

ISSN – 2347-7075
Impact Factor– 8.141

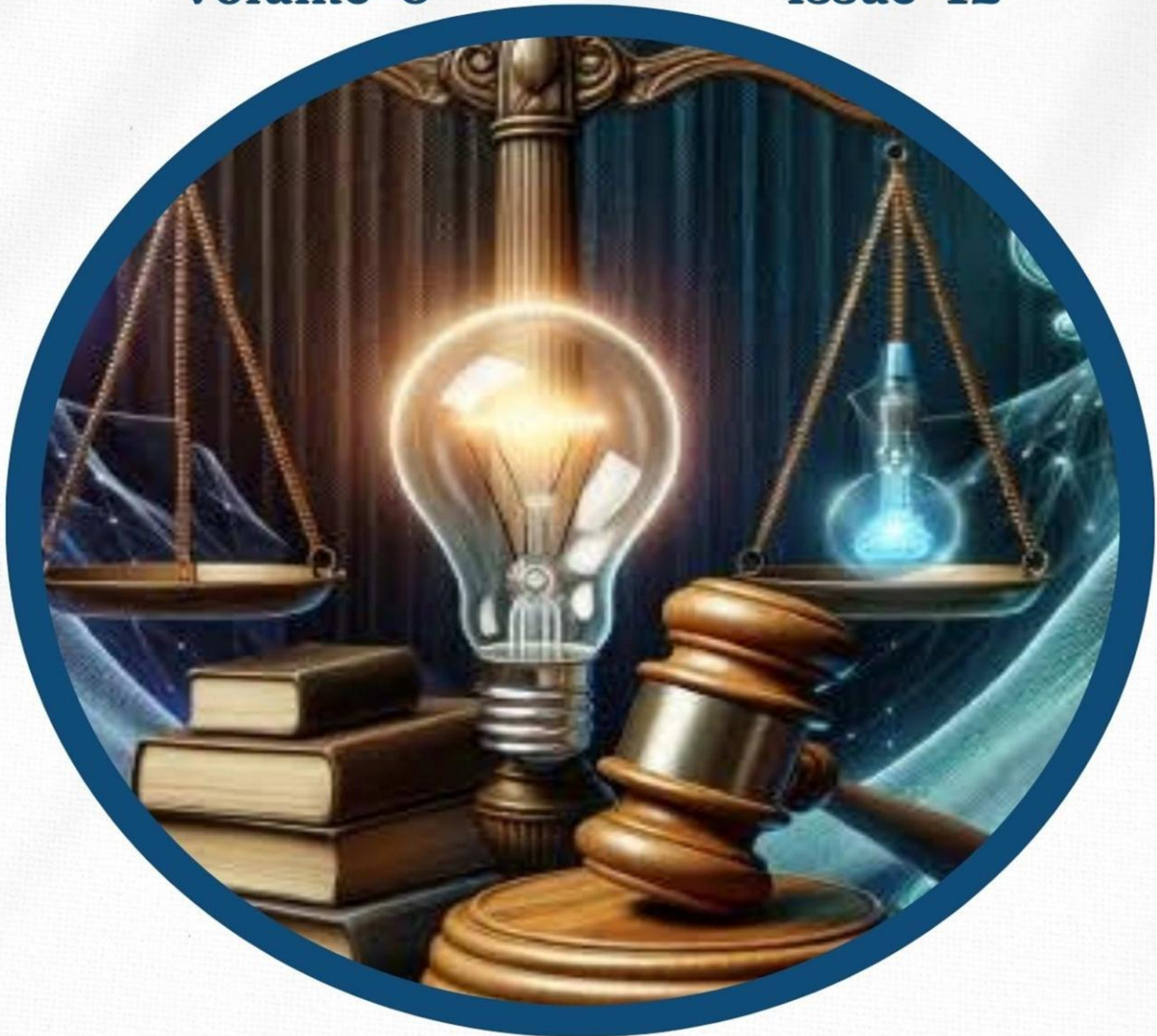
International Journal of Advance and Applied Research

Special Issue On India and Intellectual Property Rights

January- February 2025

Volume-6

Issue-12



Chief Editor (Special Issue)
Prin. Dr. Shivdas Zulal Shirsath
Dr. Indrajeet Ramdas Bhagat

International Journal of Advance and Applied Research (IJAAR)

*A Multidisciplinary International Level Referred and Peer Reviewed
Journal*

ISSN – 2347-7075

Impact Factor– 8.141

January- 2025

Volume-6

Issue-12

Part - B

Published by:

Young Researcher Association, Kolhapur, Maharashtra, India

Website: <https://ijaar.co.in>

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Regular Issue: editor@ijaar.co.in

For Publication Call On - 8624946865

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From the Editor's Desk

"Knowledge shared is knowledge multiplied, and research is the key to progress."

It is with immense pleasure that we present the **Seminar Journal of the National Seminar on "India and Intellectual Property Rights,"** organized by **Yashwantrao Chavan College, Ambajogai.** This journal is a testament to the academic rigor and intellectual curiosity of researchers across India.

We are proud to announce that we have received **80+ high-quality research papers** from distinguished academicians, scholars, and professionals from various parts of the country. These papers delve into the critical aspects of **Intellectual Property Rights (IPR),** covering themes such as patents, trademarks, copyrights, digital innovation, and the role of IPR in economic development.

I extend my heartfelt gratitude to all the contributors for their scholarly work, the reviewers for their meticulous evaluation, and the organizing team for their dedication in making this seminar and journal a success. A special thanks to **Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajnagar,** for their support and sponsorship of this academic endeavor.

May this collection of research insights serve as a valuable resource for academicians, policymakers, and entrepreneurs in shaping the future of **Intellectual Property Rights in India.**

Prin. Dr. Shivdas Shirsath
Dr. Indrajeet Ramdas Bhagat
Chief Editor (Special Issue)

Principal's Message

"Research is the foundation of progress, and innovation is the driving force of a nation's growth."

It is a matter of great pride and honor for **Yashwantrao Chavan College, Ambajogai** to host the **National Seminar on "India and Intellectual Property Rights,"** sponsored by **Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajinagar.**

The overwhelming response to this seminar, with **80+ research papers received from scholars across India,** reflects the growing importance of **Intellectual Property Rights (IPR)** in today's knowledge-driven economy. Intellectual property plays a crucial role in fostering creativity, innovation, and entrepreneurship, ultimately contributing to the development of our nation.

I sincerely appreciate the efforts of the **Department of Commerce, Library, and Innovation & Entrepreneurship Incubation Cell** for organizing this academic event. I also extend my gratitude to the esteemed resource persons, researchers, and participants for their valuable contributions.

May this seminar and its proceedings inspire further research and innovation, strengthening India's position as a global leader in intellectual property and economic growth.

Dr. Shivdas Shirsath

Principal,

Yashwantrao Chavan College,
Ambajogai

Coordinator's Message

"Intellectual growth should commence at birth and cease only at death." – Albert Einstein

It is with immense pride and joy that we present the **Seminar Journal of the National Seminar on "India and Intellectual Property Rights,"** organized by **Yashwantrao Chavan College, Ambajogai,** under the sponsorship of **Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajnagar.**

The overwhelming response, with **60+ research papers received from scholars across India,** is a testament to the growing interest in **Intellectual Property Rights (IPR)** as a key driver of innovation, entrepreneurship, and economic progress. This seminar has provided a valuable platform for academicians, researchers, and professionals to exchange ideas, discuss emerging trends, and contribute to the evolving landscape of IPR in India.

I extend my heartfelt gratitude to our **Principal, Organizing Committee, Esteemed Resource Persons, and all Participants** for their unwavering support and contributions. A special thanks to the dedicated team of reviewers and editors for ensuring the quality and integrity of this publication.

We hope that the insights and research shared in this journal will serve as a valuable resource for scholars and policymakers, inspiring future advancements in the field of **Intellectual Property Rights.**

Coordinators

Dr. Indrajeet Ramdas Bhagat

Mr. Sunil Bhosale

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INTERNATIONAL JOURNAL OF ADVANCE AND APPLIED RESEARCH
ISSN – 2347 -7075 (DOUBLE-BLIND Peer Reviewed) (Bi-Monthly Research Journal)
Vol. 6 No. 12 (Part - B)
January – February 2025
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The Role Of Intellectual Property Rights (IPR) In Digital Marketing And E-Commerce

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DOI - 10.5281/zenodo.14909630

Abstract:

The rapid growth of digital marketing and e-commerce has transformed global business landscapes, making Intellectual Property Rights (IPR) more crucial than ever. This paper explores the role of IPR in digital marketing and e-commerce, examining how trademarks, copyrights, patents, and trade secrets safeguard businesses and consumers. It discusses key legal frameworks, challenges posed by online infringement, and strategies for ensuring effective IP protection. The study highlights the importance of IPR compliance for digital marketers and e-commerce businesses in fostering innovation, brand value, and consumer trust.

Keywords: Intellectual Property Rights, Digital Marketing, E-Commerce, Trademark, Copyright, Patent, Online Infringement

Introduction:

The digital revolution has drastically changed the way businesses operate, with digital marketing and e-commerce becoming central to modern economic activities. Companies leverage digital platforms to reach global audiences, build brand presence, and generate revenue. However, this expansion has also led to increased risks related to Intellectual Property Rights (IPR) violations, including trademark infringement, copyright piracy, and unauthorized use of patented technologies.

IPR serves as a fundamental mechanism for ensuring fair competition and protecting business innovations. Trademarks help in brand recognition, copyrights safeguard creative content, patents secure technological advancements, and trade secrets protect confidential business strategies. The enforcement of these rights in

digital spaces is critical in mitigating fraud, counterfeiting, and intellectual property theft. With the advent of online marketplaces and social media, protecting IPR has become more complex. Businesses often face issues such as unauthorized reproduction of content, domain squatting, and counterfeit product listings. Furthermore, cross-border digital transactions pose significant challenges in enforcing national and international IP laws.

This paper examines the role of IPR in digital marketing and e-commerce, focusing on legal frameworks, emerging technological solutions, and strategies for businesses to safeguard their intellectual assets. By analyzing existing literature and case studies, the study aims to highlight the importance of robust IPR enforcement in fostering innovation, maintaining brand

integrity, and ensuring consumer trust in the digital economy.

Literature Review:

Several scholars and organizations have analyzed the role of IPR in digital marketing and e-commerce. Studies suggest that trademarks and copyrights are essential for brand differentiation and consumer trust (**Smith & Jones, 2020**). The World Intellectual Property Organization (WIPO) emphasizes the necessity of strong IPR frameworks to curb digital piracy and counterfeiting (**WIPO, 2019**). Research by **Brown (2021)** highlights the growing challenge of cross-border IP enforcement, noting the difficulties businesses face in protecting digital assets across jurisdictions. Additionally, empirical studies indicate that AI-driven technologies and blockchain have shown promise in monitoring and mitigating IPR violations in online platforms (**Chen & Lee, 2022**).

Despite these advancements, legal ambiguities and inconsistent enforcement mechanisms continue to pose risks for businesses. The literature suggests that a combination of technological solutions, legislative reforms, and global cooperation is necessary for effective IPR protection in digital marketing and e-commerce.

Methodology:

This study adopts a qualitative research approach, relying on secondary data sources, including academic journals, legal case studies, and reports from intellectual property organizations such as the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO). A comparative analysis of international and national legal frameworks governing IPR in digital marketing and e-commerce is conducted. Additionally, case studies of e-commerce companies and digital marketing platforms facing IPR challenges are examined to identify best practices and

existing gaps in enforcement. The study also reviews technological solutions, such as blockchain and AI-driven monitoring tools, to assess their effectiveness in combating IP violations.

Components:

- **Trademarks:** - Trademarks safeguard brand identity, preventing unauthorized use of logos, slogans, and product names. In digital marketing, trademarks help businesses establish credibility and consumer loyalty.
- **Copyrights:** - Copyright laws protect creative content such as advertisements, website content, social media posts, and digital assets. Copyright infringement in e-commerce, such as unauthorized reproduction of images and videos, poses a significant challenge to businesses.
- **Patents:** - Patents protect technological innovations in digital marketing tools and e-commerce platforms. Search algorithms, AI-driven marketing tools, and payment gateway systems often rely on patent protection to prevent unauthorized replication.
- **Trade Secrets:** - Confidential business information, such as customer databases, marketing strategies, and proprietary algorithms, falls under trade secret protection. In digital marketing, unauthorized access or data breaches can lead to financial losses and reputational damage.

Legal Framework Governing IPR in Digital Marketing and E-Commerce:

Several international and national laws regulate IPR in the digital economy:

- **Berne Convention (1886):** Protects copyrights across member countries.

- **Madrid Protocol (1989):** Facilitates international trademark registration.
- **TRIPS Agreement (1994):** Establishes global IPR standards.
- **Digital Millennium Copyright Act (1998):** Addresses copyright infringement in the digital era.
- **Indian Copyright Act (1957) & Trade Marks Act (1999):** Protect IP rights in India.

Challenges in Enforcing IPR in the Digital Landscape:

- **Online Counterfeiting and Trademark Infringement:** E-commerce platforms often face counterfeit products that violate trademark rights, leading to brand dilution and revenue loss.
- **Digital Piracy and Copyright Violations:** Unauthorized use of copyrighted content, including images, videos, and text, is rampant in digital marketing. Social media platforms struggle with copyright enforcement despite automated detection tools.
- **Cross-Border Jurisdiction Issues:** The global nature of e-commerce complicates IP enforcement, as different countries have varied IPR regulations, making litigation complex and costly.
- **Cyber security, Threats and Data Breaches:** The theft of trade secrets through hacking and cyber-attacks poses a significant threat to businesses relying on proprietary data for digital marketing strategies.

Strategies for Effective IPR Protection in Digital Marketing and E-Commerce:

- **Implementing Strong Digital Branding Measures:** Registering trademarks and copyrights helps

businesses establish legal ownership and deter infringement.

- **Leveraging Technology for IP Protection:** AI-driven monitoring tools and blockchain technology can track and prevent online IP violations, ensuring digital asset security.
- **Strengthening Legal Frameworks and Policies:** Governments and international organizations should collaborate to harmonize IPR laws and improve enforcement mechanisms in the digital space.
- **Educating Businesses and Consumers on IPR Compliance:** Raising awareness about IPR rights and responsibilities helps businesses and consumers recognize and report violations.

