

## Awareness of IPR (Intellectual Property Rights) among the Research Scholars of Kurukshetra University Kurukshetra

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***Abstract** - With the advent of modern science and technology it is been considered to benefit those who are in actual credit takers of some sorts of tech-scientific innovations, To benefit and encourage such innovative people and firms, Intellectual Property Rights came in to existence. The term intellectual property gained his strength from a long time and much elaborated since then. The term is applied to all innovation irrespective of educational qualifications and implies to all subjects. It is not only important for the lawyers, judges, and law students but also for engineers, scientists, artists, technicians, farmers, and as well as researchers to know IP rights and register their findings. At global level, in 2018, Finland, New Zealand, Switzerland and Sweden, stands in top five in world ranking respectively. Therefore, it is necessary to check out to the mindset of Indian intellectuals, whether they aware about IPR. If they would aware about IPR than only can proceed for IPRs in future for their research findings. As the universities are hub of intellectuals therefore, current study is an insight of students as intellectuals of Kurukshetra University. It is to find out whether they are aware about IPR. To answer the question, awareness survey has been conducted by taking questionnaire.*

**Keyword:** Intellectual Property, Copyright, Patent, awareness about IPR, Research Scholar

### Introduction

It is a moral duty to protect someone's investment of mind and time and other resources to achieve a specific knowledge. The outcome of such efforts should be used under authorization of investor. It makes a moral and socio-economic sense to use under authorization. In another way it is becoming a source of earning in a respect way. The IPR is only way to make balance between public and private rights. The history of IPR is much complex and alluring; it was in 500 BCE, when a Sybaris, Greek state, made it to citizens to patent for year the "New Refinement in Luxury". Another aspect of IPR says they were created for political and religious aggression and protection. In 1556, the Stationers, monopoly it in England to limit the power of Protestant Reformation movement by putting the entire printing industry under this company. The Government and Church wanted to prevent dissemination of ideas. In real it was in 1883, under Paris Convention, inventors had given protection even if their innovations were being used in other countries. Later on WTO defined Intellectual property rights as the rights given to persons over the creations of their

minds. Such rights usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

### **Why IPR matters to India**

Intellectual property is the only way to have deep insight of nationals of any country. In today's global village concept, IPR comes with other aspects i.e. educational, commercial, and economic growth and development to any country. In 2017, US filed for 59624 patents, China for 48882 patents and Japan 48208 patents Indian is not standing anywhere among 10 too. So, it's a matter of much concern for India like big education infrastructure with hug researchers to stand up and analyze the situation. As we know the awareness plays a key role in advancement in all aspect of progress of any country, therefore, this paper has taken awareness about IPR.

### **Different types of Intellectual Property**

**Copyright and Related Rights:** Copyright covers literacy works (such as novels, poems and plays), films , music, artistic work. Eg: drawing, painting, photographs, sculptures and architectural work.

- The purpose of copyright is to ensure and reward the general benefit of authors produce work.
- To get protection from the copyright law the work must be original and fixed in a tangible form. It must be first publication an original work. In case of work published out of India, at that time author must be citizen of India.
- The protection is given literary work, artistic work, musical work, dramatic work, cinematography, architectural work, sound recording and computer program/software.

### **The term of copyright protection:**

- Work is life time of the author plus 60 years from the death of author.
- In case of multiple authors, the term is 60 years from the death of last author.
- In case of anonymous and pseudonym, the copyright term is 60 years from the date of publication.
- Copyright protection for photographs, cinematograph films and sound recordings is 60 year from the date of publication.

**Trademarks, Trade names and Service marks:** A Trademark can be a name, word, slogan, design, symbol or other unique device that identifies the product or organization.

- A trademark provides protection to the owner of the mark by ensuring the exclusive right to use it or to authorize another to use the name in return for payment.

### **Types of trademarks**

- Device
- Brand
- Label
- Ticket
- Numerals
- Symbol

- Colour
- Shape
- Letter
- Name

### Trademark Law in India

- The Indian trademark act,1940
- The trademark and merchandise act,1958
- Trademark act, 1999
- Trademark(amendment) act, 2010
- Well-known trademark and trans-border reputation
- Protection of domains names under trademark law
- Reliefs against trademark infringement and passing off
- Protection of unconventional marks
- India's accession to Madrid protocol
- Digitization of trademark registry
- Government's initiatives toward IP awareness and protection

The Term of Trademark is 10 year from the date of filling Application form.

**Geographical Indications:** A geographical indication says that a product is produced in certain place and has certain features which are due to the place of production. All producers who make their products in a place designated by the geographical indication and share the same qualities can use it.

A geographical indication is a sign used on goods that have a specific geographical origin and possess qualities or a reputation that is solely due to the place of origin.

**Industrial Designs:** An industrial design is the ornamental aspect of an article, which consist of three-dimensional features such as shape or surface or of two- dimensional features such as pattern, lines or colour. It works like a tool for product differentiation and lures customers by enhanced visual appeal. It works like an Intellectual property to be protected. Industrial designs are applied on the products of industry or handicraft like house ware, furniture, electrical appliances, vehicles and architectural structures, textiles designs, toys etc.

An industrial design is different from trademarks primarily because it is constituted by the appearance of a product, which is not necessarily distinctive.

**Patents:** A patent is an exclusive right or right granted by the government to an inventor for a limited time period in exchange for public disclosure of an invention.

A Patent is an official right given to only person to company allowed to make or sale a new product for a certain time period.

**Feature of Patent:** Novelty, invention, industrial applicable, the inventions that are not applicable are:

- Invention which is against nature law.
- Mere/ irrelevant or a infringement violence of a law.
- Mere discovery of scientific principle.
- Mere discovery of a new form of a known substance.

