

## Intellectual property rights (IPR) and its development in India

**Prof. Pooja Narayan Patil and Prof. Arachna Singh**

Co-ordinator at S.K. College of Science & Commerce

[patilpooja541@yahoo.com](mailto:patilpooja541@yahoo.com)

### *Abstract*

Creativity and invention are the energy source that speed up the growth and development of any knowledge country. The 21st century, particularly, belongs to the knowledge period and is driven by the knowledge country. With rapid liberalization of trade and globalization, there has been an emergence of “Intellectual Capital” as a wealth creator resulting in Intellectual property rights performing an irreplaceable element.

Intellectual property rights (IPR) can be defined as the exclusive rights given to people, and defended by law, over the creation of their minds for a certain period.

This research paper includes the types of Intellectual Property in India, Importance of IPR, the problems with the IPR regime in India, how much Successful the IPR policy is?

This research paper also put some light on the initiatives taken by the government for development of IPR in India

**Keywords**— Creativity, invention, globalization, liberalization, Intellectual property rights.

## I. INTRODUCTION

Intellectual Property can be defined as inventions of the mind, art work, symbols, names, and images used in commerce. The basic objective of intellectual property protection is to encourage the creativity of the mind for the benefit of all and to ensure that the benefits arising from exploiting a creation profit the creator. This will encourage creative and give investors a reasonable return on their investment in R&D.

IP empowers person, enterprises, or other organisation to exclude others from the use of their creations and invention without their consent.

Intellectual Property shall include the rights relating to art and scientific works, inventions in all fields of human endeavour, scientific discoveries, industrial designs, trademarks and commercial names and designations, protection against unfair competition, and all the other rights performing from intellectual activity in the industrial, education or scientific fields.

## II. LITERATURE REVIEW

1. Petr Hanel, ” Intellectual Property Rights Business Management Practices: A Research on the Literature, ” Technovation 26, no. 8 (2006).

2. Jean O Lanjouw and Mark Schankerman,” Stylized Facts of Patent Litigation: Value, Scope and Ownership,” (National Bureau of Economic Research, 1997).
3. Edward F. Sherry and David J. Teece,” Royal-ties, Evolving Patent Rights, and the Value of Innovation,” Research Policy 33, no. 2 (2004).

### III. OBJECTIVE

This study is conducted:

- To Find out the level of awareness about Intellectual Property Rights (IPR) among the respondent
- To Find out Why IPR is important
- To find out the various types of Intellectual Property in India
- To find out the problems with the IPR regime in India
- To find out How much Successful the IPR policy is in India
- To find out the initiatives taken by the government for IPR development

### IV. METHODOLOGY

In order to study the research objectives, both secondary and primary data have been collected and analyzed. The initial stage of the study includes an in-depth search of articles, research papers, reports regarding IPR. The analysis of the secondary data developed the understanding about the analysis and interpretation of primary data. The data has been collected from 100 respondents with the help of well structured, closed ended questionnaire. Data has been collected using convenience sampling method. The study mainly used frequency, mean, SD, t test, Chi-square, one way ANOVA using SPSS.

### V. DATA ANALYSIS & INTERPRETATION

#### 1. Demographic Profile of the Respondents

**Table 1 – Demographic Profile of Respondents**

Gender			Age			Education		
Variab	Frequenc	Percent	Varia	Freque	Perce	Variable	Frequency	Perce

Gender	Age	Frequency	Percentage	Education	Frequency	Percentage
Male	15-20	10	10	Undergraduate	47	47
Female	20-25	30	30	Graduate	10	10
	25-30	4	4	Postgraduate	43	43
	30 & above	56	56			
<b>Total</b>		<b>100</b>	<b>100.0</b>	<b>Total</b>	<b>100</b>	<b>100.0</b>

Monthly family income	Frequency	Percentage
(1) Less than 10000	22	22
(2) 10001-25000	22	22
(3) 25001-50000	26	26
(4) 50001-75000	10	10
(5) More than 75000	20	20
<b>Total</b>	<b>100</b>	<b>100.0</b>

**Interpretation: -**

- In the above table 1 majority of the respondent are female.
- 56% respondent comes under Above 30 years age group
- 47% respondent are undergraduate &
- 26% respondent Monthly family income is between 25001-50000.

