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Balancing IPR and Sustainable Development: A Delicate Equation

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ABSTRACT

The intersection of intellectual property (IP) rights and sustainable development goals (SDGs) forms a dynamic landscape with far-reaching implications for global progress. This article explores the symbiotic relationship between IP rights and SDGs, shedding light on how effective IP management can facilitate the realization of sustainable development objectives. Through a comprehensive review of literature and real-world examples, this piece underscores the significance of striking a balance between IP protection and the accessibility of essential technologies, medicines, and innovations.

The article delves into the role of IP rights in fostering innovation, incentivizing creativity, and stimulating economic growth while emphasizing the need for safeguards to prevent monopolistic practices that might hinder equitable access. Additionally, it examines the role of IP in promoting green technologies, clean energy solutions, and biodiversity conservation, all of which are pivotal to various SDGs.

By analysing case studies from diverse sectors, the article highlights instances where IP rights have acted as enablers, as well as situations in which rigid IP regimes have posed challenges to achieving sustainable development. Through this exploration, a nuanced understanding of the intricate relationship between IP rights and SDGs emerges, offering insights into policy measures that can optimize the positive impact of IP on sustainable development.

In conclusion, this article underscores the multifaceted role of IP rights in advancing sustainable development goals. It advocates for a balanced approach that ensures both protection and accessibility, recognizing that a well-crafted IP framework can be a powerful catalyst for global progress while safeguarding the principles of inclusivity and fairness.

Keywords: Intellectual Property Rights, Innovation, Sustainable Development, Creativity, Technology.

I. INTRODUCTION

Innovation, creativity, and economic growth play an integral part of achieving the Sustainable

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Development Goals (SDGs) through Intellectual Property Rights (IPRs). This research article examines the connection between IPRs and SDG achievement. SDGs, adopted by the United Nations in 2015, provide for worldwide development by addressing different issues, including poverty, imbalance, environmental change, and sustainable use and production. The rapid advancement of technology and globalization have made the protection and enforcement of IP rights imperative for energizing imaginative practices and ensuring that technology is transferred to developing countries. Throughout this article, we will explore how IPRs contribute to sustainable development. We will examine their role in fostering knowledge access, cultivating mechanical innovation, empowering technology, and stimulating economic growth. Using momentum writing and contextual analyses, this research aims to deliver bits of knowledge on the expected advantages and difficulties of IPRs pertaining to achieving the Sustainable Development Goals.

(A) Definition and significance of intellectual property rights (IPRs)

An intellectual property right (IPR) refers to a right granted to an individual or substance for their distinctive manifestations or inventions, including inventions, abstract and imaginative works, names, pictures, and plans used in business. Research and development rights play an important role in promoting innovation, creativity, and economic growth by encouraging individuals and organizations to invest resources in research and development. As IPRs protect proprietors, they enable them to market their ideas and manifestations, stimulating the development of new ventures and the growth of existing ones. Furthermore, IPRs empower technology moves and direct ventures by guaranteeing financial backers that their intellectual property is protected. IPRs contribute to the social and social development of social orders, since they encourage a steady environment for craftsmen and creators to make and spread their crafts. As a whole, IPRs are crucial for cultivating innovation, economic growth, and social diversity, making them critical for achieving sustainable development.³

(B) Explanation of sustainable development goals (SDGs)

As a general source of inspiration, the Sustainable Development Goals (SDGs) were adopted by the Unified Countries in 2015. In total, there are 17 Sustainable Development Goals, dealing with a variety of issues, including neediness, hunger, schooling, orientation fairness, clean water and disinfection, sustainable urban areas and networks, environmental activity, and harmony and equity. As such, these goals recognize the interconnectedness between social, economic, and environmental issues and work to create a sustainable and fair world. The SDGs are

³ Acharya, N.K (2006). *Text book on Intellectual Property Rights*. Asia law House, Hyderabad.

crucially dependent on innovation and creativity, which are fundamental elements of economic growth and development.⁴ Through them, new technologies, products, and services can be developed and dispersed to help solve worldwide problems. Moreover, intellectual property rights ensure fair and equitable distribution of the benefits obtained from these innovations, empowering further innovation and safeguarding the rights of makers. Consequently, intellectual property rights contribute to the accomplishment of the SDGs and the making of a sustainable future by empowering innovation and creativity.