Findings and Discussion:

The study finds that Intellectual Property Rights play a crucial role in ensuring fair competition, brand security, and consumer trust in digital marketing and e-commerce. Key findings include:

- **High Prevalence of Online Infringements** – Despite legal frameworks, digital counterfeiting and piracy remain widespread, causing financial losses for businesses and affecting brand reputation.
- **Effectiveness of AI and Blockchain** – Technological solutions such as AI-based copyright monitoring and blockchain for secure digital transactions show promise in enhancing IPR enforcement.
- **Challenges in Cross-Border Enforcement** – Different jurisdictions have varying IPR regulations, leading to difficulties in taking legal action against global infringers.

- **Growing Importance of Consumer Awareness** – Educating consumers about IPR issues can significantly reduce the demand for counterfeit goods and pirated content.
- **Need for Stronger Collaboration** – Enhanced cooperation between governments, businesses, and technology providers is essential for addressing IPR challenges in the digital space.

Conclusion:

Intellectual Property Rights are fundamental to safeguarding digital marketing and e-commerce ecosystems. Trademarks, copyrights, patents, and trade secrets provide legal protection to businesses while fostering innovation and fair competition. However, challenges such as digital piracy, counterfeit products, and jurisdictional complexities require robust enforcement strategies and technological interventions. Strengthening IPR frameworks and promoting awareness will ensure a secure and competitive digital marketplace.

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Role of IPR in E-Marketing in Marathwada Region of Maharashtra State

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DOI - 10.5281/zenodo.14909640

Introduction:

Intellectual Property Rights (IPR) play a pivotal role in the modern business landscape, especially in the context of e-marketing. With the rapid digitalization and the surge in online business activities, protecting intellectual assets has become essential for ensuring business sustainability and competitiveness. E-marketing refers to the promotion and selling of products or services over the internet. It has revolutionized traditional marketing approaches by providing businesses with global reach and cost-effective promotional tools. However, this digital transition also exposes businesses to risks associated with intellectual property infringement.

The Marathwada region of Maharashtra, comprising Aurangabad, Beed, Jalna, Latur, Nanded, Osmanabad, Parbhani, and Hingoli districts, is gradually embracing digital marketing practices. Small and medium-sized enterprises (SMEs), artisans, and agro-based industries in this region are increasingly leveraging online platforms to expand their market reach. This transition to e-marketing necessitates robust IPR protection to safeguard their brands, products, and creative content from unauthorized use and counterfeiting.

Objectives of the Study:

1. To understand the role and significance of IPR in e-marketing.

2. To examine the level of awareness regarding IPR among e-marketers in the Marathwada region.
3. To analyze the challenges faced by businesses in the region concerning IPR infringement in online marketing.
4. To suggest measures to enhance IPR protection in e-marketing within the Marathwada region.

Research Methodology:

1. Research Design: The study adopts a descriptive research design to analyze the role of IPR in e-marketing in the Marathwada region.
2. Data Collection: Both primary and secondary data sources were utilized.
 - a. Primary Data: Collected through structured interviews and surveys with e-marketers, SMEs, and entrepreneurs in the Marathwada region.
 - b. Secondary Data: Gathered from government publications, legal documents on IPR, journals, and reports on e-commerce and digital marketing.
3. Sampling: A purposive sampling method was adopted to target businesses engaged in e-marketing across the eight districts of Marathwada.
4. Data Analysis: Qualitative and quantitative data were analyzed to

identify the impact of IPR on e-marketing and the challenges faced by businesses.

5. Conceptual Framework of Intellectual Property Rights (IPR)

Intellectual Property Rights (IPR) refer to legal rights that protect creations of the mind, such as inventions, literary and artistic works, symbols, names, and images used in commerce. IPR includes:

- Copyright: Protects original literary, artistic, and digital content, including online advertisements and promotional materials.
- Trademark: Safeguards brand names, logos, and slogans used in e-marketing.
- Patent: Grants exclusive rights over innovative products or processes.
- Design Rights: Protects the visual design of products.
- Geographical Indications: Identifies products originating from a specific region, such as Paithani sarees from Marathwada.

Effective IPR protection fosters innovation, enhances brand reputation, and ensures consumer trust in digital markets.

E-Marketing and Digital Commerce in Marathwada:

The Marathwada region is witnessing steady growth in digital commerce due to increased internet penetration and smartphone usage. SMEs, handicraft artisans, and agro-based businesses are increasingly using e-marketing platforms to promote their products. Notable sectors benefiting from e-marketing include handloom, dairy products, organic farming, and traditional arts. Despite these developments, businesses often face issues like online counterfeiting, unauthorized use of brand names, and plagiarism of digital content.

Role of IPR in E-Marketing:

IPR acts as a vital tool for safeguarding businesses engaged in e-marketing. Copyright protects original online content and advertisements. Trademarks ensure brand identity and prevent consumer confusion. Patents secure innovative processes used in online businesses. Design rights preserve product aesthetics, while geographical indications promote region-specific products. Strong IPR protection enhances business credibility, prevents unfair competition, and fosters consumer loyalty.

Challenges Faced by E-Marketers in Marathwada Regarding IPR:

E-marketers in Marathwada encounter several IPR-related challenges. Brand imitation, online piracy, and counterfeit products undermine business growth. Lack of awareness about IPR laws and registration processes further exacerbates these issues. SMEs, in particular, struggle with financial and legal constraints, making it difficult to enforce their IPR rights. Additionally, weak enforcement mechanisms in rural and semi-urban areas hinder effective IPR protection.

Legal Framework and IPR Enforcement in India:

India has established comprehensive IPR legislation, including the Copyright Act, Trademarks Act, Patents Act, and Designs Act. These laws align with international agreements such as TRIPS (Trade-Related Aspects of Intellectual Property Rights). The Intellectual Property Office, Cybercrime Cells, and judiciary play key roles in enforcing IPR. However, enforcement remains a challenge in rural regions like Marathwada due to limited legal awareness and accessibility issues.

Case Studies and Real-Life Examples from Marathwada:

Several businesses in Marathwada have faced IPR violations in e-marketing. For instance, counterfeit Paithani sarees were sold online, impacting the earnings of local weavers. Agro-based enterprises experienced unauthorized use of their logos and product images, leading to brand dilution. Tourism entrepreneurs encountered digital content theft, affecting their promotional campaigns. These cases highlight the pressing need for robust IPR protection in the region.

Impact of IPR Violations on E-Marketing Growth in Marathwada:

IPR infringements have detrimental effects on businesses engaged in e-marketing. Brand erosion, revenue loss, and consumer distrust are common outcomes. SMEs, which form the backbone of Marathwada's economy, are particularly vulnerable. IPR violations deter businesses from expanding their online presence, thereby limiting the region's digital growth potential.

Role of Government and Industry Associations:

The government and industry bodies play a crucial role in promoting IPR awareness and e-marketing. Initiatives like Start-up India, Digital India, and MSME support schemes encourage digital entrepreneurship. Local associations like the Marathwada Association of Small Scale Industries and Agriculture (MASSIA) conduct workshops on IPR protection. Collaborative efforts are essential to strengthen IPR enforcement and support SMEs in the digital economy.

Suggestions and Recommendations:

- Conduct IPR awareness programs for SMEs and entrepreneurs.

- Simplify IPR registration procedures and provide legal assistance.
- Establish a regional IPR facilitation center in Marathwada.
- Encourage digital protection measures like watermarking and encryption.
- Collaborate with e-commerce platforms to detect and remove counterfeit products.

Conclusion:

IPR plays a crucial role in ensuring the sustainable growth of e-marketing in the Marathwada region. Protecting intellectual property fosters innovation, enhances business credibility, and safeguards consumer interests. Empowering local entrepreneurs with IPR knowledge and legal support is essential for fostering a resilient digital economy in the region.

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E-Commerce's Effects on the Indian Economy

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DOI - 10.5281/zenodo.14909644

Abstract:

E-commerce is the exchange of money or information using an electronic network, usually the Internet, for the purchase and sale of goods and services. These business interactions take place between businesses and consumers, or between consumers and businesses. E-business and e-commerce are frequently used interchangeably. Transactional processes related to online retail are also occasionally referred to by the term "e-tail." Technologies including supply chain management, online marketing, mobile commerce, electronic fund transfers, online transaction processing, electronic data interchange, inventory management software, and data collecting systems are all used in e-commerce. Email, fax, online catalogues and shopping carts, Electronic Data Interchange, File Transfer Protocol, and Web services are just a few of the tools used in e-commerce. Company to company accounts for the majority of this, with some Businesses are trying to send out e-newsletters to subscribers and deliver unsolicited advertisements to customers and other business prospects via fax and email. In India, e-commerce is a developing industry. Similar to how the Indian IT sector expanded throughout the 1990s, the 2010s will be recognised for the expansion of the e-commerce sector. E-commerce currently contributes around 0.2% of GDP, but by 2030, it is predicted to have increased 15 times to about 2.5%. The impact is so great that without e-commerce, the current wave of demonetisation would not have been possible. E-commerce both benefited the most from it and, to a considerable measure, helped absorb its impact. By 2030 it is anticipated that e-commerce will contribute approximately \$300 billion to the GDP, or \$20 billion in its current form.

Keywords: *E- Commerce, Interchangeably, Transactional, Accessibility, Perceived.*

Introduction:

Online purchasing or selling is known as e-commerce. Mobile commerce, electronic funds transfers, supply chain management, Internet marketing, online transaction processing, electronic data exchange (EDI), inventory management systems, and automated data gathering systems are just a few of the technologies that are used in electronic commerce. Although it may also employ other technologies like email, modern electronic commerce usually leverages the World Wide

Web for at least one aspect of the transaction life cycle.

E-commerce businesses may employ some or all of the following:

- Online shopping portals for direct retail sales to customers
- Offering or taking part in online marketplaces that handle sales between third-party businesses and consumers or between consumers
- Business-to-business sales and purchases

- Collecting and utilising demographic information from social media and online interactions
- Interchange of electronic data between businesses (B2B)
- Marketing to both current and potential clients via fax or email (e.g., newsletters)
- Participating in the introduction of new goods and services
- Online financial exchanges for trading or currency exchange

The Federal Trade Commission (FTC) in the United States regulates a number of electronic commerce activities. These activities include, but are not limited to, internet advertising, consumer privacy, and the use of commercial emails. All types of advertising, including internet advertising, are governed by the Federal Trade Commission Act, which mandates that advertisements be honest and non-deceptive. The FTC has brought several cases to enforce the claims made in business privacy statements, especially those regarding the protection of consumers' personal information, using its authority under Section 5 of the FTC Act, which forbids unfair or deceptive conduct. The FTC may therefore enforce any corporate privacy policy pertaining to e-commerce activities. The Consumer Protection Act of 2008 for Ryan Haight Online Pharmacy This addresses online pharmacies by amending the Controlled Substances Act, and it was signed into law in 2008. Conflict of laws in cyberspace is a key impediment for harmonization of legal framework for e-commerce around the world. Many nations accepted the UNCITRAL Model Law on Electronic Commerce (1996) to standardise e-commerce laws worldwide. An informal network of government consumer fair trade agencies came together to form the International Consumer Protection and Enforcement Network (ICPEN) in 1991. Finding strategies to work together to

address consumer issues related to cross-border transactions in products and services, as well as facilitating information sharing among participants for mutual gain and understanding, were the declared goals. This gave rise to Econsumer.gov. An initiative of ICPEN since April 2001. It serves as a reporting gateway for online complaints and associated transactions with overseas businesses. Additionally, the Asia Pacific Economic Cooperation (APEC) was founded in 1989 with the goal of using free and open trade and investment to bring stability, security, and prosperity to the area. In addition to developing uniform privacy standards for the APEC area, APEC maintains an Electronic Commerce Steering Group. The Australian Competition and Consumer Commission controls and provides guidance on dealing with firms online, as well as specific information on what to do in the event of a problem. In Australia, trade is governed by the Australian Treasury Guidelines for internet commerce. The Financial Services Authority (FSA) used to be the governing body in the United Kingdom. Authority for the majority of the Payment Services Directive (PSD) in the EU, until the Financial Conduct Authority and the Prudential Regulation Authority replaced it in 2013. The Payment Services Regulations 2009 (PSRs), which went into force on November 1, 2009, were the UK's implementation of the PSD. The Information Technology Act 2000 regulates the fundamental applicability of e-commerce in India. The Ministry of Industry and Information Technology (MIIT) is the government agency responsible for overseeing all telecommunications-related operations, including electronic commerce, in China, according to the Telecommunications Regulations of the People's Republic of China, which were established on September 25, 2000. The first administrative rule to address profit-generating operations through the Internet

and establish the framework was the Administrative Measures on Internet Information Services, which was released on the same day. for upcoming laws controlling Chinese e-commerce. According to the amount spent per person, the UK had the largest e-commerce market in the world in 2010. In 2013, the Czech Republic was the European nation where e-commerce contributed the most to the overall income of businesses. Online sales account for about a quarter (24%) of the nation's overall revenue. China's e-commerce presence is growing annually among emerging economies. In the first half of 2015, China's online shopping sales, which accounted for 10% of the country's total consumer retail sales during the same period, hit \$253 billion, with 668 million internet users. Customers now feel more at ease when they shop online thanks to Chinese companies. Trade via e-commerce between China and Other nations had a 32% increase, reaching 2.3 trillion yuan (\$375.8). billion) in 2012, making up 9.6% of China's overall foreign trade. Alibaba held an 80% market share in China's e-commerce industry in 2013. China is the largest online market in the world, with 600 million Internet users in 2014—twice as many as the US. With an estimated US\$899 billion in sales in 2016, China is also the world's largest e-commerce market by value. Brazil's e-commerce industry was expanding rapidly in 2013, and through 2014, retail e-commerce sales are predicted to grow at a robust double-digit rate. Retail e-commerce sales in Brazil were predicted by e-Marketer to reach \$17.3 billion by 2016. As of January 2014, there were approximately 243.2 million internet users in India. Although it has the third-largest user base globally, Although there is not as much Internet penetration as in countries like the US, UK, or France, it is expanding far more quickly, with about 6 million new users joining each month. Cash on delivery is the most popular payment option in India,

accounting for 75% of all e-commerce transactions. Globally, e-commerce has grown to be a crucial tool for both small and large enterprises to engage with and sell to consumers. For the first time ever, e-commerce revenues exceeded \$1 trillion in 2012. E-commerce, also known as mobile commerce or m-commerce, is becoming more and more reliant on mobile devices. According to one estimate, mobile device purchases accounted for 25% of the market in 2014.2017. According to one study, information technology and international e-commerce present traditional firms with a favourable prospect for the quick development and expansion of their businesses. Numerous businesses have made significant financial investments in mobile applications. According to the DeLong and McLean Model, three factors—information system quality, service quality, and user satisfaction—contribute to a successful online firm. Time and location are no longer constraints, and there are more ways to connect with customers worldwide and eliminate pointless middlemen, which lowers costs. One-on-one analysis of large customer data can help achieve a high level of personalisation in the strategic plan, which will fully boost the company's core competitiveness products in company.

