

## INTELLECTUAL PROPERTY RIGHTS IN INDIA

### **REGISTRATION, PROTECTION & ENFORCEMENT**

The term “Intellectual Property (IP) Rights” includes variety of intangible / specific legal rights which the authors, inventors and other IP holders may hold and exercise in relation to their intellectual creations. The idea behind the conferment of these rights is the commercial exploitation of products of the mind or the intellect by or for the benefits of their creator / inventor to exclusion of all others for a certain period.

The intellectual property plays a momentous role in furtherance of economic interests of its holder and to a large extent of the country as well. And in this era of economic revolution and globalization when new type of inventions and discoveries are being made every day, it has become crucial for the persons creating / inventing / developing such thing to safeguard their legal and commercial interest arising / accruing through such creation of mind. There are number of studies revealing the instances of rapid increase in the piracy of Intellectual Properties. Thus appropriate measures must be taken to prevent any untoward piracy of the prized intellectual property of the creator. In short, the need for taking suitable measures to protect the intangible property is indispensable today.

At global level, the term Intellectual Property Rights covers various rights, such as the **Trade Mark, Patent, Copy Right, Design, Geographical Indication, Plant Varieties, Trade Secret, Semi-Conductor**, etc.

India being a signatory to the prominent international conventions on reorganization, enforcement and protection of such intangible rights, from time to time keeps on amending and updating its national legal provisions. At present, the relevant IPRs can be registered, enforced as well as protected, under the following heads –

- 1. The Trade Mark Act, 1999;**
- 2. The Patent Act, 1970;**
- 3. The Copyright Act, 1957;**
- 4. The Designs Act, 2000;**
- 5. The Geographical Indications of Goods (Registration & Protection) Act, 1999.**

These provisions afford similar / equivalent protection term, civil / criminal remedies and variety of other benefits matching to international levels and have a complete set of rules and regulations governing formalities and procedure of registration, fee etc.