(C) Purpose and objectives of the research article

There are two objectives and reasons for writing this research article. To begin with, we need to examine how intellectual property rights (IPRs) contribute to achieving the Sustainable Development Goals (SDGs). A bunch of worldwide goals aimed at addressing different social, economic, and environmental problems the world is facing. This article examines the connection between IPRs and the Sustainable Development Goals in order to reveal insight into the capability of IPRs to contribute to sustainable development. Second, the article will examine the current state of IPRs and their suggestions for sustainable development. As part of this examination, we will survey existing writing, strategies, and goals in the area. It is through a better understanding of the current scene of IPRs that this article will attempt to identify the open doors and difficulties in incorporating IPRs into the SDG framework. As a result of its motivation and goals, this research article hopes to contribute to the continuous discussion of the role of IPRs in achieving sustainable development.

II. UNDERSTANDING INTELLECTUAL PROPERTY RIGHTS

Although intellectual property is legitimately protected, there are also moral considerations to take into account. In order to maximize the profits that makers can make from their own creations, intellectual property rights are centered around the idea that makers must be able to profit from their own work. In light of this, finding some kind of harmony between protecting the rights of makers and fostering innovation to benefit society is crucial. It is important to acknowledge that not all creation is unique, and that we are undeniably influenced by others' work. This makes it crucial to ensure that intellectual property rights don't hinder free exchange of ideas or stifle creativity. Furthermore, there is a need to promote fair use and admission of intellectual property, which can fundamentally contribute to achieving sustainable development goals. We thus ensure that knowledge and innovation are shared and spread widely, benefiting

⁴ J.M. Utterback and H.J. Acee (2005). *Disruptive Technologies: An Expanded View*. International Journal of Innovation Management. Retrieved September 5, 2023, from <https://link.springer.com/article/10.1007/s44176-023-00013-8>

society as a whole.

(A) Overview of different types of intellectual property (copyright, trademarks, patents)

Three distinct types of intellectual property rights play an important role in achieving sustainable development goals: copyright, trademarks, and patents. The term "copyright" refers to the legal protection given to unique inventive works such as books, music, and craftsmanship. The makers are granted exclusive rights to reproduce, circulate, and display their works, thereby spurring innovation and creativity. Meanwhile, trademarks are unmistakable signs utilized by businesses to recognize their labour and products, which empowers buyers to make informed choices. By protecting their trademarks, businesses can establish memorability and notoriety, leading to more sales and higher productivity. Patents are a third kind of intellectual property that protects inventions and mechanical advancements. Providing exclusive rights to innovators for a limited time, patents drive innovation and boost economic growth. As these three kinds of intellectual property rights promote innovation, creativity, and rivalry, ultimately adding to economic, social, and environmental advancement, they are fundamental for sustainable development.

(B) Importance of IPRs for fostering innovation and creativity

IPRs play a significant role in fostering innovation and creativity that contribute to sustainable development. IPRs provide makers and creators with incentives to invest time, effort, and assets into research and development. The impact of this boost is particularly notable in knowledge-based economies, where intellectual property-serious businesses are a major contributor to economic growth and employment. Researchers, designers, and specialists are able to fully take advantage of their creations and inventions when they have the assurance and security that their efforts will be protected and compensated by IPRs. By protecting intellectual property, individuals and associations are encouraged to share their innovations, thereby promoting knowledge sharing and collaboration. Furthermore, solid IPRs facilitate technology transfer, both locally and globally, as they attract speculations, encourage organizations, and facilitate permit arrangements. IPRs enable innovation and creativity, which are fundamental for sustainable development.

