

About Intellectual Property Rights (IPR)

Intellectual property rights refer to the legal rights given to the inventor or creator to protect his invention or creation for a certain period of time. These legal rights confer an exclusive right to the inventor/creator or his assignee to fully utilize his invention/creation for a given period of time. The laws and administrative procedures relating to IPR have their roots in Europe. The trend of granting patents started in the fourteenth century. England was technologically advanced and used to attract artisans from elsewhere, on special terms. The first known copyrights appeared in Italy. Venice can be considered the cradle of IP system as most legal thinking in this area was done here; laws and systems were made here for the first time in the world, and other countries followed in due course. Patent act in India is more than 150 years old. The inaugural one is the 1856 Act, which is based on the British patent system and it has provided the patent term of 14 years followed by numerous acts and amendments.

Types of Intellectual Properties and their Description

Originally, only patent, trademarks, Copyright and industrial designs were protected as 'Industrial Property', but now the term 'Intellectual Property' has a much wider meaning. Intellectual Property Right enhances technology advancement in the following ways: IP protection can be sought for a variety of intellectual efforts including

- (i) Patents (utility, design, and plant)
- (ii) Trademarks and Service Marks relate to any mark, name, or logo under which trade is conducted for any product or service and by which the manufacturer or the service provider is identified. Trademarks can be bought, sold and licensed. Trademark has no existence apart from the

goodwill of the product or service it symbolizes. e.g. The Facebook Logo, Coco Cola, Toyota etc.

(iii) Copyright relates to expression of ideas in material form and includes literary, musical, dramatic, artistic, cinematography work, audio tapes, architectural work, computer software etc.

(iv) Industrial designs relate to features of any shape, configuration, surface pattern, composition of lines and colours applied to an article whether 2-D, e.g., textile, or 3-D, e.g., toothbrush, Plumen 001 Light Bulb, Eames Loung Chair,

(v) Geographical indications are indications, which identify as good as originating in the territory of a country or a region or locality in that territory where a given quality, reputation, or other characteristic of the goods is essentially attributable to its geographical origin. e.g. Kolhapuri Chappals, Basmati Rice, Agra Petha, Darjeeling Tea.

AIMS and OBJECTIVES of Intellectual Property Rights

The aim is to clarify laws of IPR and understand the procedures. The objectives of intellectual property refer to the purposes of protection granted to creators of innovative intellectual creations. To create awareness about the benefits of Intellectual property among all sections of society. In the internet age, IP rights are vital to the success of a business or brand. There are laws that protect owners of IP, mostly in the form of patents, copyrights, and trademarks.

The New Intellectual Property Rights Policy 2016 is rather well thought and lays down following objectives of Intellectual Property Rights

1. The main objective of IPR is to create public awareness about the benefits of Intellectual property among all sections of society.

2. To stimulate the creation and growth of intellectual property by undertaking relevant measures.
3. To have strong and effective laws with regard to IP rights, consistent with international obligations.
4. To modernise and strengthen IP administration.
5. To catalyse commercialization of IP rights.
6. To strengthen the enforcement and adjudicatory mechanisms for combating IP violations and to promote awareness and respect for IP rights.
7. Capacity development by strengthening and expanding human resources, institutions for training, research and skill building in IP.

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