Impact on markets and retailers:

Economists have hypothesised that because e-commerce makes it easier for customers to research products and prices, price rivalry should become more intense. According to research conducted by four economists at the University of Chicago, the rise of online shopping has also had an impact on the structure of the book and travel agency industries, two sectors that have seen notable increases in e-commerce. Larger businesses can typically offer lower prices by utilising economies of scale. Only the smallest category of booksellers, those with one to four employees, have deviated

from this tendency, seemingly surviving the trend. E-commerce may change the financial, relational, and procedural switching costs that consumers face, depending on the category. Businesses or individuals engaged in e-commerce, whether purchasers or sellers use technologies connected to the Internet to complete their transactions. E-commerce is well known for its capacity to facilitate business-to-business communication and transactions at any time and location. Through the internet, commerce may be done by anyone, whether they are in the US or abroad. All consumers and enterprises on the planet are now prospective suppliers and customers thanks to the power of e-commerce, which eliminates geographical restrictions. As a result, switching costs and obstacles could change. One excellent example of e-commerce is eBay, where both individuals and companies may list and sell goods worldwide. The supply chain and logistics are the two most important aspects of e-commerce that must be taken into account. Cross-border logistics usually take a few weeks to complete. Considering this Low supply chain service efficiency will significantly lower customer satisfaction. According to some researchers, integrating IT infrastructure and e-commerce expertise could significantly increase a company's overall commercial value. According to another researcher, e-commerce should think about setting up warehousing facilities abroad in order to increase the logistics system's efficiency and boost consumer loyalty in addition to satisfaction.

Impact on supply chain management:

Businesses have long been concerned about disconnect between supply chain technology's advantages and the ways in which those advantages may be realised. The rise of e-commerce, however, has made it possible to distribute the advantages of the new supply chain technologies in a more

efficient and useful manner. The potential of e-commerce to combine both intra- and inter-company tasks means that it may also have an impact on the supply chain's three flows: information, financial, and physical. Businesses' methods of moving goods and products were enhanced by the physical flows. E-commerce maximised the information processing capacity that businesses previously possessed, and it enables them to have more money flows effective settlement and payment options. Furthermore, e-commerce affects supply networks at a more complex level: First, as businesses can use electronic tools to detect gaps between various supply chain levels, the performance gap will be closed; Second, new capabilities like deploying ERP systems like SAP ERP, Xero, or Megaventory have helped businesses manage operations with customers and suppliers as a result of the growth of e-commerce. However, the full potential of these new skills has yet to be realised. Thirdly, because they anticipate a return on their investment, tech companies will continue to make investments in new e-commerce software solutions. Fourth, e-commerce would assist in resolving a number of problems that businesses may find challenging, like cross-border shifts or governmental obstacles. Lastly, e-commerce offers businesses a more effective and efficient method of working together throughout the supply chain.

Social impact:

Virtual enterprise, virtual bank, network marketing, online shopping, payment, and advertising, together with e-commerce and its distinct charm that has gradually emerged, are examples of this new terminology that was previously unheard of but is now as commonplace to people. This illustrates how e-commerce has a significant impact on society and the economy. One industry that is expanding quickly worldwide is business-to-business (B2B),

which lowers costs, boosts economic efficiency, and creates jobs. The following article will discuss six themes to help you understand how e-commerce has impacted the economy and society:

- E-commerce has altered the relative value of time, but it is still important to consider time as a key indication of the nation's economic health.
- E-commerce provides businesses and consumers with the information they require, transforming information into complete transparency. As a result, businesses can no longer employ advertising or space to gain a competitive advantage. Furthermore, theoretically, social welfare will be maximised by perfect rivalry between business and consumer sovereignty.
- In actuality, big businesses usually benefited from information resources at the expense of customers throughout the previous economic activity. These days, consumers' rights are safeguarded by transparent and up-to-date information, as they can utilise the internet to choose the portfolio that best suits their needs. Businesses will be significantly more competitive than they were previously, and as a result, the growth of e-commerce will enhance social welfare.
- Humanistic spirit is also altered by the new economy driven by e-commerce, although employee loyalty is most significantly altered. Because the industry is competitive, the professionalism of the employees becomes essential for the business in the specialised market. The main issue facing businesses is how to strengthen their internal culture and a set of interacting methods. Additionally, even if e-commerce

lowers transaction and information costs, its advancement also makes people overly tech-savvy. An additional initiative for firm development is to emphasise a more humane approach to work. Life is the foundation of everything, and technology is only a tool to help people live better lives.

- Online retailers compile their clients' interests and buying history. Online marketers are using this information to advertise pertinent goods and services. Online customers benefit from more convenience as a result.
- Online goods are easier for customers to find because they can be searched. A review system is provided by many internet merchants to assist customers in selecting the item they want to buy. This adds to the ease and boosts enjoyment.

Technically speaking, e-commerce is not a new business, but it is generating a new economic paradigm. Although most people believe that e-commerce will have a good impact on economic society in the future, it is difficult to predict how it will affect society in the short term. E-commerce has been described as a kind of incorporeal revolution by others. Among the many social advantages of e-commerce are the following: first, compared to operating a physical store, operating an e-commerce business is much less expensive; second, there is no need to pay rent for pricey space; and third, business procedures are streamlined and fewer man-hours are needed to run a typical business efficiently. E-commerce's influence will only grow in the fields of law, education, culture, and policy. E-commerce will genuinely put people at the centre of the society of information.

Distribution Channels:

As businesses have embraced brick-and-click and pure-click channel systems, e-commerce has become more significant. We can differentiate between brick-and-click and pure-click channel systems that businesses use.

- Enterprises that have developed a website without any prior business existence are known as pure-click or pure-play enterprises.
- Existing businesses that have added an online website for e-commerce are known as "bricks-and-clicks" companies.
- Click-to-brick internet merchants who then open physical stores to support their online presence.

Objectives of Study:

The paper has following objectives:

1. To describe the idea of e-commerce.
2. To research the e-commerce opportunities in India
3. To research the different issues that Indian e-commerce faces.
4. To research key elements for India's e-commerce expansion.
5. To research how the Indian economy is affected by e-commerce.
6. To research e-commerce's expansion and impact.

Research Methodology:

The secondary data used in this study was gathered from a variety of online sources, including research papers and publications from the Ministry of Commerce and the Government of India.

Impact of E-Commerce on Indian Economy:**India's prospects in e-commerce:**

As seen in Table 1, the number of internet users in India increased from around 354 million in June 2015 to 462 million in 2016, accounting for 34.8% of the country's total population. E-commerce penetration is low when compared to markets like the United States (266 million, 84%) or France (54 million, 81%), despite having the second-largest user base in the world, only surpassed by China (650 million, 48% of the population). However, it is expanding at an unprecedented rate, adding about 6 million new entrants each month. The industry as a whole agrees that growth is reaching a turning point. Cash on delivery is the most popular payment option in India, accounting for 75% of all e-commerce transactions. International consumer goods, including tail items, are becoming increasingly more in demand quicker than e-commerce and in-country supply from licensed distributors. As of 2015, Flipkart, Snapdeal, Amazon India, and Paytm are the biggest online retailers in India.

- Internet Users in India in 2016 was 462,124,989
- Share of India Population 34.8% (penetration)
- Total Population: 1,326,801,576
- Share of World Internet users: 13.5%
- Internet Users in the world: 3,424,971,237

Internet Users in India

Year	Internet users*	Penetration	Total Population	Non-User (Internetless)	1Year User Change	1Year User Change	Population Change
2016	462,124,989	34.8 %	1,326,801,576	864,676,587	30.5 %	108,010,242	1.2 %
2015	354,114,747	27 %	1,311,050,527	956,935,780	51.9 %	120,962,270	1.22 %
2014	233,152,478	18 %	1,295,291,543	1,062,139,065	20.7 %	39,948,148	1.23 %
2013	193,204,330	15.1 %	1,279,498,874	1,086,294,544	21.5 %	34,243,984	1.26 %
2012	158,960,346	12.6 %	1,263,589,639	1,104,629,293	26.5 %	33,342,533	1.29 %
2011	125,617,813	10.1 %	1,247,446,011	1,121,828,198	36.1 %	33,293,976	1.34 %
2010	92,323,838	7.5 %	1,230,984,504	1,138,660,666	48.5 %	30,157,710	1.38 %
2009	62,166,128	5.1 %	1,214,182,182	1,152,016,054	18.6 %	9,734,457	1.43 %
2008	52,431,671	4.4 %	1,197,070,109	1,144,638,438	12.5 %	5,834,088	1.47 %
2007	46,597,582	4 %	1,179,685,631	1,133,088,049	42.9 %	13,995,197	1.51 %
2006	32,602,386	2.8 %	1,162,088,305	1,129,485,919	19.3 %	5,275,016	1.55 %
2005	27,327,370	2.4 %	1,144,326,293	1,116,998,923	22.8 %	5,067,787	1.59 %
2004	22,259,583	2 %	1,126,419,321	1,104,159,738	19.1 %	3,567,041	1.63 %
2003	18,692,542	1.7 %	1,108,369,577	1,089,677,035	11.5 %	1,926,786	1.67 %
2002	16,765,756	1.5 %	1,090,189,358	1,073,423,602	136.9 %	9,689,725	1.71 %
2001	7,076,031	0.7 %	1,071,888,190	1,064,812,159	27.3 %	1,518,576	1.75 %

- A person who can access the Internet at home using any kind of device and connection is considered an Internet user.
- Source: Live Stats on the Internet
- World Bank, United Nations Population Division, and International Telecommunication Union (ITU) data elaboration.

Market Size and Growth:

The value of India's e-commerce market increased from roughly \$3.9 billion in 2009 to \$12.6 billion in 2013. The e-retail market was valued at US\$2.3 billion in 2013. Travel accounts for almost 70% of India's e-commerce business. Google India estimates that 35 million Indians shopped online in the first quarter of 2014, and by the end of 2016, that number is predicted to rise to 100 million. CAGR in comparison to an 8–10% worldwide growth rate. In terms of sales, the two largest categories are apparel and electronics. The Internet and Mobile Association of India found that in December 2016, the e-commerce industry was worth ₹ 211,005 crore. According to the survey, 61% of the e-commerce business is made up of online travel. India is anticipated to will produce \$100 billion in online retail sales, of which \$35 billion will come from e-commerce in the fashion industry. In the

upcoming years, online clothing sales are expected to increase fourfold. The retail market in India was valued at \$470 billion in 2011, \$675 billion in 2016, and is projected to reach \$850 billion by 2020, with a 10% compound annual growth rate. Forrester predicts that between 2012 and 2016, the e-commerce market in India would expand at the fastest rate in the Asia-Pacific region, with a compound annual growth rate (CAGR) of more than 57%.

According to Avendus Capital's "India Goes Digital" research, the Indian e-commerce sector is projected to grow by Rs 28,500 Crore (\$6.3 billion) in 2011. Today, a significant amount of this sector (87%) is made up of online travel. Over the following four years, the Indian online travel market grew at a rate of 22%, reaching ₹ 54,800 crore (\$12.2 billion) by 2015. By 2015, the total e-commerce market had grown to Rs 1,07,800 crores (US\$24 billion), with e-

tailing and online travel making similar contributions. Mobile and DTH recharges are another significant e-commerce market, with operator websites handling about a million transactions per day. Online medicine, which sells prescription drugs or complementary and alternative therapies, is a relatively young area of e-commerce. There aren't any specific online pharmacies regulations in India, and it is acceptable to sell prescription drugs online as long as you have a valid licence. Over time, luxury goods like jewellery have also seen an increase in online sales. In the next two to three years, the majority of retail brands anticipate at least 20% of their sales to come from online channels.

Closures:

Even though the industry has grown significantly and is predicted to continue growing, many e-commerce businesses have had to deal with extreme pressure to maintain cash flows. However, not every e-commerce website has found success with it. In order to survive, many of them, including Dhingana, Rock.in, Seventy MM, and others, had to shut down or alter their business plans.

Infrastructure:

Although there are numerous hosting firms in India, the most of them are not appropriate for hosting e-commerce because they offer shared hosting that is far less safe and threat-protected. E-commerce requires hosting that is extremely safe, reliable, and secure. With some e-commerce businesses beginning to provide software as a service (SaaS) for running web stores for low one-time prices, trends are shifting. E-commerce marketing can be done in a number of ways, including blogs, forums, search engines, and online advertising platforms like Adroll and Google Adwords. In December 2012, Google India teamed up with e-commerce giants Flipkart, Home Shop18, Snapdeal,

Indiatimes, and others to launch India's own version of Cyber Monday, called the Great Online Shopping Festival Plan my journey. The phrase "Cyber Monday" was created in the United States to describe the Monday following Black Friday, which is the Friday following Thanksgiving. The most recent Great Online Shopping Festival, or GOSF, took place from December 10–12, 2014. Without any advertising activities, Amazon.com started its Amazon India marketplace in early June 2013. After its biggest Indian competitor, Flipkart, announced \$1 billion in funding, Amazon stated in July 2014 that it would invest \$2 billion (₹ 12,000 crore) in India to grow its business. In order to put more pressure on competitors, Amazon pledged to invest an additional \$3 billion in June 2016. Snapdeal and Flipkart With its Kirana, Amazon has also entered the grocery market. It is now operating in Bangalore and plans to expand to Delhi, Mumbai, and other cities and Chennai, where it must contend with fierce competition from Indian entrepreneurs.

Funding:

The following are instances of venture capital firms that have made investments in Indian e-commerce businesses:

It raised almost USD 2.3 billion. Flipkart revealed on July 10, 2013, that it had collected \$200 million from its current investors, which included Tiger Global, Naspers, Accel Partners, and ICONIQ Capital. In addition, the company had raised \$160 million from Dragoneer Investment Group, Morgan Stanley Wealth Management, Sofina, Vulcan Inc., and other investors. In February 2014, a consortium of investors led by Azim Premji, Chairman of Wipro, raised \$50 million for the online apparel store Myntra.com through Premji Invest. Additionally, in May 2014, Flipkart reportedly paid ₹ 2,000 crores to acquire Myntra. Snapdeal and others contributed \$36

million to Pepper Tap's fundraising efforts in September 2015.