(C) Challenges and criticisms of IPRs in relation to Sustainable Development

The challenges and reactions associated with IPRs in relation to sustainable development are complex. Admittance to fundamental labour and products is a key difficulty. It is argued by some intellectual property pundits that IPRs, by granting exclusive rights to designers and

makers, can impede access to critical assets, such as life-saving medications and clean technologies, particularly in developing countries. Significant expenses associated with patented items can restrict their accessibility, therefore fuelling global imbalances. In addition, pundits argue that IPRs can prevent the exchange of environmentally friendly technologies to developing countries, preventing them from achieving sustainable development. In areas such as sustainable power and farming, where innovation is crucial to moderating environmental change and ensuring food security, this is especially true.⁵ As well, IPRs may stifle innovation and collaboration by imposing business models and repressing free knowledge progression. As a result, elective components such as open innovation and cooperative frameworks are being proposed as a way to address these difficulties and promote sustainable development more comprehensively.

III. SUSTAINABLE DEVELOPMENT GOALS AND INTELLECTUAL PROPERTY RIGHTS

It is evident that intellectual property rights play a crucial role in achieving sustainable development goals. In addition to safeguarding and boosting innovation, IP rights encourage technology, science, and human expression. As a result, it prompts sustainable solutions to global difficulties, such as destitution, appetite, and environmental change. Technology and knowledge exchange is facilitated by the enforcement of IP rights, enabling developing countries to adopt sustainable practices. No matter what, finding some kind of harmony between intellectual property protection and the requirement for access to fundamental labour and products is important. The use of IP rights systems with adaptable features, like necessary authorizing and patent pools, can safeguard the advantages of intellectual property and make sure one is not hindered from accessing fundamental technologies and drugs. To achieve sustainable development goals, global participation and collaboration are essential for the execution and enforcement of IP rights.

(A) Analysis of the SDGs and their connection to IPRs

In light of all these factors, investigation of the SDGs and their relationship to IPRs reveals a few major implications for sustainable development. By incorporating intellectual property rights into the SDG framework, innovation, creativity, and mechanical progress may be fostered. By doing so, countries can increase economic growth, create jobs, and reduce destitution. Additionally, intellectual property protection can stimulate interest in research and development, resulting in discoveries of new answers for worldwide challenges such as

⁵ R.R. Basu, P.M. Banerjee and E.G. Sweeny. (2013). *Frugal Innovation: Core Competencies to Address Global Sustainability*, Journal of Management for Global Sustainability.

environmental change, wellbeing emergencies, and food security. No matter what, it is crucial to find a harmony between the exclusive rights provided by intellectual property and the access to fundamental labour and products, particularly in developing countries. To recognize the SDGs in an impartial and holistic manner, policymakers should ensure that intellectual property systems work alongside other strategy frameworks, such as those related to general wellbeing, training, and environmental sustainability.

(B) Exploration of how IPRs contribute to economic development and job creation.

Overall, studying Intellectual Property Rights (IPRs) and their impact on economic development and occupation creation sheds light on their role in promoting innovation and growth. Design and manufacturing organizations benefit from IPRs since they offer exclusive rights and protection for their inventive items and ideas. This promotes innovation and economic growth by drawing speculations and creating competition.⁶ As well as ensuring that the products of these endeavours are adequately compensated, further stimulating research and development. Besides this, IPRs add to work creation by creating opportunities in different fields such as drug development, technology, and entertainment. Their activities animate business and encourage the development of new enterprises, which further stimulate job creation. As a result of compelling enforcement of IPRs, businesses are protected from fake items and theft, thereby securing their benefits and speculation profits. It is therefore essential for sustainable economic development and occupation creation to recognize and safeguard IPRs.

