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# Women & IP: A New Vista

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## ABSTRACT

*World Intellectual Property Day is being celebrated on 26th April of every year. This Year, 26th April, 2023, the World Intellectual Property is being celebrated on the theme of 'Women and IP: Accelerating Innovation and Creativity'. This theme has been announced by the World Intellectual Property Organization with the aim of increasing women's participation in Intellectual Property [hereinafter referred to as 'IP'] eco-system. This is to honour and encourage the "can do" mentality of female innovators, artists, and entrepreneurs worldwide and their ground-breaking achievements. The theme undertaken by the World Intellectual Property Organisation (hereinafter referred to as 'WIPO') is the most contemporary one as women outnumber men and excel well in all spheres of human life. It is a progressive step by the womenfolk from Women Empowerment to Women Entrepreneurship; from woman as an individual to an inventor; from woman as a caretaker to creator. Though women constitute half of the population, the ratio of Woman as an inventor, creator and entrepreneur is relatively low when compared with the Men. It is in this background that WIPO has taken the initiative to create awareness among the womenfolk and to accelerate innovation and creativity among the women community. Hence, in this paper, a modest attempt has been made to explore the measures to be taken to increase the contribution by the womenfolk towards IP.*

**Keywords:** Intellectual Property, Invention, Innovation, Creativity, Empowerment, Entrepreneurship.

## I. INTRODUCTION

Right from womb, woman faced discrimination everywhere. The field of intellectual property is also not an exception to it. Though women have come forward and excel in many fields at present, the success of the women at times is eclipsed and enjoyed by her male partner. When Sybilla Masters founded a new way of turning corn into cornmeal, her patent was awarded to her husband Thomas instead of hers<sup>2</sup>. Women had invented many inventions in the past but it has been distorted in the history that only men have invented those inventions. Creative and artistic domains are also dominated by men. Most of the fields associated with the IP are

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<sup>2</sup> Sybilla Masters (2017) History of American Women. Available at: <https://www.womenhistoryblog.com/2008/08/sybilla-masters.html> (Accessed: 06 June 2023).

dominated by men. According to the United Nations Report highlighting the participation of women in the Entertainment industry, only 7 percent of the world's film directors are female; similarly, only 20 percent of women are screenwriters<sup>3</sup>. This substantially highlights the underrepresentation of women in the copyright regime. Patent applications are an important benchmark for measuring innovative activity in the global economy. Though Intellectual Property Office in India offers 80 percent fee reduction to start-ups and women entrepreneurs, only 16% of patent applications filed through WIPO's Patent Cooperation Treaty (PCT) are from women, as per WIPO Report<sup>4</sup>. Meagre number of female patent applicants in the country is due to miniscule number of women taking up science courses and entering the field.

## **II. CONTRIBUTION BY GOVT. OF INDIA FOR THE UPLIFTMENT OF WOMEN IN THE FIELD OF IP**

In order to encourage the women community, the Government of India's Department of Science and Technology is operating several schemes with the aim to bring gender parity in science. Knowledge Involvement in Research Advancement through Nurturing (KIRAN) is designed to provide an integrated enabling and supportive framework for gender mainstreaming of women in science, technology and innovation. It has many women-centric programmes, including the Woman Scientists Scheme (especially for women taking a 'break in their careers' arising out of motherhood and family responsibilities); the Consolidation of University Research for Innovation and Excellence (CURIE) scheme to improve the R&D infrastructure of women universities; and the Technology Development and Utilization programme for Women (TDUPW) which is relevant to technology development and utilization by women.

## **III. CONTRIBUTION BY WIPO**

WIPO also on its part is taking so many measures for uplifting the status of woman as an entrepreneur and inventor. For instance, WIPO Guidelines for Producing Gender Analysis, 2022 is designed to help governments and researchers achieve a more equitable gender balance with respect to IP and innovation when undertaking research and designing related policies<sup>5</sup>. WIPO Gender Action Plan aims at supporting governments in integrating a gender perspective into IP legislation, policies, programs, and projects; leading research to identify the scope and nature of the gender gap in IP and ways to close the gap; and piloting new gender-oriented

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<sup>3</sup> Where are The Women Directors? Report on gender equality for directors in the European film industry, 2006-2013, published by European Women's Audiovisual Network, available at [https://www.ewawomen.com/wp-content/uploads/2018/09/Complete-report\\_compressed.pdf](https://www.ewawomen.com/wp-content/uploads/2018/09/Complete-report_compressed.pdf), accessed on 30-03-2023.

