



TWIST

Journal homepage: www.twistjournal.net

Intellectual Property Rights (IPR): An Overview and Implications in Library

Girja Shankar Patel*

Associate Professor and Librarian, Department of Library and Information Science, Bharti Vishwavidyalaya,
Durg 491001, Chhattisgarh, India
[*Corresponding author]

Abstract

An intellectual property right refers to creation of the new discovery, mythical and creative works and code, name and films used in business-related. IPR be similar to any other use of one property rights. They agree to inventors or owners of patent, trademark, copyright, etc works like different as information, invention, and imaginative Knowledge based on which readily available is a municipal motivation to present the position of possessions. IPR make accessible influenced controlled constitutional rights to the inventor/creators of with the purpose of material goods, in command to permit them to gather business-related reimbursement from their original effort or status. There are a number of types of IPR defence similar to copyright, trademark, patent, etc. Patent is acknowledgment designed for a discovery, which satisfy the regulations of worldwide innovation, non-obviousness, and manufacturing application. Intellectual property rights are condition for improved classification, preparation, commercialization, reproduction, and in that way security of development or imagination. Every aria has to develop it's be the owner of IPR policy, administration approach strategy, and so on the depending on its field of division of knowledge. Library at present has a developing Intellectual property rights approach require an improved centre of attention and advance in the coming period.

Keywords

Intellectual property, License, Patent, Copyright, Library

INTRODUCTION

IPR refers to restricted rights related to innovation of the mind. Under IPR laws, insubstantial resources such as invention, mythical and imaginative design, work, and phrases, symbols and images can be protected. This defence be able to be obtain thanks to changed kind of IP rights (for more information go to section "Types of IPR Protection Rights") similar to trademark, designs, copyright, patent, and enables their proprietor to receive acknowledgment or economically advantage from their construction or development. Intellectual property rights (IPR) is a group of material goods that includes insubstantial creation of the human being intelligence. There are a lot of verities of IPR, and a number of countries recognize more than others. The most well-known types are copyrights, patents, trademarks, and trade secrets. Near the beginning precursor to a number of type of IPR existed in society such as very old Rome, but the contemporary conception of IPR urban in Britain in the 17th and 18th centuries. The expression "IPR" begin to be secondhand in the 19th century, though it was not waiting the late 20th century that IPR became ordinary in the popular of the International lawful system. The major reason of IPR law is to give confidence the formation of a broad diversity of IPR Materials. To complete this, the regulation gives individuals and industrial material goods rights to the knowledge and IPR Materials they create, more often than not for an incomplete era of period. This gives financial inducement for their formation, because it permuted citizens to income from the knowledge and IPR Materials they produce. These financial inducements are usual to encourage modernization and make a payment to the technical development of Nation, which depends on the scope of safety decided to innovators.

THE ORIGINS OF IPR's

The thought of IPR date all the way reverse to 500 BC. It came about because the Greek state of Sybaris allowed its people to acquire a patent for "any new modification in extravagance." Since then, refinements have been made and laws concerning copyright and trademark have become more complex. However, the intention of the laws has always remained the similar. The laws are fashioned to give confidence people's originality and create it promising for inventors to gather the reimbursement of their unique information.

Intellectual property right is not a novel thought. It is supposed that intellectual property right in the beginning going ahead in North Italy throughout the revitalization age. In 1474, Venice issue a law amendable patents safety that approved a restricted right for the proprietor. The copyright dates back to 1440 A.D. when Johannes Gutenberg invented the printing press with expendable/transportable made of wood or metal correspondence. Late in the 19th century, a number of country felt the requirement of laying down laws changeable intellectual property rights. Internationally, two convention constitute the basis for intellectual property right system international had been signed; Paris Convention for the safety of manufacturing Property (1883) Berne Convention for the safety of mythical and creative installation (1886).

OBJECTIVES OF THE STUDY

- To Understand Overview & History of the intellectual property Rights.
- To Know the Importance of intellectual property Rights.
- To Study the various type of intellectual property Rights.
- To Know the Importance of intellectual property Rights in India.

