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# Intellectual Property: Bridging Gaps, Fostering Innovation, And Empowering Communities

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## ABSTRACT

*Intellectual property (IP) plays a crucial role in the present information-driven economy. IP Laws stands at a pedestrian, promoting creativity, innovation, and economic prosperity. Nonetheless, IP rights are often scrutinized for their accessibility and diversity-harming consequences. The fundamental goal of intellectual property laws is to encourage artists, innovators, and inventors to make their goods better and share them with society so that everyone may profit. By granting monetary rights to intellectual creations, these statutes aim to encourage a spirit of innovation and the free flow of knowledge.*

*Intellectual Property Rights (IPRs) mainly aim to solve several development-related concerns. Examples of such issues include promoting sustainable development efforts, expanding educational opportunities, lowering poverty rates, and boosting economic growth. Ensuring that underprivileged communities have access to healthcare and medications is also important. This research aims to learn if and how intellectual property laws might help reduce global inequality, empower underrepresented groups, and encourage innovation.*

**Keywords:** *Intellectual property, Inclusivity, Empowerment, Knowledge, Innovation.*

## I. INTRODUCTION

Intellectual property encompasses intangible assets owned by persons or organizations and not of a physical character. Intellectual property comprises several classifications, such as copyright, trademarks, patents, and other manifestations. Intellectual property infringement refers to the unauthorized use of an asset by a party that lacks the authority to do so.

The market assigns significant value to intellectual property due to its association with the knowledge-based economy. While intellectual property is classified as an intangible asset, its value can often surpass physical assets. Intellectual property infringement occurs when unauthorized individuals or entities use protected intellectual property without proper authorization. The intellectual property in question is afforded legal protection, such that

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unauthorized usage by individuals or entities without proper consent or permission may result in penalties ranging from monetary fines to incarceration.

Nevertheless, the individual responsible for creating a work is considered its rightful proprietor. When the work is produced by an employee within the scope of their employment, the employer assumes ownership of the intellectual property. In the contemporary era, intellectual property serves various purposes, including marketing and branding, enabling brand value within the market. Human beings are considered to be superior to other creatures due to their possession of intellectual capabilities.

The inherent creative capacity of human beings gives rise to intellectual property, which, when effectively harnessed, can generate substantial wealth. Intellectual property is fundamentally a product of the human intellect and is used to encompass various forms of intangible creations. Common forms of intellectual property include inventions, industrial designs, artistic works, and symbols utilized for commercial promotion. According to the World Trade Organization and the World Intellectual Property Organization, supporting any human endeavor to advance society's social, economic, and cultural development is imperative. In order to appropriately acknowledge the efforts of creators, legal protection should be granted to safeguard their intellectual creations.<sup>2</sup>

## **II. ANALYSIS**

### **(A) Inclusivity of IP Laws and Women Empowerment through the Lens of Intellectual Property Rights.**

Many innovations fall under intellectual property, which promotes worldwide innovation and creativity. Human ingenuity and invention drive development. Over the centuries, men and women have used their creativity to shape human civilization. Note that certain ethnicities are underrepresented in IP applications. Contemporary society needs diverse abilities to address some of its most pressing issues, but people's creative capacity is often disregarded. The Intellectual Property and Gender Action Plan (IPGAP) is the first initiative of the World Intellectual Property Organization (WIPO) to safeguard the intellectual property rights of women and promote their innovative and resourceful contributions to societal advancement. WIPO established the Intellectual Property and Gender Action Plan (IPGAP) to enhance women's involvement in intellectual property and innovation.

Raising public consciousness regarding the economic advantages of encouraging women's

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<sup>2</sup> World Intellectual Property Report 2022: The direction of innovation. Geneva: WIPO, (2022).

involvement in creative and innovative pursuits is the objective of IPGAP. The objective is to furnish governments and stakeholders with relevant information and policy instruments in order to enhance domestic circumstances that advance the welfare of women and girls. The primary aim of IPGAP is to implement strategies that effectively promote the use of intellectual property by women in their entrepreneurial endeavors in a quantifiable way.

Protecting intellectual property rights is essential for reinstating proprietors' and content creators' financial motivation to develop and produce by granting them exclusive control over their works. This holds tremendous significance for women. There is a strong statistical correlation between the strength of intellectual property (IP) rights and the level of gender equality, as indicated by the evidence. The level of women's workforce participation plays a crucial role in shaping leadership and the ability to bring about meaningful transformations. Applying and protecting property rights can help foster the development of female entrepreneurs. This allows them to obtain financial support, participate in conversations about accessing the intellectual property rights (IPRs) of others, and openly share their innovative ideas. Intellectual property laws must recognize and protect women's innovations and traditional and indigenous knowledge. Enforcement of property rights empowers people and women. These advantages let people safeguard and benefit from their creativity. The protection of these important cultural assets, cultural knowledge, and traditional behaviors depends on intellectual property rights. Intellectual property rights help preserve cultural contributions. These rights protect historical objects and provide economic possibilities.

### **(B) Intellectual Property Rights Law: Bridging the global divide.**

Safeguarding creative assets can play a crucial role in narrowing the divide between more advanced nations and those still developing, as it enables the free flow of knowledge and the dissemination of innovative concepts. Emerging countries gain access to valuable technical information through global agreements like the Trade-Related Aspects of Intellectual Property Rights (TRIPS). This has enabled them to steer clear of economic stagnation and expedite their progress. Furthermore, safeguarding property rights encourages cooperation between developed and developing nations.