(C) Examination of IPRs' role in promoting environmentally friendly technologies and conservation

The assessment of intellectual property rights (IPRs) is crucial to understanding their role in promoting environmentally friendly technologies and protecting them. Innovation and mechanical headways are boosted by IPRs, which give protection to makers or innovators. By giving exclusive rights to makers, IPRs encourage the development of environmentally friendly technologies. Additionally, this protection enables makers to recoup the costs of their inventions, further facilitating the dissemination of these technologies. IPRs also play an important role in promoting preservation efforts. The patents and copyrights provided to designers give them legal protection, empowering the sharing of knowledge and ability in the preservation of the environment. Controlled access to and utilization of safeguarded inventions

⁶ Justin Hughes. (1998). *The Personality Interest of Artists and Inventors in Intellectual Property*. *Cardozo Arts & Law Journal*. Retrieved September 3, 2023, from https://heinonline.org/HOL/AuthorProfile?base=js&search_name=Hughes,%20Justin&1=1625618645

can prevent the overexploitation of normal assets and promote sustainable practices. In this sense, IPRs are crucial to understanding how they can really be used to promote environmentally sound technologies and preservation, ultimately contributing to the achievement of sustainable development.

IV. CASE STUDIES AND EXAMPLES

(A) Real-life examples of successful utilization of IPRs to achieve SDGs

As an example of effective use of IPRs to attain SDGs, drug companies join hands to give reasonable access to prescriptions in developing countries. As an example, the Meds Patent Pool (MPP), announced in 2010, empowers nonexclusive makers to deliver patented HIV, tuberculosis, and hepatitis C medications at minimal costs. The drive has significantly contributed to the achievement of SDG 3 (Great Wellbeing and Prosperity), since it has enabled a great number of individuals in low-pay countries to access life-saving medications. Additionally, the MPP has achieved significant progress in promoting the development of better medications, aligned with SDG 9 (Industry, Innovation, and Framework). With the successful use of intellectual property rights in this setting, wellbeing results have been further developed, as well as the critical role intellectual property rights can play in cultivating innovation and guaranteeing equitable access to basic medications, thereby promoting sustainable development worldwide.⁷

(B) Analysis of intellectual property policies and practices in selected countries or industries

Several countries and businesses have put in place different intellectual property policies and practices in order to preserve their inventive manifestations and boost further innovation. Drug patents, for instance, play a vital role in promoting research and development for new medications. However, some argue that severe patent regulations can restrict access to fundamental meds, especially in low-paying countries, leading to variations in health care. However, some countries have adopted more flexible methods to deal with intellectual property rights, like mandatory permits or aggregate authorizing arrangements, to guarantee reasonable access to essential medicines. In addition, copyright regulations have been instrumental in defending programming manifestations in the product business. Whatever the case, open-source development has gained popularity, allowing sharing and cooperative development of programming without restrictions on copyright. Countries and enterprises have different ways

⁷ Chandra, Rameh. (2004). *Issues of Intellectual Property Rights*, Isha Books, New Delhi.

to deal with intellectual property strategies and practices, but all require a fair framework that supports innovation while addressing moral concerns and maintaining cultural equities.

(C) Comparison of different approaches to IPRs and their impact on sustainable development

As we compare various methodologies with intellectual property rights and their impact on sustainable development, it is obvious that a balance should be struck between safeguarding innovation and promoting viable dissemination of knowledge. The conventional method of granting exclusive rights to innovators through patents and copyrights has been criticized for frustrating access to fundamental technologies, especially in healthcare. Through collaboration and sharing of intellectual property, open innovation has gained respect for its capacity to cultivate innovation and improve access to knowledge. There have been concerns raised about the viability of open innovation in boosting research and development, particularly in critical situations. Considering the advantages and disadvantages of both methodologies, a half-and-half model that combines selectiveness and open collaboration might offer a more balanced, sustainable approach. Perceiving the value of IPRs in promoting innovation and ensuring access to fundamental technologies in order to improve society and achieve sustainable development goals is one of these factors.⁸

Among the United Nations Sustainable Development Goals (SDGs), Objective 9 emphasizes the need for countries to develop strong frameworks, promote comprehensive and sustainable industrialization, and cultivate innovation. The protection of intellectual property rights (IPRs) contributes significantly to the achievement of these goals by boosting innovation, creativity, and technological advancement. Promoting and securing IPRs can energize research and development, resulting in innovative inventions, technologies, and knowledge. These advances can contribute to the development of sustainable businesses and foundations. Further, IPRs facilitate the exchange and dissemination of technology, which allows developing countries to gain access to and benefit from technological advancements that can drive economic growth. IPR recognition and consideration can help countries cultivate a conducive environment for innovation, which is essential for achieving sustainable development goals such as economic growth, job creation, and environmental sustainability.