**2. Level of awareness about Intellectual Property Rights (IPR)**

**Null Hypothesis** – Opinion regarding level of awareness about Intellectual Property Rights (IPR) is equal to average level

**Table 2** – T test for specified value (Average = 3) of statement regarding level of awareness

Level of awareness about Intellectual Property Rights (IPR)	Frequency	Percent	T Value	P Value
Very low	3	3	41.784	0.000
Low	13	13		
Average	62	62		
High	20	20		
Very high	2	2		
Total	100	100		
Mean	3.05			
SD	0.730			

**Interpretation** – Since p value is less than 0.01, the null hypothesis is rejected at 1% level of significance with regard to Level of awareness about Intellectual Property Rights (IPR ) is more than average level. Respondent level of awareness about IPR is high mean is also supporting this analysis.

**3. T-TEST on Why IPR is important?**

**Null Hypothesis** –There is no significance difference in perception regarding Why IPR is important? with regards to gender.

**Table 3**– T Test for relationship between perceptions and gender

	Perceptions	MALE		FEMALE		T VALUE	P VALUE
		MEAN	SD	MEAN	SD		
1	IPR leads to Protection of innovative spirit	4.33	.606	4.23	.543	.816	.395
2	IPR leads to Economic growth	4.27	.785	4.11	.578	.958	.283
3	IPR leads to Investment in Research and Development	4.13	.629	4.03	.884	.588	.504

4	IPR leads to create balance between Individual/organizational zeal and societal benefits	3.93	.785	3.86	.937	.390	.677
5	IPR leads to overall Economic Development	3.93	1.143	4.09	.737	.673	.428

**Interpretation** – since P value is more than 0.05 for all the variables the null hypothesis is accepted at 5% level of significance. Hence There is no significance difference in perception regarding Why IPR is important with regards to gender. The above table shows that majority of the respondents believed that IPR leads to Protection of innovative spirit and IPR leads to Economic growth among both Male and Female respondent.

**4. Relationship between perception regarding the problems with the IPR regime in India across demographic variables**

**Null Hypothesis** – There is no significance difference in perception regarding the problems with the IPR regime in India across demographic variables

**Table 4** – T Test & ANOVA for relationship between perceptions across demographic variable

	Perceptions	Gender		Age		Educational Qualification		Monthly Income	
		F Value	P Value	F Value	P Value	F Value	P Value	F Value	P Value
1	IPR leads to Legal issues	.187	.666	1.734	.165	.110	.896	.466	.761
2	IPR leads to Problems with International standards	.505	.479	.209	.890	2.448	.092	1.087	.367
3	IPR leads to lack of	1.560	.215	3.019	<b>.034</b>	.868	.423	.912	.460

	Data Privacy								
4	IPR leads to Weak Enforcement of the Copyright act	13.278	.000	2.440	.069	1.934	.150	1.459	.221
5	IPR leads to Lack of deliberative platforms	3.925	.050	1.591	.197	.359	.700	2.574	.043

**Interpretation** – Table 4 presents the perception regarding the problems with the IPR regime in India across demographic variables. Further T-test and ANOVA were used to see the significance difference between perceptions and demographic variable at 1% level of significance.

- Since p value is less than 0.01, the null hypothesis is rejected at 1% level with regard IPR leads to Weak Enforcement of the Copyright act. The table 5 shows that majority of the respondents believed that the problems with the IPR regime in India is because of lack of Data Privacy, IPR leads to Weak Enforcement of the Copyright act
- F test across different demographic variable revealed there is no significance difference in perception regarding the problems with the IPR regime in India across demographic variables

5. How much Successful the IPR policy is in India?

**Null Hypothesis** – There is no significance difference in How much Successful the IPR policy is in India? across demographic variables

**Table 5** – ANOVA for relationship between How much Successful the IPR policy is in India? across demographic variable

Perception	Gender		Age		Educational Qualification		Monthly Income		
	F Value	P Value	F Value	P Value	F Value	P Value	F Value	P Value	

1	Improvement in its global ranking	.000	1.000	3.437	<b>.020</b>	1.292	.279	.623	.647
2	Increase in number of IPR filings	4.617	<b>.034</b>	.765	.516	3.753	<b>.027</b>	1.970	.105
3	Simplified trademark procedures	.010	.923	6.723	<b>.000</b>	.681	.509	1.096	.363
4	Increase in IPR Awareness	.964	.329	1.389	.251	.640	.529	.499	.737
5	IPRs is included in School Syllabus	.585	.446	2.345	.078	.505	.605	2.732	<b>.033</b>
6	Formed Technology and Innovation Support Centers (TISCs)	.736	.393	3.339	<b>.023</b>	.580	.562	2.529	<b>.046</b>

**Interpretation** – Table 5 presents the How much Successful the IPR policy is in India Further T-test and ANOVA were used to see the significance difference between in How much Successful the IPR policy is in India and demographic variable at 5% level of significance.