Niche retailer:

A number of niche companies that primarily focus on a single theme have emerged as a result of the growth of e-commerce. Over 25% of the 1,06,086 websites that are registered every day are for niche enterprises. Royal Enfield sold 200 special series motorcycles online in 2014. One of the more well-liked verticals, online clothing accounts for 42% of all retail e-commerce sales, along with computers and consumer electronics. Speciality online retailers such as Redwolf, No Nasties, and Headbanger's Merch collaborate with and even support indie performers. Some well-known companies, such as Arvind, are increasingly developing apparel lines just for online retailers. Numerous investment rounds have been obtained by some of the larger online retailers, such as VoxPop Clothing, the most recent Blume Ventures raised \$1 million in a 2014 round. The major

players are gradually acquiring these specialised companies as they gain popularity. Mahindra Retail, a division of the \$17 billion Mahindra Group, purchased Baby Oye. The Godrej Group purchased Ekstop to enhance its offline chain of Nature's Basket stores.

Vertical specific E-Commerce in India:

Because their offerings differ from those of other well-known e-commerce companies, vertical specialised e-tailers concentrate on a specialised product or service. They are able to raise money thanks to the value addition of their venture. This industry-specific risk's crucial component provides an easy-to-use experience that is motivated by cost-effectiveness, convenience, and additional information. For instance, the cab service provider Ola Cabs sets itself apart from the competition by offering customers who are looking for both cab service and auto rentals an excellent, user-friendly experience. India's vertical-specific e-commerce is displayed in Table 2.

Table 2: Vertical specific e-commerce players in India

Travel	Real Estate	Fashion	Furniture	Health	Education
MakemyTrip	MagicBricks	Jabong	FabFurninsh	Healthkart	EduKart
Goibibo	CommonFloor	Myntra	Pepperfry	LensKart	Meritnation
Yatra	99acres	YepMe	Urban Ladder	Portea	Edureka
IRCTC	Housing	Zovi	Zansaar	Medical	Toppr
Cleartrip	ZRICKS	Fashion and You	InLiving	Indianhealthconsultants	embibe

Challenges in e-commerce:

Players from all over the world are taking notice of India's growing e-commerce volumes. With 1.2 billion inhabitants, India is the second most populous nation in the world. To put that figure into perspective, keep in mind that the populations of Germany, the United Kingdom, France, Italy, the Netherlands, Belgium, and Greece combined make up one-fourth of India's total population! India is remains one of the

most alluring rising markets for e-commerce, even with its lower per capita spending power. However, India is far from being a paradise. These are the top eight issues that Indian e-commerce companies deal with.

Indian customers return much of the merchandise they purchase online:

In India, e-commerce attracts a lot of first-time customers. This indicates that they are still unsure of what to anticipate from e-

commerce platforms. Because of this, purchasers are occasionally the victims of aggressive selling. However, they show regret and return the items when the product is delivered. Even though customer regret is a worldwide issue, it is particularly common in nations like India, where a large portion of development is attributed to new customers. Due to the special difficulties in reverse logistics, returns are costly for e-commerce companies. In cross-border e-commerce, this becomes even more complicated.

Cash on delivery is the preferred payment mode:

In India, cash on delivery is the most popular method of payment due to limited credit card usage and low confidence in internet purchases. Manual cash collection is costly, time-consuming, and hazardous in contrast to computerised payments.

Payment gateways have a high failure rate:

Indian payment channels have an exceptionally high failure rate by international standards, as if the preference for cash on delivery wasn't terrible enough. Since many customers do not try to pay again once a transaction fails, e-commerce businesses that use Indian payment gateways are losing sales.

Internet penetration is low:

India's internet penetration rate is still far lower than that of many western nations. Furthermore, in a number of areas, the quality of connectivity is subpar. However, both of these issues are quickly going away. It won't be long before connectivity problems aren't listed among the obstacles facing Indian e-commerce.

Feature phones still rule the roost:

Even though there are a lot of mobile phone users in India overall, the vast

majority still utilise feature phones rather than smartphones. For all intents and purposes, this consumer category cannot make purchases online while on the go. The sharp decline in the cost of entry-level smartphones is a positive indication, even though it will still be a few years before the balance shifts in favour of smartphones. I anticipate that new smartphones priced between \$30 and \$40 will be announced in India throughout the upcoming quarters. That ought to encourage more people to purchase smartphones.

Postal addresses are not standardized:

The logistics provider may probably phone you to enquire about your precise location if you place an online buy in India. Your address is obviously insufficient. This is a result of the lack of uniformity in the writing of postal addresses. Ecommerce logistics concerns are exacerbated by last mile issues.

Logistics is a problem in thousands of Indian towns:

The absence of postal address standardisation is not the only logistical issue facing India. Because of the country's vast expanse, hundreds of towns are difficult to reach. The logistical infrastructure of metropolitan areas and other large urban centres is quite strong. However, the lack of easy access to a sizable percentage of potential clients is a deterrent because the Indian market's true appeal is found in its vast population. The fact that cash on delivery is the primary method of payment in India exacerbates the logistics issue. The government-owned postal services, private Indian businesses, and international logistics providers are working hard to find a solution to the logistics issue. If someone could communicate the enormity of the issue into a chance, the Indian logistics sector may soon be the subject of a noteworthy success story.

Overfunded competitors are driving up cost of customer acquisition:

The e-commerce industry has seen significant investment in recent years due to the thriving Indian start-up scene. Some investors are willing to pay absurdly huge sums of money to gain market share now because the long-term prospects for e-commerce businesses are so promising. The Indian customer has an abundance of options, of course. But now that investors are becoming concerned about going farther down a dangerous slope, this trend has reversed, and I anticipate more sensible behaviour in 2014. Although the subject matter of this post is e-commerce issues in India, which is inherently biased, it is noteworthy that e-commerce behemoths are becoming more and more interested in India. India is seeing an increase in cross-border e-commerce, and numerous major multinational businesses are also investing heavily in this market in establishing a business in India.

Essential Factors for growth of e-commerce in India:

Examining the e-commerce industry is one of the best approaches to obtain income in the current economy. A new method of conducting business that could generate profits at a reduced cost was presented to merchants with the introduction of the Internet. However, a lot has changed in recent years, and now more than ever, online retailers may quickly create an e-commerce website and increase their online visibility. These five crucial pointers can help e-commerce businesses succeed and stay in business for a long time.

Harness the Power of Social Networking Websites:

Merchants now have a completely new approach to communicate with potential clients and market themselves thanks to the social revolution of the Internet that has

taken place in recent years. Participate in social media platforms like Facebook and Twitter to build brand awareness and buzz. You can advertise your products on dozens of internet marketplaces, some of which fee for their services and others of which are free. Be present in as many online locations as you can.

Know the Economics of your Business:

A solid grasp of your company's economics and how expenses will impact your bottom line is essential to your success. How would your profit margins be impacted, for instance, if you decide to advertise a product on a specific online marketplace? To guarantee revenues, you must comprehend and effectively handle your funds.

Be Transparent:

Sensible online shoppers only want to deal with safe, trustworthy online merchants because of the skyrocketing rate of online credit card fraud. As a result, you need to be open and honest about your company. Providing customers with information about you and your company will help you gain their trust and give you a sense of legitimacy. Provide thorough client support and safe payment processing.

Make Customer Service a Priority:

Even though customer service provided by an online retailer will undoubtedly differ from that of a physical store, it is still a crucial part of any profitable enterprise. While negative customer service seems to spread more fast, positive customer service can spread swiftly as well. Make sure that all of your interactions with clients are pleasant and engaging, and that you provide them with a variety of choices, such as email assistance and a working toll-free number.

Re-evaluate your Payment Processing:

Without going over budget, make sure you are still getting the most out of your payment processing provider. This is particularly important if you wish to support worldwide payments and grow abroad. Make sure your current offerings are still a suitable fit for your website by speaking with a customer service representative from your provider.

Customer convenience:

By offering them the opportunity to pay with cash on delivery.

Replacement guarantee:

Customers should be given a 30-day replacement warranty.

Reach:

Facilitating M-Commerce services and making websites mobile-friendly.

Location based services:

Promoting the correct product at the right time and place becomes crucial because today's consumers are constantly on the go.

Multiple payment option:

There should be options for bank payments, debit cards, and standard credit cards.

Right content:

For users on the go, it is crucial to have the correct content and target clients with clear and pertinent information.

Price comparison:

Instant price comparison providers are quite well-liked by budget-conscious consumers.

Shipment option:

There should be a cheap shipment. After work, it should be convenient to pick up orders on the way home.

Logistical challenges:

The geographical dispersion of India presents logistical difficulties. Logistics strategy should be based on the types of items that providers are offering.

Legal challenges:

There should be legal requirement of generating invoices for online transactions.

Quick Service:

The business offers prompt service.

Terms and condition:

Clear and reasonable terms and conditions are essential.

Quality:

The quality of the products should match what is displayed on the portal.

Customer care centre:

There should be a dedicated customer service centre open around-the-clock.

Conclusion:

The idea behind e-commerce is to use the Internet to do business more efficiently and effectively. It involves allowing clients to serve themselves and granting them controlled access to your computer systems. It involves integrating your website with the core of your business and dedicating your organisation to a significant online endeavour. India will have between 30 and 70 million Internet users, which is on par with or even more than many developed nations. India's internet economy will then have greater significance. E-commerce is expected to play a significant role in the twenty-first century due to the internet's rapid expansion, and both small and large businesses will be able to take advantage of the new opportunities that will arise. The government's function is to establish a legal framework for e-commerce that ensures fundamental rights like consumer protection, intellectual property, privacy, and fraud prevention are all protected while allowing both domestic and foreign trade to grow. We discovered a variety of options for producers, wholesalers/distributors, retailers, and individuals. Retailers should always be in contact with their customers and fulfil electronic orders. Through e-commerce,

wholesalers can benefit from those who can sign agreements with reputable manufacturers and connect their company with the internet. By having a brand identity and providing improved information about their products to the other links in the supply chain, producers may also connect with consumers online. There is a growing need for establishments that offer internet access or cyber cafes as more individuals connect through e-commerce. As a result, anyone who wants to use it can create a cyber-network and reap the rewards. People could find a variety of job opportunities. Expert opinions and the aforementioned research indicated that, provided the necessary conditions were met, e-commerce in India will have a promising future in the years to come.

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Navigating the Digital Frontier: The Strategic Role of Intellectual Property Rights (IPR) in Digital Marketing and E-Commerce

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DOI - 10.5281/zenodo.14909658

Abstract:

This paper explores the critical importance of intellectual property rights (IPR) in shaping and safeguarding the evolving domains of digital marketing and e-commerce. As digital platforms continue to innovate and expand, robust IPR frameworks become essential for protecting creative assets, brand identity, and technological innovations. The study examines current trends, challenges, and opportunities in applying IPR to digital business practices, highlighting case studies and recent research that reveal both the potential benefits and inherent risks associated with inadequate IP protection. The paper also discusses emerging technologies—such as artificial intelligence and blockchain—that promise to revolutionize IP management. By synthesizing contemporary literature and offering strategic insights, this research contributes to a better understanding of how IPR can be leveraged to foster secure and sustainable digital commerce.

Keywords: *Intellectual Property Rights, Digital Marketing, E-Commerce, Digital Innovation, Brand Protection*

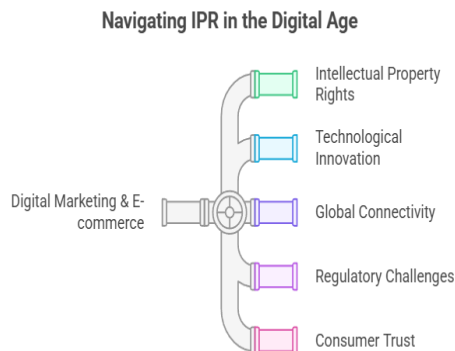
Introduction:

Digital marketing and e-commerce have transformed the business landscape, pushing companies to innovate continuously. In this era of rapid technological change, intellectual property rights serve as a critical tool for protecting innovations and maintaining competitive advantage. The increasing reliance on digital assets has made IPR a cornerstone in securing business interests. Organizations are compelled to invest in robust legal frameworks to safeguard their creative content and technological developments. The digital marketplace presents unique challenges in tracking and enforcing intellectual property. Global connectivity

has amplified both the opportunities for digital marketing and the risks of IP infringement. As businesses expand online, they encounter complex regulatory environments that vary by region. The integration of digital strategies with traditional IP laws requires constant adaptation and vigilance. Consumer trust and brand integrity are closely linked to effective IPR management. This paper examines how digital marketing strategies and e-commerce platforms can effectively navigate these challenges. It further investigates innovative solutions that align IPR with emerging digital technologies.

Objective of the Paper:

The objective of the paper is to analyse the strategic importance of intellectual property rights within digital marketing and e-commerce, to identify current challenges and opportunities in the digital domain, and to propose innovative solutions for aligning legal frameworks with rapid technological advancements.

**Review of Literature:**

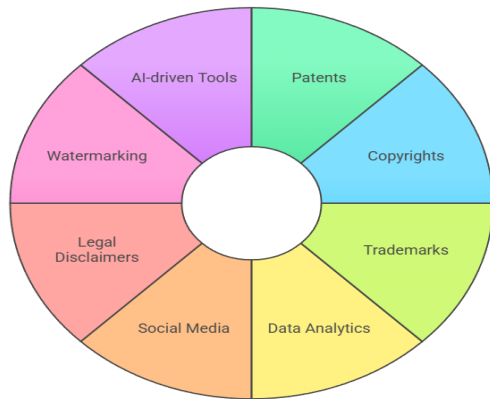
1. **Patel, S. (2024):** Patel examines the regulatory challenges confronting digital businesses, proposing adaptive legal frameworks that can keep pace with rapid technological changes. His work succinctly underscores the urgency of reforming outdated IP laws to better serve the digital economy.
2. **Lee, B. (2023):** Lee explores the dynamic challenges faced by e-commerce platforms, arguing that inadequate IP enforcement can lead to counterfeit products and brand dilution in the online marketplace. His research highlights case studies where lax IP protection resulted in significant financial losses. Lee also examines the role of international regulatory bodies in shaping e-commerce IPR policies.
3. **Garcia, M. (2022):** Garcia investigates strategies for brand protection in the digital era, highlighting how emerging digital

tools and technologies can aid in monitoring and safeguarding intellectual property across diverse channels. Her research provides a comprehensive overview of digital tracking mechanisms and their efficacy in preventing IP theft. Garcia also presents statistical analyses on the economic impact of IP breaches in e-commerce. In addition, she explores how consumer behaviour is influenced by visible IP protections.