LITERATURE REVIEW

In their study, Sati-Salmah Sukarmijan paper "There is a need to strengthen interaction between IP offices, SME support institutions, business associations, national, regional, and local governments, and other relevant institutions with a view to better identifying the IP needs of entrepreneurs and SMEs and the barriers to a more effective use of the IP system by entrepreneurs and SMEs" According to C.N. Saha and S. Bhattacharya's paper, "Different forms of IPR demand different treatment, handling, planning, and strategies as well as the engagement of persons with different domain knowledge, and therefore each industry should evolve its own IP policies, management style, strategies, etc. depending on its area of specialty."

"IPRs help MSMEs to sustain themselves in the market and compete with MNCs and global players," said C. Ravivarma and D. Bhuvankumar. Although the government provides significant financial assistance to MSMEs in order to acquire IPRs and makes attempts to raise awareness among MSME participants, a more coordinated strategy is required to help MSMEs become more innovative and profitable.

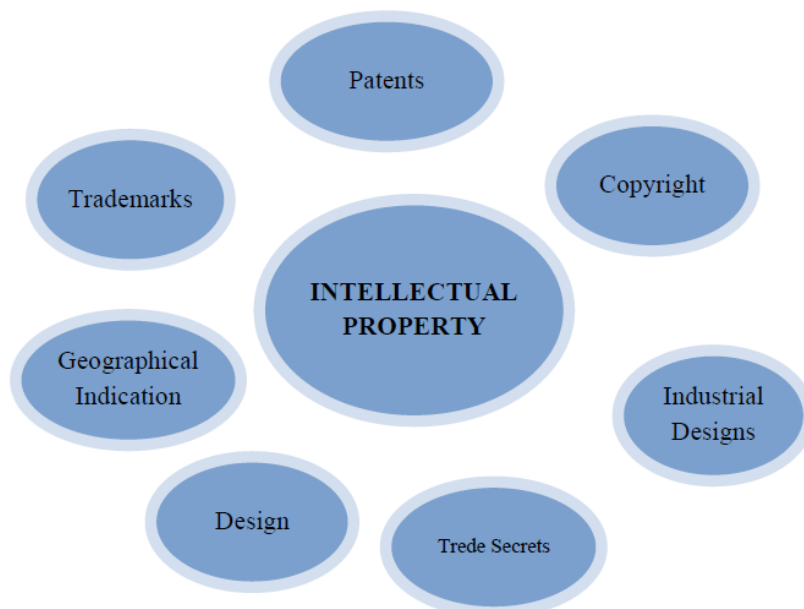
WHAT IS AN INTELLECTUAL PROPERTY?

Intellectual property (IP) refers to any Intellectual creation of mind. Intellectual Property laws give people the right to own and profit from their artistic, scientific and technological creations for a designated period of time. Inventors are granted to a variety of intangible assets, such as ideas, business methods, inventions, musical piece, literary work, artistic works, discoveries, words, phrases, symbols, and designs.

The principal objective of an IPR is to give confidence inventions by promote their safety and exploitation so as to donate to the improvement of related fields, which in revolve contributes to the encouragement of hi-tech modernization and to the reassign and broadcasting of knowledge.

Different forms Of IPR's

- Patents
- Trademarks
- Copyright
- Industrial Designs
- Geographical Indication
- Semiconductor Integrated circuits layout – Design
- Trade secrets



THE IMPORTANCE OF INTELLECTUAL PROPERTY RIGHTS

IPR's plays a most excellent responsibility in any production individual and denigration at the hub of it. A commerce creature should be determined in identify and implement intellectual property solute owns which will, in turn, help the corporation arrive at a novel height of achievement. The legend that only lawyer can handle or agree with intellectual property assets is a practical joke for the reason that in command for a corporation to location itself as a person in charge in the open market it is of greatest significance that its IP possessions are manage and strategized as mandatory. Growth of skills and capability to administer IPR's belongings has been converted into obligatory for sustainable competitiveness. Administration professionals are best appropriate to supervise and commercialize these properties in order to create income.

Awareness has become a critical issue in differentiating enterprises from their competitors. 21st century has been called the century of understanding. As Henry Ford has appropriately stated that the only real safety measure a man has in today's earth is the reservoir of understanding. However, it is of utmost significance that this reservoir is protected under a variety of assets, constitutional rights and the safety of human intelligence. IPR's properties are very significant commerce properties which need to be utilized and managed successfully to accomplish and keep going with aggressive improvement.