- The table shows that How much Successful the IPR policy is in India are that IPRs is included in School Syllabus, Formed Technology and Innovation Support Centers (TISCs), Simplified trademark procedures
- F test across different demographic variable revealed there is a significance difference in perception regarding How much Successful the IPR policy is in India? except Increase in IPR Awareness across demographic variables.

6. Difference between mean rank towards the initiatives taken by the government for IPR development

**Null Hypothesis** –There is no significance difference among mean rank towards in the initiatives taken by the government for IPR development.

**Table 6** – Friedmans test to find mean rank towards the initiatives taken by the government for IPR development.



	Perception	Mean Rank	Chi-square value	P Value
1	Public awareness education about the socio-economic and cultural benefits of IPRs	4.35	23.758	<0.001
2	Increase in number of IPR filings	3.89		
3	Strong and effective IPR laws	4.25		
4	Modernize and strengthen the IPR administration	4.09		
5	Proper value given for IPRs through their commercialization	3.89		
6	Strengthen the enforcement and adjudicatory mechanisms and combating IPR manipulations like plagiarism	3.48		
7.	Obtain skilled human resources, create institutions and capacities for teaching, training, research, and skill building in IPRs	4.05		

**Interpretation** – Table 6 presents the Difference between mean rank towards the initiatives taken by the government for IPR development

Since p value is less than 0.01 the null hypothesis is rejected at 1% level of significance. Hence concluded that there is significant difference among mean rank towards factors of the initiatives taken by the government for IPR development

Based on mean rank public awareness education about the socio-economic and cultural benefits of IPRs 4.35 is the most important factor in initiatives taken by the government for IPR development, followed by Strong and effective IPR laws 4.25 and modernize and strengthen the IPR administration 4.09.

## VI. FINDINGS

1. In the demographic profile, majority of the respondent are female.
2. In the above table 1 majority of the respondent are female.
3. 56% respondent comes under Above 30 years age group
4. 47% respondent are undergraduate
5. 26% respondent Monthly family income is between 25001-50000.

6. Majority of the respondents have more than average level of awareness about Intellectual Property Rights (IPR )
7. Majority of the respondents believed that IPR leads to Protection of innovative spirit and IPR leads to Economic growth among both Male and Female respondent.
8. majority of the respondents believed that the problems with the IPR regime in India is because of lack of Data Privacy, IPR leads to Weak Enforcement of the Copyright act
9. There is a significance difference in perception regarding How much Successful the IPR policy is in India? except Increase in IPR Awareness across demographic variables
10. Based on mean rank public awareness education about the socio-economic and cultural benefits of IPRs 4.35 is the most important factor in initiatives taken by the government for IPR development

## VII. CONCLUSION

IPR could play either a positive or negative job in cultivating development and enhancement. The proof proposes that the relationship is certain, still reliant on different variables that help advance advantages from licensed invention assurance. Intellectual Property Rights could be compelling and advertise based components for conquering issues that exist in business sectors for data creation and scattering. Their reality could present issues as far as their costs and anticompetitive maltreatment.

Present-day Intellectual Property Rights frameworks are not adequate without anyone else to energize compelling innovation progress. Rather, they should frame some portion of an intelligent and wide arrangement of correlative approaches that boost the potential for IPRS to raise dynamic challenges. Such approaches incorporate fortifying human capital and aptitude procurement, advancing adaptability in a big business association, guaranteeing a solid level of rivalry on residential markets, and building up a straightforward, unbiased, and compelling challenge system. So for the development of countries and Economic growth, intellectual property rights play a vital role.

## VIII. REFERENCES

1. [www.wipo.int](http://www.wipo.int)
2. Ganguli P. Indian Path towards TRIPS compliance. World Patent Information, 2003; 25: 143.
3. [www.iprlawindia.org](http://www.iprlawindia.org)
4. [http://en.wikipedia.org/wiki/General\\_Agreement\\_on\\_Tariffs\\_and\\_Trade](http://en.wikipedia.org/wiki/General_Agreement_on_Tariffs_and_Trade)
5. [http://en.wikipedia.org/wiki/United\\_Nations\\_Conference\\_on\\_Trade\\_and\\_Development](http://en.wikipedia.org/wiki/United_Nations_Conference_on_Trade_and_Development)
6. [http://en.wikipedia.org/wiki/United\\_Nations\\_Commission\\_on\\_International\\_Trade\\_Law](http://en.wikipedia.org/wiki/United_Nations_Commission_on_International_Trade_Law)
7. Ganguli P. Intellectual Property Rights in transition. World Patent Information, 1998; 20: 171.