Digital Marketing Strategies and IPR: Analysing Synergies:

This Digital Marketing Strategies and IPR delves into how modern digital marketing strategies are intrinsically linked to robust IPR frameworks. It discusses the role of patents, copyrights, and trademarks in protecting digital content and fostering consumer trust. Detailed examples illustrate how businesses successfully integrate IP protection into their marketing strategies, thereby enhancing brand equity and competitive advantage. To further elaborate, companies today are leveraging data analytics to monitor the usage of digital assets across multiple channels, ensuring that their creative content is not misappropriated. Social media platforms serve as both a promotional tool and a battleground for IP disputes, necessitating proactive monitoring and enforcement strategies. Digital advertising campaigns increasingly incorporate legal disclaimers and watermarking techniques as part of their content protection measures. Innovative firms are developing in-house legal teams that work closely with marketing departments to embed IPR considerations into campaign design from the outset. Collaborative partnerships between tech companies and legal experts are emerging to develop sophisticated tracking systems that alert stakeholders to potential infringements.

Synergies Between Digital Marketing and IPR



Many organizations are now investing in AI-driven tools to detect unauthorized usage of their digital assets in real-time. Additionally, case studies from leading brands demonstrate how strategic IP management can lead to enhanced consumer loyalty and market expansion. The evolution of digital marketing has also seen an increased reliance on user-generated content, which in turn raises complex IP questions that need to be managed effectively. In this context, comprehensive IPR strategies become indispensable in balancing innovation with legal compliance. The alignment of creative freedom and IP protection not only drives market success but also fosters an ecosystem of trust among consumers and partners.

E-Commerce and Brand Protection: Navigating Challenges:

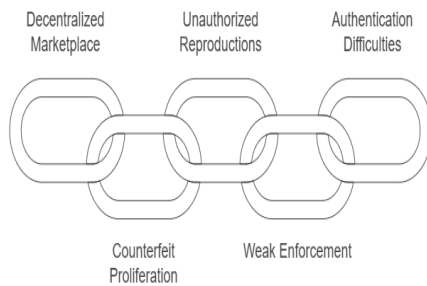
E-commerce platforms face unique challenges in maintaining brand integrity due to the global and decentralized nature of online marketplaces.

1. **Decentralized Marketplace:** The global and decentralized nature of online marketplaces complicates regulatory oversight. It creates fragmentation in legal jurisdictions that hinders unified enforcement. Regional differences in laws often result in inconsistent protections for intellectual property.
2. **Counterfeit Proliferation:** The rapid spread of counterfeit goods can

severely damage brand reputation. Counterfeit products flood digital channels at an unprecedented pace. This proliferation disrupts market dynamics and undermines the efforts of legitimate businesses. Additionally, counterfeiters often adapt quickly to bypass detection.

3. **Unauthorized Reproductions:** Digital content is easily reproduced without permission, undermining intellectual property rights. The ease of copying and sharing content online makes it difficult for creators to maintain control over their assets. Unauthorized reproductions dilute brand value and hinder innovation. They also erode the exclusivity that is crucial for competitive advantage. Moreover, such practices often lead to revenue losses and diminished investor confidence.
4. **Weak Enforcement:** Lax enforcement mechanisms and inconsistent regulatory oversight are exploited by counterfeiters. These gaps in legal enforcement allow infringements to persist unchecked.
5. **Authentication Difficulties:** Retailers face challenges in verifying the authenticity of products due to the vast number of online listings. The verification process is often labor-intensive and relies on outdated technologies. Modern authentication systems require continuous updates and investments in digital solutions.
6. **Volume Overload:** The sheer volume of online transactions makes effective monitoring nearly impossible. This saturation of data overwhelms traditional monitoring systems, necessitating the adoption of advanced technological solutions.

Safeguarding Brands in the Complex World of E-Commerce



Emerging Trends and Future Directions in IPR:

Looking ahead, the emerging Trends explores the potential impact of emerging technologies like blockchain and artificial intelligence on IPR management. It also examines the evolving legal landscape and the need for proactive, adaptive regulations that address the complexities of digital innovation, ensuring that businesses can safeguard their intellectual assets in an ever-changing market environment.

Emerging Trends	Future Directions
Blockchain for immutable record-keeping and authenticity verification.	Harmonized global regulatory standards to support blockchain-based IP systems.
AI-driven infringement detection and real-time compliance monitoring.	Adaptive legal frameworks that integrate AI solutions into enforcement strategies.
Advanced analytics for tracking digital content and user behaviour.	Increased collaboration between tech innovators and policymakers to refine analytics tools.
Digital verification tools such as secure digital certificates.	Expansion of cross-border enforcement initiatives to standardize verification processes.
Integration of IoT and smart monitoring systems in supply chains.	Greater investment in research and development to enhance real-time IP protection technologies.

Research Methodology:

- Type of Data: The study is based on secondary data
- Type of Research: The present research is descriptive in nature.
- Period of Research: The research was conducted over a period spanning from January 2020 to December 2024.

Conclusion:

In conclusion, intellectual property rights are pivotal in enabling digital marketing and e-commerce to flourish in a secure and competitive environment. Companies must continuously adapt their IP strategies to keep pace with technological advancements and evolving market dynamics. Effective IPR management not only protects innovations but also reinforces brand integrity and consumer trust. The integration of advanced technologies like blockchain offers promising avenues for

future IP enforcement. Continued research and collaboration between industry and regulatory bodies are essential to develop cohesive frameworks that safeguard digital assets.

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‘Legal Protection of Literary Works’: A Study of Awareness of Copyrights Among Writers and Poets in Ambajogai City

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DOI - 10.5281/zenodo.14909670

Abstract:

Copyright law plays a crucial role in safeguarding the intellectual property rights of writers and poets. However, awareness and understanding of these laws among literary figures remain a subject of concern. This study aims to assess the level of copyright awareness among writers and poets in Ambajogai city. The research is based on responses collected from local writers, poets, and literary figures, providing insights into their knowledge, perceptions, and challenges related to copyright laws. The findings highlight gaps in awareness and suggest measures for enhancing copyright education and legal protection for literary creators.

Keywords: *Copyright, Literary Works, Writers, Poets, Awareness, Intellectual Property Rights, Ambajogai City.*

Introduction:

The protection of intellectual property rights is vital for fostering creativity and ensuring fair recognition for literary works. Copyright laws are designed to provide exclusive rights to authors over their original creations. However, many writers and poets, especially in smaller cities like Ambajogai, may have limited knowledge about these legal provisions. This study investigates the extent of copyright awareness among literary figures in Ambajogai and explores the challenges they face in protecting their works.

Objectives of the Study

1. To examine the level of awareness of copyright laws among writers and poets in Ambajogai.
2. To identify common misconceptions about copyright protection.

3. To analyze the challenges faced by literary creators in enforcing their copyright.
4. To suggest measures for improving copyright awareness and protection.

Research Methodology:

This study follows a descriptive research design and is based on primary data collected from writers, poets, and literary figures in Ambajogai city. The research methodology includes:

1. **Sample Size:** A total of 100 respondents were surveyed, including authors, poets, and literary activists.
2. **Data Collection:** Structured questionnaires and in-depth interviews were conducted to gather insights.
3. **Data Analysis:** Responses were analyzed using statistical tools to

identify trends and gaps in copyright awareness.

Literature Review:

Various studies have highlighted the importance of copyright laws in literary and creative fields. Prior research suggests that while legal frameworks exist, awareness and enforcement remain low, particularly among independent writers. Studies also indicate that formal education on intellectual property rights significantly influences a writer's ability to protect their work.

Findings and Discussion:

The findings and discussion section presents an in-depth analysis of the data collected from writers and poets in Ambajogai. This section provides a detailed understanding of their awareness, misconceptions, and challenges related to copyright laws. The data is structured into categories, including awareness level, common misconceptions, challenges faced, and copyright infringement cases. Each category is analyzed to highlight the current state of copyright knowledge among literary figures and the need for further educational and legal support.

Category	Findings	Analysis
Awareness Level	45% of respondents had a basic understanding of copyright laws, while 30% had no knowledge.	Indicates a lack of formal education on copyright laws among writers and poets.
Misconceptions	Many respondents believed that publishing their work in any form ensured full legal protection.	Shows a need for proper legal education regarding copyright registration and enforcement.
Challenges	Lack of knowledge on registration procedures, financial constraints in legal enforcement, and limited access to copyright advisory services.	Suggests the necessity of financial and legal assistance for literary figures.
Copyright Infringement Cases	Some respondents reported unauthorized use of their literary works but lacked the legal means to address them.	Highlights the need for stronger enforcement mechanisms and legal literacy.

Conclusion and Recommendations:

The study reveals a significant gap in copyright awareness among writers and poets in Ambajogai. To bridge this gap, the following recommendations are proposed: The conclusion and recommendations section summarizes the key findings of the study and provides actionable steps to improve copyright awareness among writers and poets in Ambajogai. The research highlights gaps in knowledge, misconceptions, and challenges, emphasizing the importance of legal education and support mechanisms. The recommendations aim to enhance copyright

protection and ensure that literary figures can safeguard their intellectual property effectively.

1. Organizing workshops and seminars on copyright laws for literary communities:

Conducting regular workshops and seminars will help educate writers and poets about copyright laws, registration processes, and enforcement mechanisms. These sessions can be led by legal experts who can provide practical guidance on protecting intellectual property. By increasing awareness, literary figures will be better

equipped to safeguard their rights and take necessary actions in case of infringement.

2. Establishing copyright advisory centres to assist writers in protecting their works:

Setting up advisory centres within literary organizations or educational institutions will provide essential support for writers and poets. These centres can offer consultations, legal aid, and assistance in copyright registration. Having access to expert guidance will enable literary creators to understand their rights better and take proactive measures to secure their work.

3. Encouraging the registration of literary works to ensure legal security:

Many writers and poets do not register their work due to a lack of awareness or financial constraints. Encouraging registration through awareness campaigns and providing financial support for economically weaker artists can significantly improve copyright protection. Registered works receive stronger legal backing, reducing the chances of unauthorized use and plagiarism.

4. Promoting digital copyright protection tools to prevent unauthorized reproduction:

With the rise of digital platforms, literary works are increasingly vulnerable to unauthorized use and reproduction. Promoting the use of digital watermarking, copyright licensing, and online tracking tools can help protect intellectual property. Educating writers about these tools will ensure better control over the distribution and usage of their content, reducing the risks of infringement.

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Print to Digital: Transforming Intellectual Property Management in Libraries

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DOI - 10.5281/zenodo.14909678

Abstract:

The times are changing. With Internet access and electronic reading devices, visiting the library is no longer a necessity for today's students. The library has changed a great deal over the past decade, due to changing demands from researchers, teachers, and learners and the onset of a digital revolution of library holdings. Digital transformation is powered by disruptive digital technologies, insights, and processes. The key focus of digital transformation is on transforming for the digital age by influencing customer experience, innovation, and efficiency. The big challenge with digital transformation is 'how fast and how far should organizations go on their digital transformation path'. Digital transformation journey is complicated and involves varied objectives, complexities, and covers a vast area. It requires a coherent and well-organized digital strategy to effectively address technology and process transformation together with supporting governance and delivery models.

Keywords: *Digital age, Academic Digital libraries, Transformation, Intellectual property, Digital transformation. etc.*

Introduction:

The information and communication technologies or the digital technologies enables the easy transmission, access and retrieval of various digital contents and materials available in libraries over the Internet, on-line through interactive networks. Providing access to books on shelves in library and to provide access to electronic resources/digital materials are totally different. While collecting, preserving and providing access to digital resources, it is a great concern to achieve an appropriate balance between copyright owners and users, which is also a topic of worldwide discussions from a legal perspective in academic and library fraternity. The very purpose of a digital library or digital archive is to collect, ensure long-term preservation or to provide an easy

and convenient means of access to its subject matter.

Digital Library and Digital Collection: Definitions:

Digitization is a process of converting the content of physical media (analog) in to digital format.

Digital Library:

An informal definition of a digital library is a “managed collection of information, with associated services, where the information is stored in digital formats and accessible over a network” (William Arms, Digital Libraries, 1999)

“A focused collection of digital objects, including text, video, and audio, along with methods for access and retrieval, and for selection, organization, and

maintenance of the collection”. (Witten and Bainbridge, How to Build a Digital Library 2003)

Digital Objects:

The digital library consists of objects like still images- photographs; textual documents-books, journals, thesis etc, ; moving images-video; audio; raw data files-statistical; complex objects- combination of more than one and others materials which are worth the use.

Digital Collection:

The digital collection consists of digital objects that are selected and organised to facilitate their access and use and good digital collections include metadata used to describe and manage them including copyright cleared (NISO: A Framework of guidance for building good collections 2007).

Types of Digital Collection:

There are mainly two types of documents covered in the digital library. One is born digital which means the documents is generated in digital form while it was created and there may or may not be parallel document in print form. The second one is converted from print to digital using all required technological tools and preserved for future use.

Components of Digital Library:

Following are the four essential elements for a digital library:

- Content- collection & metadata
- Technology- Enabling tools
- Users – user interface
- Services- digital library services in different form & varieties

Developing collection needs clearance of intellectual property rights specifically copyrights of the respective authors or owners of the rights.

Planning for a Digital Library:

Planning for digital library or developing digital collection involves following major steps:

- Defining set of goals and scope of the digital library collections
- Critical evaluation and selection of reading materials to be digitized
- Obtaining copyrights or permission to digitize the resource
- Determining technologies required with clear specifications (both hardware and software)
- Creating workflows so that redundancy can be avoided
- Preparing budget required to execute digitization work

What is Intellectual Property Rights:

Intellectual Property Rights (IPR) is not a new concept. It is believed that IPR initially started in North Italy during the Renaissance era. In 1474, Venice issued a law regulating patents protection that granted an exclusive right for the owner. The copyright dates back to 1440 A.D. when Johannes Gutenberg invented the printing press with replaceable/moveable wooden or metal letters. Late in the 19th century, a number of countries felt the necessity of laying down laws regulating IPR.

Intellectual Property (IP) refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce.

Copyright:

Covers literary works (such as novels, poems and plays), films, music, artistic works (e.g., drawings, paintings, photographs and sculptures) and architectural design. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their recordings, and broadcasters in their radio and television programs.

What is Copyright:

The Copyright is a right given by the law to creators of literary, dramatic, musical and artistic works and producers of cinematograph films and sound recordings.

