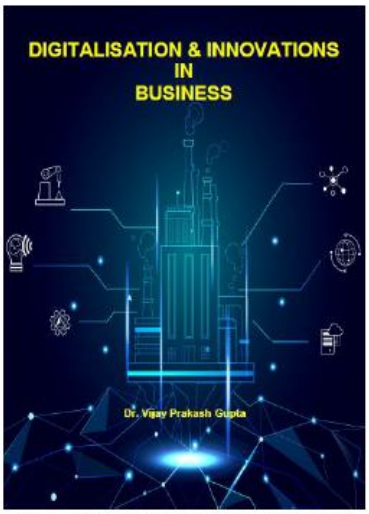

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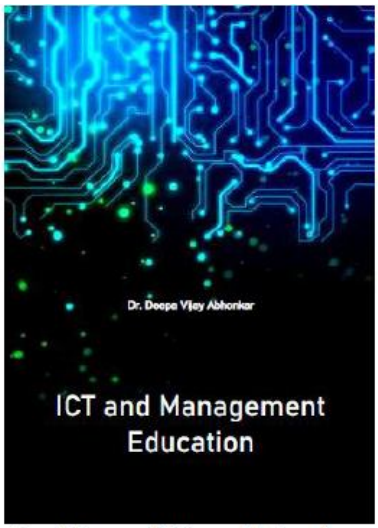

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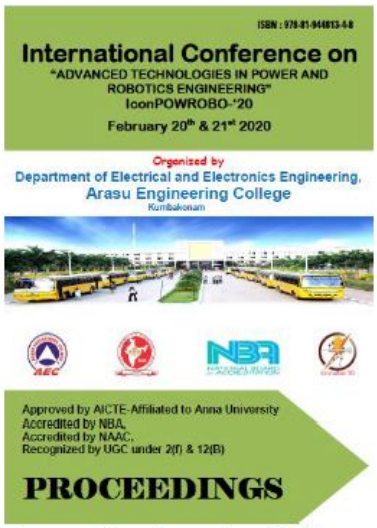

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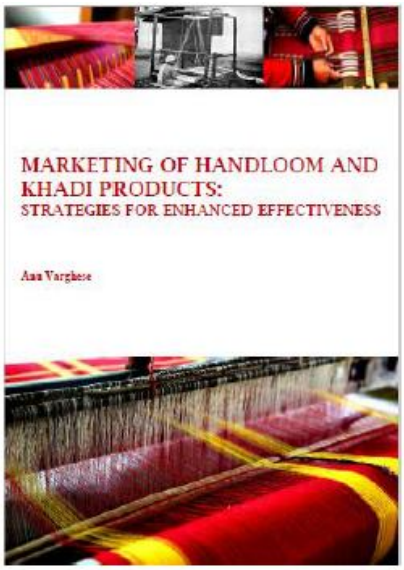

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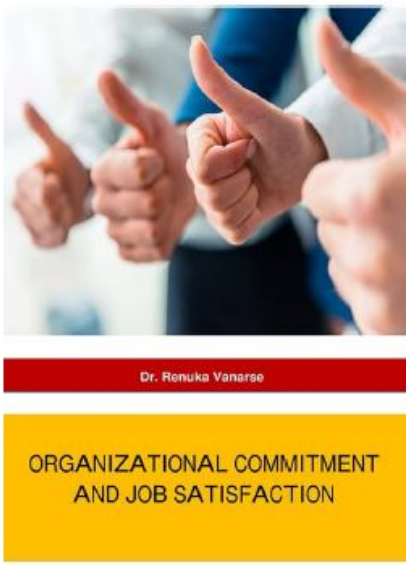

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