⁸ H. Chesbrough and W. Vanhaverbeke. (2006). *Open Innovation: Researching A New Paradigm*, Oxford University Press. Retrieved September 3, 2023, from https://www.researchgate.net/publication/232957368_Open_Innovation_Researching_A_New_Paradigm

V. CHALLENGES AND SOLUTIONS

Despite the likely advantages of intellectual property rights (IPRs) in achieving sustainable development goals (SDGs), there are a few difficulties to address. Firstly, the complexity of IPRs and their enforcement can prevent access to basic labour and products, especially in low-paying countries. Due to patents and trademarks, the capacity of distraught populations to profit from mechanical advancements is limited. Furthermore, there is concern over the potential mistreatment and abuse of IPRs by monopolistic substances, which can stifle innovation and hinder the dissemination of knowledge. Furthermore, lack of awareness and comprehension of IPR among policymakers and partners represents a huge challenge in executing powerful techniques that balance the needs of right holders and society at large. Different arrangements can be explored to address these difficulties. Promotion of technology transfer and authorizing arrangements that facilitate knowledge and technology diffusion to developing countries are included in these initiatives. Limit building and awareness campaigns aimed at policymakers, innovators, and the general public can also improve understanding and cultivate the adoption of IPR strategies that promote innovation and openness.

(A) Discussion of the specific challenges that arise in integrating IPRs with SDGs

The article discusses the central questions that need to be addressed in order to effectively utilize intellectual property rights (IPRs) as an instrument for achieving sustainable development goals (SDGs). The likely clash between IPRs and the standards of availability and reasonableness, which are critical to achieving the SDGs, is a significant problem. In developing countries, IPRs can hinder the spread of technology, knowledge, and innovation vital to achieving the SDGs.

The issue of balancing the rights of intellectual property owners with the public interest and the requirement for mechanical exchange also becomes pivotal. It requires a favourable strategy and legitimate framework that encourages innovation and ensures that its advantages are shared equally and contribute to comprehensive growth. Additionally, the shifting structures of IPRs in various areas represent a test in coordinating IPRs within the various SDGs. Bringing together different partners, including policymakers, scholars, common society associations, and the confidential sector, is necessary to address these challenges and expand the capabilities of IPRs.

(B) Examination of possible solutions and strategies to overcome these challenges

In order to achieve sustainable development goals, intellectual property rights (IPRs) must be successfully implemented. The promotion of technology transfer and knowledge sharing between developing countries is one proposed procedure. The innovative hole between countries can be bridged through worldwide participation arrangements and associations.

Furthermore, executing limit-building projects can support individuals and associations in developing countries in understanding and utilizing IPRs. The enforcement of IPRs must also be strengthened through tighter regulation and competent legal frameworks.⁹ Additionally, it is important to strike a balance between IPR protection and access to basic products and labour, especially in the healthcare and agriculture sectors.¹⁰ Collaboration between policymakers, scholastics, and partners is crucial in developing thorough arrangements. By addressing these difficulties, we can hinder the ability of IPRs to cultivate innovation, economic growth, and sustainable development around the world.

(C) Exploration of potential reforms and policy recommendations to optimize IPRs for sustainable development

An investigation of expected changes and strategies to upgrade Intellectual Property Rights (IPRs) for sustainable development is crucial to addressing arising difficulties and utilizing IPRs in their maximum capacity for economic, social, and environmental sustainability. An alternative is to support the adoption of adaptable IPR systems that guarantee that public interests, like access to fundamental prescriptions and clean technologies, won't be compromised. By implementing necessary authorizing arrangements or encouraging the use of intentional permitting arrangements, this can be accomplished. The harmonization of public IPR regulations and the establishment of peaceful accords can assist in levelling the playing field for developing countries, allowing them to use IPRs for technology advancement, innovation, and modern development. In addition, proposals ought to emphasize enhancing global collaboration and limiting working in order to facilitate technology exchange and knowledge sharing. It may include giving developing countries monetary and specialized assistance to improve their ability to enforce intellectual property rights.