In fact, it is a bundle of rights including, inter alia, rights of reproduction, communication to the public, adaptation and translation of the work.

Copyright includes:

The reproduction right (the right to make copies):

For purposes of the reproduction right, a “copy” of a work is any form in which the work is fixed and from which it can be perceived, reproduced, or communicated, either directly or with the aid of a machine.

- ❖ **The right to create adaptations, or derivative works:** A “derivative work” is a work that is based on a copyrighted work, but contains new material that is original in the copyright sense. For example, Windows 2000 is a derivative work based on Windows 98.
- ❖ **The right to distribute copies of the work to the public:** The distribution right is limited by the “first sale doctrine,” which provides that the owner of a particular copy of a copyrighted work may sell or transfer that copy. In other words, the copyright owner, after the first sale of a copy, cannot control the subsequent disposition of that copy.
- ❖ **The right to perform the work publicly:** To “perform” a work means to recite, render, play, dance, or act it, with or without the aid of a machine. For e.g. a live concert is a performance of a musical composition, as is the playing of a CD on which the composition is recorded.
- ❖ **Managing Copyright Issues in Digital Library:** It is important for the professionals to understand and adhere to copyright issues involved in developing digital collection (s) as part of their digital library. Any document which is added as part of digital library and access is provided for wider use on the Internet has to

have copyright cleared or one has to ensure that it does not violate copyrights of the author or the owner of the rights. Following are some the ways how one could manage copyright related issues:

- ❖ **Documents in public domain:** Some of the often used documents which are considered for addition in the digital library and if they happen to be available in the public domain as a policy for wider use, one can safely add these to the collection.
- ❖ **Written agreements & permissions:** Documents considered for digitisation but copyright rests with authors or publisher, one will have seek the written agreement with certain clear terms and condition. Then only such documents could be added to the collection.
- ❖ **Licensed resources:** There are certain documents where copyright holders have clearly stated what can be done with such documents and what cannot be done. Depending on the stated policy or licenses, one can consider adding documents to digital library.
- ❖ **Creative Commons:** Presently, number of documents are generated in electronic only format. These are generated by individuals, institutions, associations, funding agencies, government departments and others. Considering either as policy mandate or other factors which favour authors and users, these documents are made available under any one of the six Creative Commons licenses. Depending on these licenses, one may decide to include documents in the digital collection. The major issues are:
 - Is digitization to be considered as similar to reproduction, for example using Xerox machine?

- Is digitization a deductive activity such as translation from one language to another?
- Can transmission of digitized documents through Internet be considered as commercial distribution or public communication similar to broadcasting?
- Is the principle of exhaustion of the distribution right still effective in the digital age?
- In the digital context if access could be technologically restricted by the copyright owner, how could the public exercise fair use with regard to those work?

The copyright protects creative works. Simply transformation in to the digital form of an original document cannot be considered as creative. Further, there is an increasing shift away from the model of the library as a physical repository/archive of information are facts to provision of licensed access to digital resources. Libraries are dealing with many e-books, e-journals publishers and vendors (the rights holders); negotiating and signing contracts agreements to get access to e-resources by paying subscription fees for a specified limited time. Copyrights are moreover now being replaced by contracts agreements in between libraries and publishers. There, libraries could ask rights holders for permission to copy those subscribed e-resources for preservation purposes or for perpetual access to those resources.

Conclusion:

Digital libraries serve as an important source for preservation and widening the access to documents which are rare, important and which are otherwise not easily accessible. Digital Library consists set of collection(s) of documents which either born digital or converted from print to digital. Since most these documents are covered by Copyrights (rights owned by authors or

publisher) it become imperative for the professional involved in creating digital libraries to ensure that these rights not violated. Since there are number of provisions as to how one could manage the copyright, it is important to understand these provisions and manage them effectively. This module presented some of those ways how one could manage the copyright related issues.

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Exploring the Awareness and Understanding of Intellectual Property Rights Among Undergraduate Students: A Case Study of S.I.C.E.S. Degree College

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DOI - 10.5281/zenodo.14909684

Abstract:

Intellectual Property Rights are very important in protecting the creation of the minds of individuals. Despite this, awareness and understanding of IPR among undergraduate students are relatively low, which hinders their ability to protect their intellectual output. This study also aims at finding out the level of awareness towards Intellectual Property Rights among the undergraduate students of S.I.C.E.S. Degree College of Arts, Science & Commerce, Ambernath. This study strives to evaluate the awareness of students regarding the concepts of copyright, patents, trademarks, and other aspects of IPR, as well as the concept of what importance of intellectual property holds in the academic and professional worlds.

The study ends with suggestions for improving students IPR literacy through regular workshops, seminars and even updating the curriculum. Institutions can also promote a culture of respect and knowledge regarding intellectual property and contribute to the protection of innovations and ethical academic practices. This study is the first step towards the understanding of number of IPR opinions in students and its utility.

Keywords: *Intellectual Property Rights, IPR Awareness, Undergraduate Students, Copyright, Patent, Trademark, Higher Education*

Introduction:

The world today is a storehouse of new ideas and inventions, which makes Intellectual Property Rights (IPR) essential components for the ever-evolving academia and industry. IPR refers to the legal rights granted to the creators of inventions, literary and artistic works, symbols, names and images used in commerce. With the growth of knowledge-driven economies, IPR has become an important area of understanding for the students: most of whom belong to

higher education setups involved in research, that leads to innovativeness and entrepreneurship.

As they are undergraduate students, this is a transitional time for them when they are generating ideas, doing research, and producing new work. However, their knowledge and understanding of IPR is limited due to lack of formal education. For many students, they have no knowledge on how to protect their work, evade collusion or utilise IPR to earn on their side or their

future careers. Realizing this this gap this study aims to measure the level of IPR awareness among final year undergraduate students of S.I.C.E.S. Degree College of Arts Science & Commerce, Ambernath.

The study aims to understand the perceptions and sources of knowledge and the challenges faced by students as the students come from diverse academic background like Arts, Commerce, Science, Computer Science, Information Technology, Business Management, and Micro Biology. It also examines students' suggestions for enhancing IPR education. The outcomes of this study will shed light on the current level of understanding of IPR and the necessity for organized measures such as workshops, curriculum embedding, and research-oriented teaching in order to enhance students' awareness about intellectual property rights.

The study focuses on students from diverse academic backgrounds, including Arts, Commerce, Science, Computer Science, Information Technology, Business Management, and Microbiology, to understand their perceptions, knowledge sources, and challenges regarding IPR. It also explores students' recommendations for improving IPR education. The findings of this research will provide valuable insights into the current state of IPR awareness and highlight the need for structured initiatives such as workshops, curriculum integration, and research-based learning to enhance students' understanding of intellectual property rights.

This study aims to bridge the knowledge gap and empower students with the necessary legal and ethical awareness to navigate academic and professional challenges effectively.

Definition Analysis:

Intellectual property (IP): “refers to creations of the mind, such as inventions; literary and artistic works; designs; and

symbols, names and images used in commerce.”(World Intellectual Property Organization, 2024)

Intellectual property rights: Intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator an exclusive right over the use of his/her creation for a certain period of time. (World Trade Organization, 2019)

Review of Literature:

The role of IPR has increased in importance in the era of innovation management and economic development. The study of IPR spans over time and across spaces, and it has grown in depth mainly in the area of innovation management and, more recently, information and communication technology (ICT). Fig 1 shows IPR data from a systematic review of literature from 1970 to 2009 which identify IPR as a rapidly emerging research area with a strong emphasis on the patent market and a reliance on secondary data, mainly coming from North American and European contexts (Candelin-Palmqvist et al., 2012). This calls for more coherent constructs and conceptual frameworks to firm up the theoretical underpinning of IPR research.

This matters because today's world is driven by innovation —specifically, Information and Communication Technology (ICT)— where the interface between creativity and IPR drives economic growth and inventiveness. Patents, trademarks, and industrial designs are referred to as "IP Assets" in the research Paper which can be used individually or jointly depending on the type of knowledge assets. Such an approach allows for the appropriation of returns from R&D investments, reinforcing the notion that a thorough understanding of the economic consequences of IPR on firm behavior and market outcomes is vital. (Comino, S., & Manenti, F. 2015)

The increasingly widespread use of IPR by AI has fundamentally changed the game, with AI representing both a threat and an opportunity. There is a growing perception that conventional intellectual property (IP) laws are becoming obsolete in the figure of new complexities introduced by AI content, thus demanding the re-evaluation of existing frameworks. It is with such calls for holistic mechanisms on how to embed AI into IPR, without stifling innovation, servicing robust protections (Nyaboke, 2024)

This is in line with current research trends that highlight the interest regarding IPR for research partnership and effectiveness of IPR protection mechanisms (IPPMs) [2, 7, 25]. Patents are often utilized to safeguard background and foreground knowledge in collaborations, and negotiations are more complicated in horizontal partnerships and in collaborations with universities (Hertzfeld et al., 2006).

This is in line with current research trends that highlight the interest regarding IPR for research partnership and effectiveness of IPR protection mechanisms (IPPMs) [2, 7, 25]. Patents are often utilized to safeguard background and foreground knowledge in collaborations, and negotiations are more complicated in horizontal partnerships and in collaborations with universities (Hertzfeld et al., 2006).

Intellectual property rights are protected by a system of laws and regulations, which can often be complex and cover many different types of intellectual property, including copyrights and patents (Guarda, 2013). The basic premise of protecting forms of intellectual property in the economy is to encourage innovation and aesthetics and, at the same time, protect the integrity of the commercial market. (Raskind & Besen, 1991) (Scotchmer & Menell, 2007) (Besen & Raskind, 1991)

Moreover, the concept of access to knowledge is emerging as a new paradigm

in IPR research, particularly in the ICT sector. This involves a grounded theoretical approach to glean new insights and develop overarching concepts from empirical evidence, facilitating a deeper understanding of the connections between IPR and ICT.

Objectives of the Study

The primary objective of this study is to assess the awareness and understanding of **Intellectual Property Rights (IPR)** among undergraduate

- To assess students' awareness of IPR, including copyrights, patents, trademarks, and plagiarism.
- To investigate whether students acquire IPR knowledge through formal education or self-learning from various sources.
- To identify difficulties students face in understanding and applying IPR concepts in academics.
- To analyze students' participation in IPR-related seminars, workshops, and training programs and their impact.
- To examine the role of higher education institutions in fostering IPR awareness through curriculum and research initiatives.

Scope of the Study:

The scope of this study is limited to assessing the awareness and understanding of Intellectual Property Rights (IPR) among undergraduate students at S.I.C.E.S. Degree College of Arts, Science & Commerce, Ambernath. The study focuses on students from various academic disciplines, including B.A., B.Com., B.Sc., Computer Science, Information Technology, B.M.S., B.A.F., B.B.I., and B.Sc. Microbiology, examining their knowledge of IPR concepts, sources of information, perceived challenges, and

suggestions for improving IPR education. The research aims to provide insights into the current level of IPR awareness, identify knowledge gaps, and propose strategies for enhancing IPR education within academic settings.

Methodology:

The methodology for this research paper involved a survey-based approach to assess the awareness and understanding of Intellectual Property Rights (IPR) among undergraduate students. A structured questionnaire was distributed to a sample of 254 final-year students across various courses, including B.A., B.Com., B.Sc., Computer Science, Information Technology, and other programs. The questionnaire included both closed-ended and Likert-scale questions to gather data on students' awareness of IPR, sources of information, perceived challenges, and recommendations for improving IPR education. The responses were analyzed using descriptive statistics, and data was presented in tabular form to highlight key trends and patterns. The study aimed to identify the level of IPR awareness,

the effectiveness of current educational initiatives, and potential areas for improvement in the college's IPR education framework.

Data Analysis & Interpretation:

Table 1: Gender wise Distribution of Respondents

Gender	Number of Respondents (N=254)	Percentage (%)
Male	120	47.24%
Female	136	52.76%
Total	256	100.00%

Table 1 presents the gender-wise distribution of the respondents who participated in the study. Out of a total of 254 respondents, 136 were female students (52.76%), while 120 were male students (47.24%). The data indicates that female students had a slightly higher participation rate compared to male students. This distribution reflects the general demographic composition of undergraduate students at S.I.C.E.S. Degree College of Arts, Science & Commerce, Ambernath.

Table 2: Course wise Distribution of Respondents

Course of Study	Number of Respondents (N=254)	Percentage (%)
B.A.	22	8.59%
B.Com.	70	27.34%
B.Sc.	39	15.23%
Computer Science	28	10.94%
Information Technology	26	10.16%
B.M.S.	21	8.20%
B.A.F.	22	8.59%
B.B.I.	18	7.03%
B.Sc. (Microbiology)	10	3.91%
Total	256	100%

Table 2 shows the course-wise distribution of the **254 respondents** participating in the study. The distribution

includes students from various undergraduate programs, with the largest proportion of respondents coming from

B.Com. (70 students, 27.34%), followed by **B.Sc.** (39 students, 15.23%) and **Computer Science** (28 students, 10.94%). Other

courses, such as **Information Technology** (26 students, 10.16%) and **B.A.** (22 students, 8.59%), also had notable representation.

Table 3: Awareness of Intellectual Property Rights (IPR)

IPR Question	Yes (%)	No (%)	Not Sure (%)
Have you heard about IPR?	168(65.63%)	57(22.27%)	31(12.11%)
Do you think IPR is important in academics & profession?	190(74.22%)	31(12.11%)	35(13.67%)
Do you know about Copyright Laws?	154(60.16%)	64(25%)	38(14.84%)
Do you understand the concept of Patents?	132(51.56%)	84(32.81%)	40(15.63%)
Have you heard about Trademarks?	145(56.64%)	78(30.47%)	33(12.89%)
Do you know plagiarism is an IPR violation?	176(68.75%)	42(16.41%)	38(14.84%)
Have you attended any IPR seminar/workshop?	85(33.20%)	171(66.80%)	0

Table 3 presents the awareness levels of students regarding Intellectual Property Rights (IPR). The data indicates that a majority of respondents (65.63%) have heard about IPR, with 22.27% stating they have not and 12.11% being unsure. When asked about the importance of IPR in academics and professions, 74.22% of students acknowledged its significance, while 12.11% disagreed, and 13.67% were uncertain. Awareness of specific IPR aspects varied, with 60.16% aware of Copyright Laws, 51.56% understanding the concept of

Patents, and 56.64% familiar with Trademarks. Regarding plagiarism, a significant 68.75% of students recognized it as an IPR violation. However, only 33.20% of respondents had attended an IPR seminar or workshop, revealing a gap in formal exposure to IPR education. This table highlights the general awareness and knowledge gaps among students, suggesting that while there is some understanding of IPR, further education and awareness initiatives are needed to enhance their overall comprehension.