<sup>4</sup> Aikaterini Kanellia and Lisa Jorgenson, 'Together We Can: Approaches to Empowering Women in IP', WIPO Magazine, available at [https://www.wipo.int/wipo\\_magazine\\_digital/en/2023/article\\_0005.html](https://www.wipo.int/wipo_magazine_digital/en/2023/article_0005.html)

<sup>5</sup> *ibid*

projects and initiatives to enhance the IP knowledge and skills of women and the institutions that support them<sup>6</sup>. The WIPO Academy offers free courses, including distance-learning programs, to help the woman to navigate the IP system. Similarly, patent application submitted by a woman may be examined at an accelerated pace by the Indian Patent Office, if requested.

#### IV. INVENTIONS BY WOMEN

Though the inventive world boasts of the male inventors, there are many female inventors who are all ignored and sidelined in the history. One cannot forget the Windshield wiper patented by Mary Anderson and frequency hopping technology patented by Hedy Lamarr which laid the groundwork for Bluetooth and WiFi technology. Similarly, the pioneer and path-breaking inventions like Theory of Radioactivity by Marie Curie, Telecommunication research by Dr. Shirley Jackson, The ice cream maker by Nancy Jhonson, The first 100% solar powered house by Maria Telkes, Stem cell isolation by Ann Tsukamoto, Computer programming by Grace Hopper, Monopoly by Elizabeth 'Lizzie' Magie, DNA double helix by Rosalind Franklin, The life raft by Maria Beasley, Kevlar by Stephanie Kwolek are standing testimonies for the women achievements in the field of IP<sup>7</sup>.

##### (A) Barriers to Women's Creativity

Removing the barriers to women's creativity and helping to nurture their innovative ideas is the first step towards innovation and creativity. Women need opportunities to innovate. They need education, finances, time and most of all inspiration. 2017 Report on Gender Equality found that the number of women in the science, technology and innovation fields was low in the world's leading economies. Under-representation of women in science, technology, engineering and mathematics education have to be drastically improved<sup>8</sup>. Further, women in scientific fields are more likely to work in an established organizational structure rather than as independent entrepreneurs. Thus, even if it were a female employee who made the invention, it is likely that the company where she works will be the patent applicant. This should be changed. These areas are critical to participation in the innovation economy. However, women are under-represented in these fields globally.

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<sup>6</sup> WIPO Intellectual Property (IP) and Gender Action Plan: The Role of IP in Support of Women and Girls

<sup>7</sup> Mellionard, 'Top 101 Female Inventions that Changed the World & Women's Innovation History,' available at <https://www.cadcrowd.com/blog/top-101-female-inventions-that-changed-the-world-womens-innovation-history>

<sup>8</sup> UNESCO research shows women career scientists still face gender bias (no date) UNESCO.org. Available at: <https://www.unesco.org/en/articles/unesco-research-shows-women-career-scientists-still-face-gender-bias> (Accessed: 06 June 2023).

**V. CONCLUDING REMARKS**

Obstacles in the path of empowerment of women as an entrepreneur, creator and innovator should be annihilated. There should an attitudinal change in the mindset of the people. Every man should contribute, encourage and pave way for the economic empowerment of women. Further, woman is known as Sakthi. That Sakthi is available within the woman. Therefore, the woman should come up removing all the bottlenecks as in the case of all fields. Empowerment is not something which is available outside. It is within herself. It is in her hand to make the make the world of IP with ample number of innovations, inventions and ingenuity. Therefore, let's all together strive towards gender parity in IP and unleash the ingenuity and creativity of women and girls everywhere.

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