Enterprises with intellectual property rights to be granted exclusivity over their novel, unique, or creative goods, designs, and brands. The exclusivity provides a good reason to spend in raising their level of competitiveness. By using its trademark, a corporation develops significant goodwill with customers. The brand serves as proof of excellence and is the source of some incredibly valued goods and services. Customers or clients view a trademark or brand as an immediate representation of the owner. For media, software, and the film industries, copyrights are a particularly significant asset since they help the businesses stay in business amid fierce competition. It is well recognized that when it comes to entering new markets, intellectual property offers a strong position.

Business companies derive income from the asset class of intellectual property through licensing, franchising, and sales of goods and services that are legally protected. Protected intellectual property assets greatly raise the value of a corporation in the event of a merger or purchase. Even in export markets, the value of intellectual property is clear. Exporting protected intellectual property assets abroad or negotiating franchise deals with foreign businesses are both options. It is crucial to remember that the greatest companies in the world—Apple, Microsoft, and Blackberry—have created strong revenue streams thanks to their substantial IP holdings. A robust IP portfolio can be used to boost revenue through licensing streams, allowing for the most benefits to be realized.

The business entities now recognize the significance of intellectual property assets and its requirements in the development of business as a result of rapid development, globalization, technological advancement, increase in commercial activities, growth of global big business, and previous but not least, enhance in understanding. It is vital to recognize the value and necessity of this class of assets in order to survive and grow at the desired rate in the sector because they no longer simply add exclusivity to the organization but are also crucial for the establishment of the business. It is appropriate to end by quoting renowned American businessman Mark Getty, who appropriately asserts that IPR's is directly correlated with economic progress. It will be appropriate to end by quoting renowned American businessman Mark Getty, who appropriately asserts that intellectual property is closely correlated to the expansion of any corporate organization: "Intellectual property is the oil of the 21st century." Look at the wealthiest persons from a century ago; they were all involved in the extraction or transportation of natural resources. The intellectual property has been the main source of income for all of today's wealthiest persons.

WHY INTELLECTUAL PROPERTY SHOULD BE PROTECTED

- IPR's are valuable assets for a business possibly among the most important ones it possesses. The protection of IP can set a business apart from the competitors. It can be sold or accredited, provided that a significant income watercourse, recommend consumers incredible new and dissimilar and form an indispensable part of the advertising or branding.
- Intellectual Property protection has become more and more important nowadays. Highly featuring scientific and technological improvement and establishing an efficient Intellectual Property system have caused the difference between developed and underdeveloped countries. The IPR's safeguard is mainly formed to prevent infringement of patented invention from others.
- Rapid growth in commercial income resulting from intellectual and artistic works made a profitable sector. Now, production of musical, cinema, literature works and computer software are major industries worth of billions of - USD.
- The bosses of the major software giants like Google and Microsoft have become the richest men of the world in a very short period of time through their intellectual assets".
- One who is not able to protect intellectual rights thereof may face enormous financial loss.
- Developed states execute International Treaties to protect inventions, original designs, trademarks, software, cinema and musical works, scientific and literature works that are subject of Intellectual Property in an International manner.
- Failure on adequate protection of Intellectual Property slows down innovation and progress.

- The goal of Intellectual Property law is to encourage intellectual production and to enable social and cultural development.
- An effective Intellectual Property protection is essential in order to promote R&D investments, appeal to foreign capital and encourage innovation.

HOW INTELLECTUAL PROPERTY SHOULD BE PROTECTED

- Intellectual Property can be protected by filling an application with prescribed form and fees and detailing about your inventions, at your earliest, with the respective Patent offices.
- The inventor may either file provisional or complete specification of the invention.

Benefits of IPR

IPR protects the owners, creators, inventors of the IP in numerous way. There are certain myths that IPR give benefits only to large businesses and it is unsuited to SMEs. Some of the benefits to SMEs are highlighted below:

- i. It helps in growing license sales and revenue from loyalty.
- ii. It makes SMEs more valuable especially when it comes to acquisition.
- iii. It keeps SME under competitor radar.
- iv. It gives right against any misuse or use of work.
- v. It helps in availing benefits from creativity.
- vi. It turns ideas into profit making assets.
- vii. It markets the business products and services.
- viii. It helps in raising finance for the businesses.
- ix. It enhances the opportunity of exports for the business.