Table 4: Sources of Information on IPR

Source	Responses (N=254)	Percentage (%)
Academic Curriculum	91	35.55%
Seminars/Workshops	83	32.42%
Internet/Social Media	150	58.59%
Professors/Teachers	110	42.97%
Friends/Peers	65	25.39%

Table 4 outlines the various sources of information that students rely on to learn about Intellectual Property Rights (IPR). The results indicate that 58.59% of students obtain IPR knowledge primarily through the Internet and social media, followed by 42.97% who learn from professors/teachers. 35.55% of respondents receive information

through the academic curriculum, while 32.42% attend seminars/workshops to enhance their understanding. A smaller proportion, 25.39%, learns about IPR from friends/peers. This distribution suggests that while traditional academic channels, such as the curriculum and professors, play an essential role, students predominantly rely

on digital platforms for their IPR knowledge, highlighting the need for more

structured and formal education on IPR within academic settings.

Table 5: Perceived Challenges in Understanding IPR

Challenges	Responses (N=254)	Percentage (%)
Lack of Awareness	142	55.47%
Difficult Legal Terminology	127	49.61%
No Practical Exposure	119	46.48%
Not Relevant to My Field	61	23.83%

Table 5 illustrates the challenges that students face in understanding Intellectual Property Rights (IPR). The most significant challenge, identified by 55.47% of respondents, is the lack of awareness, followed by 49.61% who find the legal terminology associated with IPR to be difficult to comprehend. A further 46.48% of students reported having no practical exposure to IPR, which hinders their understanding. Additionally, 23.83% of

students feel that IPR is not relevant to their field of study. These findings suggest that while there is a general interest in IPR, students face considerable obstacles due to the complexity of the subject, the need for practical learning opportunities, and its perceived irrelevance to certain academic disciplines, highlighting areas for improvement in educational strategies for IPR awareness.

Table 6: Recommendations for Improving IPR Awareness

Recommendation	Responses (N=254)	Percentage (%)
Conducting Workshops & Seminars	193	75.39%
Including IPR in Curriculum	172	67.19%
Promoting Research & Innovation	144	56.25%
Establishing an IPR Cell	120	46.88%

Table 6 presents the recommendations provided by students for improving IPR awareness. The most popular suggestion, with 75.39% of respondents, is to conduct workshops and seminars to increase exposure and understanding of IPR. 67.19% of students recommend including IPR in the academic curriculum to ensure formal education on the subject. 56.25% believe that promoting research and innovation would help foster a better understanding of IPR, while 46.88% suggest the establishment of an IPR cell within the institution to provide support and resources. These recommendations highlight a clear desire among students for more structured and accessible IPR education through

workshops, curriculum integration, and institutional support mechanisms.

Key Findings

- **Moderate Awareness:** While a majority of students have some awareness of IPR, their understanding of its various aspects, such as patents, trademarks, and copyrights, remains incomplete.
- **Lack of Exposure:** A significant number of students have never attended an IPR-related workshop or seminar.
- **Primary Source of Information:** Social media and the internet are the dominant sources of IPR knowledge,

indicating a gap in formal education on the topic.

- **Challenges in Understanding:**
Difficult legal terms and lack of practical exposure hinder students' comprehension of IPR.

Conclusion:

Academic institutions need to focus on IPR oriented knowledge in Education, structured knowledge development initiative and dedicated resources. These barriers will lift students' academic integrity but also prepare them for doing research, doing entrepreneurial stuff as well as innovation in their respective sectors. All the students have acknowledged the importance of IPR, it has been seen that their awareness levels are low because of negligence in providing formal education on the same and also the institutional level work.

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Impact of Intellectual Property Rights on Entrepreneurship and Innovation in Emerging Markets

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DOI - 10.5281/zenodo.14909688

Abstract:

Intellectual Property Rights (IPR) play a crucial role in fostering entrepreneurship and innovation in emerging markets by providing legal protection for new ideas, inventions, and brands. This study examines how strong IPR frameworks encourage investment in research and development (R&D), attract foreign direct investment (FDI), and promote technological advancements. It also explores challenges such as weak enforcement, high costs, and limited awareness that hinder IPR adoption. By analysing case studies from developing economies, the research highlights the need for balanced policies that support both innovation and market accessibility, ultimately contributing to sustainable economic growth.

Keywords: *Entrepreneurship, Innovation, New Ideas, Advancements.*

Introduction:

Intellectual Property Rights (IPR) serve as a key driver of entrepreneurship and innovation, particularly in emerging markets where economic growth is closely linked to technological advancements and business development. Strong IPR frameworks provide legal protection for inventions, trademarks, and creative works, incentivizing entrepreneurs and businesses to invest in research and development (R&D). By securing exclusive rights to innovations, IPR fosters competition, attracts foreign direct investment (FDI), and enhances market expansion opportunities.

However, despite its benefits, the implementation of IPR in emerging economies faces several challenges, including weak enforcement mechanisms, high costs of patent registration, lack of awareness among small and medium enterprises (SMEs), and concerns over accessibility to knowledge. Many developing countries struggle to balance the

need for innovation protection with the affordability of technology, especially in sectors like pharmaceuticals, agriculture, and information technology.

This study explores the impact of IPR on entrepreneurship and innovation in emerging markets, analysing how effective IPR policies contribute to economic development. It also examines case studies of successful innovation-driven economies and identifies the barriers that hinder IPR adoption. By addressing these challenges, policymakers can create a balanced framework that supports both innovation and market accessibility, ultimately driving sustainable growth in emerging markets.

Definition of Intellectual Property Rights (IPR):

Intellectual Property Rights (IPR) refer to the legal protections granted to individuals, businesses, and organizations for their creations, inventions, and innovations. These rights provide exclusive

ownership and control over the use, distribution, and commercialization of intellectual assets for a specific period.

IPR Covers Various Forms of Intellectual Property:

- **Patents** – Protect new inventions and technological advancements.
- **Trademarks** – Safeguard brand names, logos, and symbols that distinguish businesses.
- **Copyrights** – Grant exclusive rights to creators of literary, artistic, and musical works.
- **Trade Secrets** – Secure confidential business information and unique formulas.
- **Geographical Indications (GI)** – Recognize products linked to specific locations
- **Industrial Designs** – Protect the visual appearance of products.

Review of Research:

1. **Maskus (2000)**, well-defined IPR systems lead to higher investment in research and development (R&D), which fosters innovation and new business ventures in developing economies.
2. **Park and Ginarte (1997)** found that countries with stronger patent protection experience greater technological advancements and foreign direct investment (FDI), leading to a thriving entrepreneurial ecosystem.
3. **Branstetter, Fisman, and Foley (2006)** suggests that although multinational corporations (MNCs) are more likely to invest in countries with strong IPR laws, many developing nations face high costs of patent registration, lack of awareness among SMEs, and issues with law enforcement
4. **Kim, Lee, and Park (2012)** indicates that strong IPR enforcement contributes to higher

productivity and business expansion, especially in knowledge-intensive industries like pharmaceuticals, biotechnology, and information technology.

Objectives of the Research Paper:

1. To analyse the role of Intellectual Property Rights (IPR) in fostering entrepreneurship and driving innovation in emerging markets.
2. To examine the challenges and barriers faced by startups and small businesses in accessing and protecting intellectual property.
3. To evaluate the impact of IPR policies on economic growth, investment, and technological advancements in developing economies.

Research Methodology:

This research will adopt a mixed-methods approach, combining both qualitative and quantitative techniques. The study will begin with a literature review to understand the current state of IPR in emerging markets and identify gaps in existing research. The research will rely on **secondary data** sourced from a variety of reputable sources, including government reports, international organizations (such as WIPO and the World Bank), and academic publications. **IPR databases** will be used to analyse trends in patent and trademark registrations across emerging markets.

The Role of IPR in Fostering Entrepreneurship and Driving Innovation in Emerging Markets:

Intellectual Property Rights (IPR) play a crucial role in stimulating entrepreneurship and fostering innovation, particularly in emerging markets where economic development relies heavily on technological advancement and business growth. Strong IPR frameworks provide entrepreneurs and innovators with legal protection, financial incentives, and market

advantages, leading to a more dynamic and competitive business environment.

1. Encouraging Innovation and Research & Development (R&D):

IPR laws, including patents, copyrights, and trademarks, protect new ideas and inventions, ensuring that creators benefit from their intellectual efforts. This incentivizes research and development (R&D) activities in startups, technology firms, and research institutions, leading to technological advancements and improved product offerings in emerging markets.

2. Enhancing Business Competitiveness and Market Expansion:

Securing exclusive rights over inventions, trademarks, and business models, IPR enables entrepreneurs to differentiate their products and services, strengthening their competitive position in the market. Trademark and branding protections also help businesses expand into global markets, ensuring consumer trust and brand recognition.

3. Attracting Investment and Financial Support:

A strong IPR system encourages venture capitalists, angel investors, and financial institutions to fund startups and innovation-driven businesses. Investors are more likely to support companies with patent-protected technologies or licensed intellectual property, as it reduces risks and increases the potential for higher returns on investment.

4. Promoting Technology Transfer and Knowledge Sharing:

IPR facilitates technology transfer agreements, licensing deals, and collaborations between startups, research institutions, and multinational corporations. This enables emerging economies to adopt and adapt advanced technologies, accelerating economic development and fostering an innovation-driven ecosystem.

5. Boosting Economic Growth and Job Creation:

A well-implemented IPR framework supports entrepreneurial activity, leading to

new business ventures, job creation, and industrial growth. In emerging markets, where informal economies are prevalent, strong IPR enforcement helps businesses transition into the formal sector, contributing to sustainable economic growth.

6. Addressing Challenges in Emerging Markets

Despite its advantages, weak IPR enforcement, high registration costs, and lack of awareness among entrepreneurs remain challenges in developing countries. Governments and institutions must focus on simplifying IPR processes, improving enforcement mechanisms, and promoting IPR education to maximize its benefits.

Intellectual Property Rights are a key driver of entrepreneurship and innovation in emerging markets, enabling businesses to protect their innovations, attract investments, and compete in global markets. Strengthening IPR frameworks through policy reforms, legal enforcement, and public awareness will further enhance economic development and technological progress in these regions.

Challenges and Barriers Faced by Startups and Small Businesses in Accessing and Protecting Intellectual Property:

1. **High Costs** – Expensive registration, legal fees, and maintenance costs.
2. **Lack of Awareness** – Limited knowledge of IPR laws and benefits.
3. **Complex & Slow Process** – Bureaucratic delays in patent and trademark approvals.
4. **Weak Enforcement** – Difficulty in preventing infringement and counterfeiting.
5. **Limited Legal & Financial Resources** – High litigation costs and lack of IP experts.
6. **Global Protection Issues** – Costly and complicated international IPR registration.
7. **Risk of Idea Theft** – Fear of trade secret leaks in collaborations.

8. **Weak Government Support** – Insufficient policies, funding, and advisory services.

Intellectual Property Rights drive innovation and business growth, but startups in emerging markets face financial, legal, and procedural barriers. Enhancing IPR awareness, streamlining registration, and strengthening enforcement can address these challenges. Financial support and policy reforms will foster a more innovation-friendly ecosystem.

Impact of IPR Policies on Growth, Investment, and Innovation in Developing Economies:

1. **Economic Growth** – Strong IPR policies encourage innovation, leading to increased industrial productivity, job creation, and higher GDP.
2. **Foreign & Domestic Investment** – Robust IPR frameworks attract **foreign direct investment (FDI)** and venture capital, as investors seek secure markets for their innovations.
3. **Technological Advancements** – IPR protection incentivizes **R&D, technology transfer, and commercialization of innovations**, boosting competitiveness in global markets.
4. **Entrepreneurial Growth** – Secure intellectual property rights enable startups and SMEs to develop unique products without fear of infringement.
5. **Stronger Trade Relations** – Countries with well-defined IPR laws gain access to international markets through patents, trademarks, and licensing agreements.
6. **Knowledge Economy Development** – Encourages the creation of intellectual assets, fostering innovation hubs and research institutions.

7. **Challenges** – High enforcement costs, lack of awareness, and weak legal frameworks can hinder IPR effectiveness in developing economies.

Well-structured IPR policies drive economic progress by fostering innovation, attracting investments, and supporting technological advancements, ultimately leading to sustainable development.

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Intellectual Property Rights and Marketing

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DOI 10.5281/zenodo.14909697

Abstract:

It is true that some create to satisfy an inner craving/calling, intellectual property rights are what make the pursuit of such things sustainable from an economic standpoint, and even for those creators falling within the former category. Intellectual property rights provide them with moral rights that help them maintain the integrity of their work, as well as their recognition of authorship in this. Marketing theories provide frameworks that companies can take to make business decisions to achieve their various goals; the possession of intellectual property rights makes it easier for companies to make certain decisions, such as entering into new industries or market segments. The paper highlights on intellectual property rights and its presence in marketing.

Keywords: Intellectual Property Rights, Industry, Marketing.

Introduction:

The creative industry functions on the existence of intellectual property rights. Without intellectual property rights, creators have very little incentive to create. While it is true that some create to satisfy an inner craving/calling, intellectual property rights are what makes the pursuit of such things sustainable from an economic standpoint, and even for those creators falling within the former category, intellectual property rights provide them with moral rights that help them maintain the integrity of their work, as well as their recognition of authorship in this.

The law does not provide any standard of quality that a creative work should fulfillment to get protection; copyright protection for all creative works exists by default as soon as they are created. Each version or draft of a story or script

enjoys protection equal to that of the final one.

The quality of the work is only relevant towards its commercial success, for this reason, creators and creative industry businesses invest large amounts of money and time into developing good ideas into better stories that will be commercially successful. Movies are often marketed based on the people involved in this process. For example, advertising for movies directed by Christopher Nolan or Quentin Tarantino prominently displays this fact. However, over the last few years, we have seen a trend of movies being marketed – not based on their story, contents or the persons involved in the development, through usual trailers, posters, etc but also based on the underlying rights or materials that these movies are based on. For example, the Barbie movie, the Percy Jackson series etc.

Intellectual Property Rights And Marketing Theory:

Marketing theories provide frameworks that companies can take to make business decisions to achieve their various goals; the possession of intellectual property rights makes it easier for companies to make certain decisions, such as entering into new industries or market segments. These are followings.