VI. CONCLUSION

(A) Summary of key findings and arguments presented in the Research Article

Essentially, this research article outlines key discoveries and contentions regarding intellectual property rights (IPRs) and the achievement of sustainable development goals (SDGs). IPRs have a profound effect on different aspects of sustainable development, including innovation, technology transfer, economic growth, and environmental preservation. In this article, the

⁹ S. Planes Satorra and C. Paunov. (2017). *Inclusive Innovation Policies: Lessons from International Case Studies*, OECD Publishing. Retrieved September 5, 2023, from https://www.researchgate.net/publication/319077985_Inclusive_Innovation_Policies_Lessons_from_International_Case_Studies

¹⁰ Aplin, Tanya & Davis. Jennifer. (2009). *Intellectual Property Rights Law*, Oxford University Press, New York. Retrieved September 5, 2023, from <https://www.pbookshop.com/media/filetype/s/p/1377429159.pdf>

author emphasizes the positive relationship between solid IPR systems and the promotion of innovation and knowledge sharing, which therefore promote economic development and address cultural challenges. Moreover, the article tends to worry about the possible negative ramifications of IPRs, particularly for developing countries, by emphasizing the need for a balance between safeguarding intellectual property while guaranteeing access to basic labour and products. The research clarifies the need for viable intercessions and worldwide participation to promote innovation while promoting even-handed access to technologies and knowledge to achieve sustainability. Generally speaking, the discoveries and contentions presented in this research article provide important insights into the mind-boggling connection between IPRs and Sustainable Development Goals, which will aid in settling on and making informed decisions regarding sustainable development strategies.

(B) Reflection on the importance of IPRs in achieving SDGs

Ultimately, it is clear that intellectual property rights (IPRs) contribute significantly to achieving the Sustainable Development Goals (SDGs). IP rights contribute to economic growth, innovation, and mechanical advancement, which are fundamental components of sustainable development. In return for granting creators and innovators exclusive rights over their inventions or imaginative works, they are compensated and protected to ensure the success of their endeavours. Therefore, this inspires interest in research and development and facilitates the development of new technologies and arrangements to address challenges framed in the Sustainable Development Goals.¹¹ In addition, IPRs facilitate the exchange of technology and knowledge, particularly in developing countries, through permitting arrangements and organizations. Securing and promoting IPRs can help countries create an environment conducive to innovation, sustainable development, and the achievement of the Sustainable Development Goals. It is vital, however, to strike a balance between safeguarding IP and ensuring everyone has access to basic labour and products, especially in healthcare and agriculture. In addressing these concerns, IPRs can contribute to the achievement of the SDGs, promoting sustainable development, and improving the lives of individuals around the world.

(C) Call to action for policymakers, businesses, and individuals to prioritize and utilize IPRs for sustainable development.

Intellectual property rights (IPRs) play a critical role in achieving support-capable development goals. It is important that policymakers, businesses, and individuals recognize the importance of safeguarding and using IPRs to stimulate innovation, creativity, and economic growth. To

¹¹ Bhandari, M.K. (2012). *Law Relating To Intellectual Property Rights*, Central Law Publications, Allahabad.

guarantee the compelling use of IPRs, policymakers should create and authorize strong intellectual property frameworks and regulations. In this way, businesses will be compelled to invest in research and development, thereby encouraging innovation and mechanical advancements. In addition, businesses need to understand the value of intellectual property and protect their innovations, inventions, and brands. By doing so, they can establish an environment that supports creativity and fosters innovation, eventually contributing to sustainable development. Moreover, individuals must also understand the importance of IPRs and support businesses and policymakers who promote and protect them. In general, focusing on and using IPRs will allow for a sustainable future that uses innovation and creativity to address global challenges and meet sustainability goals.

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