### Types of Patents

- Utility patent
- Plant patent
- Design patent

Term of Patent is 20 years from the date of filling for all patents.

**Layout Designs of Integrated Circuits:** A Layout design (topography) of integrated circuits is relatively new area in intellectual property, which has appeared with computer technology and has acquired importance as the technology makes rapid advances. The right in topography aims to prevent copying of the layout design but reverse engineering to come up with improved design is regarded as fair. It may also be noted that, while for claiming a patent, an inventions required to meet the criteria both of novelty and non-obviousness, a layout design is only required to be original. Protection of layout design confers no monopoly right. Independent development of a design, identical with a protected design is permitted.

**Undisclosed Information:** Undisclosed information is also a kind of intellectual property that needs to be protected under TRIPS Agreement. Earlier to it, the WIPO treaty (1967) and the Paris convention recognized unfair competition as a part of intellectual property. Unfair competition includes all acts contrary to honest practices in industrial or commercial matters; undisclosed information virtually restricts honest practices to protection of trade secrets.

### Objective of study:

1. To discuss in detail about the level of awareness of IPR.
2. To explore the attitude regarding the IPR awareness among research scholar of Kurukshetra University, Kurukshetra.
3. To explore the KUK method about the awareness of IPR.
4. To find out the role of IPR in research field.

### Research Methodology

For the purpose of collection of primary data questionnaire method was used. According to the objective of research the questionnaire was prepared and was distributed to the research scholar of Kurukshetra University, Kurukshetra under the study. Total 65 questionnaires were distributed to the respondents and 50 questionnaire received filling by the users.

### Data Analysis and Interpretation:

Table no. 1 show that 27 (54%) male respondent and 23 (46%) female respondents are aware about intellectual property right which shows that male respondent are more aware than female respondent.

Table 1: Gender Wise Awareness about IPR

Gender	Respondents	Percentages
Male	27	54
Female	23	46
<b>Total</b>	<b>50</b>	<b>100</b>

Table no. 2 shows the awareness of IPR types among the research scholar. From the above Table it can be clearly see that 26 (52%) research are aware about copyright and only 7 (14%) respondent are aware about trademark.

Table 2: Awareness on Intellectual Property Rights on the base of types

<b>Awareness</b>	<b>Respondent</b>	<b>Percentage</b>
Patent	17	34
Copyright	26	52
Trademark	7	14
<b>Total</b>	<b>50</b>	<b>100</b>

Table no.3 describes about the awareness regarding the nature of intellectual property right. Out of 50 respondent 23 (46%) research scholars are mention that intellectual property is a right and 17 (34%) research scholars says that it an ownership.

Table 3: Awareness on nature of intellectual Property Right:

<b>Nature</b>	<b>Respondent</b>	<b>Percentage</b>
Public Property	9	18
Right	23	46
Owner	17	34
None	1	2
<b>Total</b>	<b>50</b>	<b>100</b>

Table no. 4 describes about the awareness about patent .Out of 50 respondents 35(70%) respondent says that patent is a New technology and 6(12%) respondents says that patent is new technology and books both while 4(8%) respondent have no idea about the patent.

Table 4: Awareness about Patent

<b>Awareness about Patent</b>	<b>Respondent</b>	<b>Percentage</b>
New Technology	35	70
Books	5	10
All of above	6	12
No idea	4	8
<b>Total</b>	<b>50</b>	<b>100</b>

Table no. 5 describe about the awareness about copyright. Out of 50 respondent 36(72%) mentions that copyright is related to article and 4(8%) respondent mentions that copy right are related with books while 6(12%) respondents say that copyright is books, article and idea.

Table 5: Awareness of Copyright

<b>Awareness of copyright</b>	<b>Respondents</b>	<b>Percentages</b>
Article	36	72
Books	4	8
Idea	4	8
All of above	6	12
<b>Total</b>	<b>50</b>	<b>100</b>

Table no. 6 describe about the issue related to intellectual property right. Out of 50 respondent 14(28%) respondent mentions that intellectual property issue related with the

author work and 17(34%) respondents says that issue is related with both author of work and owner while 4 (8%) respondents says that there is no idea about the issue of Intellectual property right.

Table 6: Awareness about the issue related to Intellectual property Right

Issue	Respondent	Percentage
Author of work	14	28
Ownership	17	34
Both	15	30
None of above	4	8
<b>Total</b>	<b>50</b>	<b>100</b>

Table no. 7 describe about the awareness regarding the protection of intellectual property right. Out of 50 respondents 29(58%) respondent mention that they are aware about the protection to stop prevention and 15(30%) respondents mention that they are aware to save the author right.

Table 7: Awareness regarding the protection of intellectual property right

Protection	Respondent	Percentage
To stop Prevention	29	58
To save author right	15	30
To prevent infringement	6	12
<b>Total</b>	<b>50</b>	<b>100</b>

## Conclusion

This research paper was initiated to study the level of awareness regarding the intellectual property right among the research scholars of Kurukshetra University, Kurukshetra. The conclusion of this study shows that large number of respondent are no aware of intellectual property rights. However some of research scholars have little knowledge of intellectual property rights. It was also seeing that the researcher have very few knowledge of patent and copyright in their research.

## Suggestion

- Intellectual property education should be encouraged among the research Scholars of Kurukshetra University, Kurukshetra.
- To create awareness through organize seminar and workshop.
- There should be a paper of intellectual property rights at research programme.
- To provide practical knowledge of intellectual property right to the research scholar.

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