Encouraging the technology licensing and transfer process promotes alliances that may tackle significant difficulties in agriculture, renewable energy, and healthcare. The process of distributing patented pharmaceutical innovations has been crucial in making inexpensive medications accessible in poor nations and improving healthcare results. Contrary to the prevailing assumption, it is contended that intellectual property can foster innovation. The

guarantee of limited access provided by intellectual property rights incentivizes people and organizations to dedicate resources to research and development. Consequently, this fosters the proliferation of information and the development of novel technology. Intellectual property rights are essential for fostering an environment that supports innovation and enables the monetization of new ideas.<sup>3</sup>

This is achieved by granting exclusive rights to innovators, creators, and inventors, incentivizing their continued contributions to intellectual creation. Moreover, preserving scholarly resources ensures that creators can profit monetarily from their innovations, encouraging increased investment in the field of invention.

Individuals are assisted, and a flourishing impact of creativity is stimulated, which benefits society. Renewable energy patents have played a vital role in advancing global efforts to mitigate climate change and fostering the development of environmentally favorable solutions. Individual and community empowerment fosters individual and collective growth and development. Individuals and communities can acquire knowledge and abilities if the necessary tools, resources, and opportunities are provided. Intellectual property protection empowers individuals and communities by allowing them to protect and commercialize their creative and innovative ideas.

Collaborative practices like open-source software, Creative Commons licenses, and patent pools foster inclusivity and innovation by facilitating the sharing and expansion of existing knowledge. Moreover, in the context of public health crises, instituting alternative intellectual property frameworks, such as patent pools or compulsory licensing for essential medications, may improve the availability and affordability of these medications. By actively utilizing intellectual property, low-income communities can participate in global cultural and commercial markets as creators instead of passively receiving or guarding traditional knowledge.

Light Years IP has assisted Ethiopian coffee producers in obtaining control over their coffee brands and distribution through a trademark and licensing initiative. With the aid of trademark attorneys, coffee producers registered trademarks and authorized distributors in every significant market country. This increased the negotiating leverage of the Ethiopian coffee export sector. As a result, the annual export revenue increased from \$100 million in 2007 to

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<sup>3</sup> Innovation and Intellectual Property, (WIPO, 2017) [https://www.wipo.int/ip-outreach/en/ipday/2017/innovation\\_and\\_intellectual\\_property.html](https://www.wipo.int/ip-outreach/en/ipday/2017/innovation_and_intellectual_property.html).

over \$201 million in 2008, as did the income of both producers and exporters.<sup>4</sup>

The utilization of such systems can have a significant impact on ensuring equitable access to life-saving technologies and enhancing the general welfare of individuals through strategic implementation.

### **(C) Future of Intellectual Property Laws**

The future of intellectual property laws is a topic of great interest and speculation. As technology advances rapidly, the need for robust and adaptable legal frameworks to protect intellectual property becomes increasingly important.

The difficulty in adequately managing the behavior of artificial intelligence means that its effects might range from beneficial to devastating. Establishing a comprehensive road map that illustrates the possible impacts of AI on people's lives and technical development is crucial for the near future. Blockchain is a technical advancement that might drastically alter the financial system throughout the world. Technology's potential for efficient monitoring and management of digital assets may help pave the way for new approaches to registering IPR.<sup>5</sup>

The Internet of Things (IoT) refers to the network of interconnected computing and sensing devices in the home and beyond. This link generates massive amounts of information. Due to the elevated level of connectivity, new and exciting developments are expected to emerge. However, it is crucial to safeguard these innovations against theft or misuse. In India's pursuit of becoming a digital-first economy, implementing IP protection measures is of the utmost importance, as it ensures the preservation of creativity and innovation. Combining a policy framework to protect against cyber risks and a robust legal framework for intellectual property rights (IPR) protection can effectively secure India's intellectual property while encouraging innovation and creativity.<sup>6</sup>

## **III. CONCLUSION**

The proficient usage of intellectual property possesses the potential to foster inclusivity and empowerment. Intellectual property (IP) protection possesses the capacity to facilitate social and economic advancement through the mitigation of global disparities, promotion of innovation, and engagement of individuals and networks.

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<sup>4</sup> Making the Origin Count: Two Coffees Pie' (WIPO, September 2007) [https://www.wipo.int/wipo\\_magazine/en/2007/05/article\\_0001.html](https://www.wipo.int/wipo_magazine/en/2007/05/article_0001.html).

<sup>5</sup> Christophe van Zyl, The Future of IP: The More Things Change, the More They Stay the Same? (2016) 8(5) *Landslide* of the American Bar Association.

<sup>6</sup> Nižetić and others, Internet of Things (IoT): Opportunities, issues and challenges towards a smart and sustainable future in *Journal of cleaner production*, (2020) 274 (122877), <https://doi.org/10.1016/j.jclepro.2020.122877>.

***“Empowerment for the poor will enter their learning how to control and market their own knowledge products.”<sup>7</sup>***

Enhancing and refining the current legal framework is imperative to adequately confront the complexities associated with intellectual property law. Nevertheless, it is crucial to consider the potential insights that can be gleaned from instances of success. The consideration of effective methods for disseminating knowledge pertaining to intellectual property law and strategies to broader communities is crucial in facilitating their active participation in the market.<sup>8</sup> The utilization of intellectual property within larger communities can substantially influence equitable global transactions, safeguarding fundamental human rights such as attaining a satisfactory standard of living, and facilitating individuals' engagement in cultural pursuits.

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<sup>7</sup> Madhavi Sunder, *From Goods to a Good Life: Intellectual Property and Global Justice* (2012)

<sup>8</sup> SUNDER, M. (2012). *From Goods to a Good Life: Intellectual Property and Global Justice*. Yale University Press. <http://www.jstor.org/stable/j.ctt5vm7w8>

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