CONCLUSION

It is clear that managing IP and IPR requires a variety of activities and techniques, all of which must be in compliance with local laws as well as international conventions and standards. It is no longer solely influenced by a national viewpoint. The market's demands, its reaction, the expense of converting IP into a business enterprise, and other factors have a significant impact on IP and its related rights. In other words, the administration of IPR must take into account issues relating to trade and commerce. distinct IPR forms require distinct management, planning, and strategies, as well as the involvement of people with a variety of subject-matter expertise, including science, engineering, medical, law, finance, marketing, and economics. Depending on its area of specialization, each industry should have its own IP rules, management practices, strategies, etc. A developing IP strategy is now used by the pharmaceutical business. Antitrust law must therefore intervene to prevent the wrongful assertion of invalid IPR in order to create and sustain illegitimate, if temporary, monopolies within the pharmaceutical business, given the greater likelihood that some IPR are illegal. In this context, there are still a lot of issues to be handled.

We want to underline that IPRs like patents, trademarks, copyrights, and trade secrets are financial assets as we draw to a close our discussions of IPRs. IPRs must be carefully protected in addition to being registered if economic growth is to be achieved.

REFERENCES

1. <https://www.greyb.com/types-of-intellectual-property-rights/>
2. <https://www.innovation-asset.com/blog/the-4-main-types-of-intellectual-property-andrelatedcosts>
3. <https://www.wipo.int/about-ip/en/>
4. European Patent Office (Author). Retrieved from <http://www.epo.org/searching/asiam/trends.html>.
5. Govt. of India. Annual Report of Controller General of Patents, Designs & Trade Marks (CGPDTM). Author. Retrieved from <http://www.ipindia.nic.in/>
6. Watal J. London: Kluwer Law International; 2001. Intellectual property rights in the WTO and developing countries.
7. ET Bureau: India ranked second last in Intellectual Property Index, http://articles.economictimes.indiatimes.com/2015-02-04/news/58795926_1_ip-environmentgipc-intellectual-property-index (accessed on 4 February 2015).
8. Jajpura L, Microfinance and Microentrepreneurship: A Paradigm Shift for Socital Development (Edited by Dr. Surender Mor, Vista International Publication House, Delhi), First Edition, 2015, 263-271.
9. Samaddar S G & Chaudhary B D, Practical insights into intellectual property strategy for technical institute, Journal of Intellectual Property Rights, 13 (2008) 590-600.
10. Sinha B, Joshi H & Ghosh P K, Challenges in creation and management of knowledge capital in technical educational institutions, Journal of Intellectual Property Rights, 14 (2009) 340-345.
11. Narayanan S, Intellectual property rights economy vs. science and technology, International Journal of Intellectual Property Rights, 1(1) (2010) 6-10.
12. Sharma D K, Intellectual property and the need to protect it, Indian Journal of Science and Research, 9 (2014) 84-87.
13. Cuts International Jaipur, Intellectual property rights, biodiversity and traditional knowledge, Monographs on Globalisation and Indian-Myths and Realities, 13 (2007) 20-22.
14. WIPO Manual: What is Intellectual Property? http://www.wipo.int/edocs/pubdocs/en/intproperty/450/wipo_pu_b_450.pdf.
15. Nair M D, TRIPS, WTO and IPR – World Patents, Journal of Intellectual Property Rights, 15 (2010) 151-53.

16. Controller General of Patents Designs and Trademarks, Department of Industrial policy and promotion, ministry of commerce and industry website: <http://www.ipindia.nic.in/> (accessed on 30 December 2014).
17. Negi A & Thakuria B J, Principles governing damages in trademark infringement, *Journal of Intellectual Property Rights*, 15 (2010) 374-379.
18. Melissa R , Something old, something new, something borrowed, something blue: A new tradition in non-traditional mark registrations, *Cardozo Law Review*, 27 (2005) 457.
19. Leo T P C, Trademark Law: is Europe moving towards an unduly wide approach for anyone to follow the example, *Journal of Intellectual Property Rights*, 10 (2) (2005) 128- 131.

