Importance of Intellectual Property Rights

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Background
God gifted a wonderful thing called Brain to Man and Mother Nature endowed him with the abundant physical and biological resources on the earth. Man started creating his own world by application of his brain or mind and by utilization of these natural resources. Man has also been bestowed with imagination and creativity. With his imagination and creativity, he has been producing various articles or products for his needs, comfort and convenience. In the earlier era, the creations and inventions by him fell in a public domain. These were the common properties. Anybody could use and copy these creations and inventions without any restriction, reservation or payment. However, with the passage of time, the importance and value of these creations was realized. The commercial aspect started playing a significant roll in these creations. By end of Twentieth Century, the things created and invented by the human mind were recognized as an intellectual property of the owner. The owner's right over these properties was accepted and is known as an Intellectual Property Right (commonly called I.P.R.). A new set of laws called Intellectual Property Right Laws, were enacted to protect these property rights. These I.P.R. laws provided a protection to the owners under different categories and names like Patents, Industrial designs, Copyrights, Trade-Marks etc.
Why Intellectual Property Rights?

The intellectual property rights were essentially recognized and accepted all over the world due to some very important reasons. Some of the reasons for accepting these rights are:-

a. To provide incentive to the individual for new creations.
b. Providing due recognition to the creators and inventors.
c. Ensuring material reward for intellectual property.
d. Ensuring the availability of the genuine and original products

Kinds of Intellectual Property Rights

The knowledge of intellectual property rights is must to a common man. A common man everywhere and every time come across the things created, invented, discovered and produced by some human mind. A design of a house, the material used in a house, its furnishings like a carpet, sofa, fridge, television, telephone, paintings, photographs, wall clock; the articles of daily use like a pens, books, the newspapers, tissue papers, shoes etc; the things that are worn by him like Jeans, T-shirts, trousers, hats ties, shoes etc; the items of conveyance like cycles, cars, bikes etc...The list is endless! Almost all the things that surround a common man are one way or other, property intellectual properties of some one. Somebody has spent his time, money and energy to invent and create them. Therefore, these all common things are intellectual property of someone and are protected by law. These items of intellectual properties can be classified into two main categories:-

a. Industrial Property items
b. Copyright and related rights items.

The industrial properties items include all sort of inventions, trade marks, industrial designs, and geographic indicators of source. The copyrights and related
rights items include all literary works which range from articles, newspaper items, novels, story books, poetry books etc... The drawings, photographs, paintings, architectural design, music, dance, films and artistic performances.

The industrial property items are found all around us. All inventions are covered under this category. An invention has been defined as a process or a product which provides a new way of doing some thing or provides a new solution to a problem. Inventions are protected by the Patents. The owner of inventions can get his invention registered under a Patent. A Patent is granted for a period of 20 years from the date of filing the application of patent. After this period the invention is available to all for commercial exploitation and it becomes a public property.

Some of the products we use in daily life are protected by Trade-mark laws. A Trade-mark can be patented like invention and industrial designs. The trade mark can be combination of words, letters, numbers, drawings, images, symbols, and even sounds. The trade marks not only protect the owner rights but also required for consumer to have confidence in the product purchase by him. The reputation and the quality are also associated with trade-marks. The trade-marks are generally registered for seven years but they can be renewing indefinitely by applying again and paying the required fee.

A design is the aesthetic or the ornamental aspect of an article. The design can be two-dimensional like patterns, lines or colors. They can be three-dimensional like surface or shape of an article. These designs are made to look things attractive and beautiful. They also have the commercial value. Due to these reasons, the industrial design is protected. One has to register this design against limitation and un-authorized copying. The protection is provided for five years and it can be renew for fifteen years.
Some of the products we use have association with geographical indicators of source. The things like Basmati rice of Dehradun, Champagne of France, Darjeeling tea etc. are the product which can be protected by laws and international agreements because they are the geographical indicators of source.

The Copyrights are provided for items like literary, musical, artistic works like songs, musical scores, poetry, paintings, sculpture, films, architecture, maps, technical drawings; computer programs, data base etc are provided to the creators. Copyrights provide exclusive right to the creator to use or authorized other to use their workers. The reproduction in various forms, copying, printing, recording, public performance or adaptation are prohibited. This right provides economic right to the creator that is the financial benefit for a lasting period of fifty years after the creator's death.

A common man comes across literary, artistic, musical works in his daily life. The literary works include novels, short stories, screen play, nonfiction works, newspapers, history, biography, magazine, articles, encyclopedias; dictionaries, computer programs, data bases, and others published works. The artistic works which are important to a common man include paintings, drawings, lithograph, etching, photographs, sculpture, films, videotapes, videodisk etc. The musical works include songs, lyrics, recorded on a compact disk, broadcasted on radio or performed in public are covered 100 years copy rights. The architectural works includes the designs, drawing and plans. The furniture is protected under industrial design whereas toys are protected under industrial design and copy frights. Even the traditional craft items like hand- woven articles like carpets, cotton bed covers can also be registered for protection as an Industrial design. The protection of indigenous and traditional knowledge, folklore, culture and innovations are the some of the latest entries in the field of intellectual properties rights.
**Conclusion**

A common man comes across intellectual properties from dawn to dusk. The goods having a very wide spectrum and associated with food, shelter and clothes; the things of necessity, comfort and luxury. From waking up from a Gautier bed, using a comfortable Sleepwell mattress and pillows, having a cup of Taj Mahal Tea, then wearing a Nike track suit and shoes for a morning walk, he deals with these properties. A Modern Bread or Mother Dairy Milk or a cup of Nescafe at the breakfast, going in a Zen car to the office, using a Compaq computer and coming back in a car. In the evening, watching Sony Television and fixing alarm in his/her Swatch watch to wake-up in the morning, he uses the products which are intellectual properties of some one. These properties have been covered under a patent or a copy right or a trade mark. Since a common man's life is very closely linked with articles and products which are protected by law under intellectual rights. The copying, imitation, adaptation, and un-authorized reproduction of these things, without the permission of the owner, may amount to a serious offence. Therefore, the knowledge about intellectual property right is must for a common man.