Industry competition:

The most of company within an industry, then less freedom to an individual company has to charge high prices. If all companies are offering a variation of a product with no disruptive and/or unique distinctions, then consumers will opt to purchase the cheapest and most accessible option. However, if there are a smaller number of companies providing the particular service, then there is a large scope for the companies to charge higher prices, i.e., if there is a scarcity of supply of a product, then consumers can be forced to pay a higher price.

The Companies can however create unique products and thereafter protect the design, functionality, and other aspects of the product through the use of intellectual property rights, if a industry can monopolize a unique selling proposition, then it can effectively create a new market segment in which it is the sole entity. Thus, the unique selling proposition can be monopolized.

Bargaining power of buyers:

The bargaining power of buyer's increases when the product being sold does not have any unique characteristics and a similar product can be obtained elsewhere, possibly at a lower price. Selling a generic, saturated product puts the company under the control of the buyers. Through the use of intellectual property rights, a firm can create an identity that provides the buyers more than other competitors are capable of doing.

Bargaining power of suppliers:

The supplier of raw materials is also a business, if the demand for a raw material is high, then the supplier can raise prices, if it is few, they will have to reduce prices.

What is the Importance of Intellectual Property Rights in Marketing?

It is important to see that, why intellectual property is important in marketing? Marketing is about helping ideas to stand out and spread. Its objective is to attract spectators to a company's products or services. They should perceive value in them and consider purchasing the company's contributions. Business is a competitive arena. In every category there's a surplus of businesses to buy from. Kind buyers and positioning on something your ideal clients want is essential. Therefore, we need to explore what buyers want and need. We must look at the competitive scenery. And we should become really clear about the alternative to what we sell. The job of marketing is to build awareness and attract lead. We do this by consistently communicating relevant messages. To decide what messages to put out, we must first decide what we stand for and believe. And those beliefs need to resonate with our target regulars. If we don't clarify who we're addressing in our content we're unlikely to attract our ideal clients. Given all this, it's important to design a business correctly so we're uniquely recognizable. This involves choosing a name and visual identity. And that's where IPR is key.

It is how a business creates barriers to entry a moat around itself. IPR is essentially about managing competition. There are two ways in which IP impacts a business' identity. One involves making the right choices of name and identifiers. These need to be legally effective choices. The other is about ensuring those choices don't conflict with the IP rights of competitors because we don't want to be confused with

competitors. Otherwise, our business is less likely to become known in desired ways. Get the brand identity right, and IP protects your distinctive brand assets.

It wrong and you get lost in a sea of similar sounding businesses. Or you attract disputes from competitors whose branding you've unwittingly copied. That's why IPR is important in marketing. If you think about it, everything we do in business gets our name known. Building brand awareness is the single most important task of marketing. And the brands become a valuable asset. To stand out uniquely long term and avoid having our true value stolen or copied, involves correct use of IP. But despite the role of IP in managing competition it's not taught to marketers. At most IP lawyers are invited into universities to give an hour or two of lectures to students. The focus of such talks is on what IPR is, rather than on how it relates to marketing. Students would be better served if their courses included branding law as a core element.

Conclusion:

It has been seen through the eyes of a marketer: It's clear that marketing and intellectual property is closely linked and can't be separated. Marketing consists of a brand and brand name and image which have to be tangled with IPR Laws in order for it to be successful. In terms of intellectual property rights, marketing campaigns have to be carefully delineated. In order to avoid troubles in the future it should be adopted a preventive legal strategy. A brand can be referred to as the spokesperson elements of a company's corporate image, which builds and develops over time by creating trust, while a trademark provides legal defense for the

brand. As company's don't want to lose the capital investment they made in creating their brand, they should utilize IPR protection. Trademarks do not need to be registered, but there are certain facilities granted to the owner of a registered trademark as opposed to the owner of an unregistered trademark who often has difficulty to prove the existence and extent of its right.

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Intellectual Property Rights (IPR) in Academic Research: Ethical Considerations and Best Practices

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DOI - 10.5281/zenodo.14909704

Abstract:

Intellectual Property Rights (IPR) play a crucial role in academic research by protecting original ideas, ensuring proper attribution, and promoting ethical research practices. This paper explores the ethical considerations and best practices related to IPR in academic institutions, focusing on issues such as plagiarism, patent ownership, open access, and copyright disputes. Using secondary data from legal frameworks, case studies, and scholarly articles, the study highlights the importance of balancing innovation with accessibility while ensuring ethical compliance in knowledge dissemination. The findings suggest that robust IPR policies, institutional training, and adherence to ethical research guidelines are essential for maintaining academic integrity and fostering innovation.

Keywords: *Intellectual Property Rights, Academic Research, Ethics, Open Access, Patents, Copyright, Plagiarism*

Introduction:

Academic research is a fundamental driver of innovation, technological advancement, and knowledge creation. However, the protection and ethical use of intellectual property (IP) in academia remain complex and challenging. Researchers, universities, and funding bodies often struggle with issues such as patent rights, plagiarism, fair use, and open access policies.

IPR provides legal recognition and protection to academic contributions, ensuring that researchers receive proper attribution while also balancing the need for knowledge sharing. However, ethical dilemmas arise when institutions prioritize monetization over accessibility, leading to concerns about equity in knowledge distribution. This paper explores ethical considerations and best practices in handling IPR within academic research environments.

Literature Review:

1. Importance of IPR in Academic Research:

Intellectual Property Rights (IPR) in academia ensure that innovators and researchers receive due credit for their work while preventing unauthorized use or commercialization (Maskus, 2018). Universities and research institutions regularly produce patentable discoveries, and IP ownership frameworks vary across institutions (Rai & Sampat, 2019).

- Global Statistics:
 - Over 60% of university patents result from publicly funded research (WIPO, 2022).
 - A study by Hall et al. (2014) found that universities with strong IPR policies experience higher research

output and industry collaborations.

2. Ethical Considerations in Academic IPR:

Several ethical challenges emerge in the context of IPR in academia:

- Plagiarism and Academic Dishonesty:
 - Plagiarism is one of the most serious IPR violations in academia. Studies show that 30-40% of research misconduct cases involve plagiarism (FICCI, 2021).
 - Tools like Turnitin and iThenticate help detect academic plagiarism, but institutional policies must actively discourage unethical practices (Narayanan, 2021).
- Patent Ownership and Commercialization of Research:
 - Patent disputes often arise between universities, researchers, and funding agencies.
 - Example: The CRISPR gene-editing technology patent dispute involved multiple academic institutions, raising concerns about commercial ownership vs. public benefit (Doudna & Charpentier, 2020).
- Data Sharing and Open Access:
 - Ethical concerns arise when universities restrict access to research findings, prioritizing commercial benefits over public good.
 - Example: The Elsevier vs. Sci-Hub legal battle highlighted tensions between corporate publishing models and free academic access (Suber, 2019).

3. Best Practices in Academic IPR Management:

- Transparent IPR Policies: Institutions must establish clear policies on patent rights, co-authorship, and publication ethics (Rai et al., 2021).
- Institutional Training on Research Ethics: Universities should train researchers on ethical IPR handling, including fair use, citation ethics, and data sharing policies.
- Balanced Open Access Models: Hybrid publishing models can balance commercialization with accessibility, ensuring research dissemination without compromising innovation (SPARC, 2022).

Methodology:

This study is based on secondary data analysis, drawing insights from:

- Government Reports (WIPO, UNESCO, DPIIT).
- University IPR Policies from leading academic institutions.
- Case Studies of patent ownership disputes, open-access conflicts, and ethical violations.
- Academic Research Papers on IPR ethics in academia.

The research examines key areas such as academic patent filings, open access trends, and institutional IPR governance.

Findings and Discussion:

Intellectual Property Rights (IPR) in academic research play a dual role—they protect intellectual contributions while ensuring ethical research practices. However, several ethical dilemmas, challenges, and best practices emerge when balancing innovation with accessibility. This section explores the ethical considerations of IPR in academia, the impact of IPR on knowledge dissemination, and best practices

for ethical compliance in research institutions.

1. Ethical Considerations in Academic IPR:

1.1. Plagiarism and Research Misconduct:

One of the most significant ethical concerns in academic research is plagiarism, which includes copying, self-plagiarism, improper citation, and data falsification.

- Extent of the Issue:
 - A study by Retraction Watch (2022) found that 30-40% of research misconduct cases involve plagiarism or self-plagiarism.
 - The Indian Journal of Medical Research (2021) reported that 15% of retracted papers in India were due to plagiarism-related violations.
- High-Profile Plagiarism Cases:
 - 2018 Delhi University Case: Several faculty members were found guilty of self-plagiarism and data duplication, leading to paper retractions and loss of credibility.
 - Elsevier Retraction Scandal (2020): A group of researchers had fabricated data in over 50 publications, highlighting the ethical lapses in peer review systems.
- Solutions:
 - Mandatory plagiarism checks using tools like Turnitin, iThenticate, and Copyscape before research submission.
 - Institutional Ethics Committees should review potential plagiarism cases before granting degrees and funding.

- Strict penalties for academic dishonesty should be implemented to deter unethical practices.

1.2. Patent Ownership and Research Commercialization:

The ownership of academic patents has sparked numerous legal disputes between universities, researchers, and funding agencies.

- Ethical Concerns in Patent Ownership:
 - Who owns a patent—the researcher, university, or funding body?
 - Should universities commercialize publicly funded research for profit?
 - How can researchers ensure equitable access to innovations without commercial restrictions?
- Key Patent Disputes in Academic Research:
 - CRISPR Gene-Editing Patent Dispute (2012-2020):
 - A legal battle between UC Berkeley and MIT-Harvard's Broad Institute over ownership rights of the Nobel-winning CRISPR gene-editing technology.
 - The dispute raised ethical concerns regarding accessibility of breakthrough technologies for public good vs. private monopolization.
 - Stanford University vs. Roche Molecular Systems (2011):

- Stanford lost its biomedical patent rights after a faculty researcher signed an agreement with Roche.
- The case established precedence for institutional IP agreements defining ownership rights before research begins.
- Best Practices for Ethical Patent Management:
 - Universities must implement clear IP policies defining ownership rights, commercialization terms, and revenue-sharing models.
 - Ethical licensing agreements should include provisions for public access to life-saving innovations.
 - Government regulations should promote mandatory patent-sharing in publicly funded research to prevent monopolization.

1.3. Open Access vs. Restricted Knowledge:

One of the biggest ethical debates in academic research is the open access movement vs. paywalled research publishing.

- The Open Access Debate:
 - Open-access advocates argue that knowledge should be freely accessible, especially when funded by taxpayers.
 - Publishers argue that subscription-based models ensure high-quality peer review and sustainability of journals.
- Key Cases in Open-Access Ethics:

- Sci-Hub vs. Elsevier (2011-Present):
 - Sci-Hub, an illegal repository, provides free access to millions of research papers, challenging corporate publishing models.
 - While academics widely support Sci-Hub, it raises ethical concerns about copyright infringement.
- Plan S by the European Commission (2019):
 - Coalition S proposed a global mandate requiring all publicly funded research to be published in open-access journals.

- Best Practices for Ethical Knowledge Sharing:
 - Universities should adopt hybrid publishing models to balance commercial viability and open access.
 - Self-archiving policies should allow researchers to share preprints legally.
 - Government funding agencies should mandate open-access publication for publicly funded projects.

2. Best Practices in Academic IPR Governance:

2.1. Transparent Institutional IPR Policies:

- Universities must define who owns intellectual property (researcher, university, or funder).
- Institutions should draft legal agreements before projects begin, outlining:
 - Patent ownership rights.

- Revenue-sharing policies.
- Ethical licensing agreements.

2.2. Strengthening Research Ethics Committees:

- Dedicated IPR Ethics Committees should be set up in universities to:
 - Investigate plagiarism and research misconduct cases.
 - Monitor patent commercialization to ensure ethical compliance.
 - Develop policies on data sharing, authorship disputes, and fair use.

2.3. Educating Researchers on IPR and Ethical Compliance:

- Universities should conduct mandatory training on IPR ethics covering:
 - Proper citation practices to avoid plagiarism.
 - Patent application process and institutional ownership policies.
 - Fair use and copyright law compliance for digital content.

2.4. Enforcing Anti-Plagiarism and Data Integrity Policies:

- All universities must implement automated plagiarism checks before publishing research.
- Strict penalties should be enforced for self-plagiarism, ghostwriting, and duplicate submissions.

3. Outlook and Policy Recommendations:

To ensure ethical and effective IPR adoption in academic research, universities and policymakers should focus on:

1. Creating National IPR Guidelines for Universities
 - Define standardized IPR ownership laws for publicly funded research.
 - Implement fair licensing policies to balance

commercialization and accessibility.

2. Encouraging Ethical Open-Access Models

- Promote institutional repositories for publicly funded research.
- Offer government incentives for open-access publications.

3. Strengthening Research Integrity and Enforcement Mechanisms

- Set up dedicated research integrity offices in every academic institution.
- Enforce strict anti-plagiarism penalties and retraction policies for academic misconduct.

4. Fast-Tracking Patent Approvals for Universities

- Reduce patent approval timelines from 5 years to 2 years for academic patents.
- Implement expedited review for high-impact scientific innovations.

5. Developing IPR Education Programs for Researchers

- Mandate IPR ethics training for PhD students and faculty members.
- Provide legal support and guidance for patent filings.

Intellectual Property Rights (IPR) in academic research play a critical role in knowledge protection and ethical compliance. However, challenges such as plagiarism, patent disputes, and access restrictions require robust policy interventions. By implementing transparent IPR policies, strengthening research ethics governance, and promoting ethical knowledge-sharing models, academic institutions can balance innovation protection with public accessibility. The future of academic research depends on fostering an ethical IPR framework that

supports both commercialization and global knowledge dissemination.

Conclusion:

Intellectual Property Rights (IPR) are essential for ensuring ethical academic research, protecting intellectual contributions, and fostering innovation. As academic institutions play a crucial role in knowledge creation and dissemination, the responsible management of IPR helps maintain academic integrity, prevent research misconduct, and balance commercialization with public access to knowledge.

The findings highlight three major ethical challenges in academic IPR:

1. Plagiarism and research misconduct—a significant issue affecting research credibility and requiring strict enforcement of anti-plagiarism policies.
2. Patent ownership disputes—often leading to legal conflicts between researchers, universities, and funding agencies, necessitating clear institutional policies on IPR governance.
3. Open-access vs. restricted knowledge—a global debate where universities and publishers must balance the monetization of research with ethical accessibility to publicly funded knowledge.

To overcome these challenges, universities, policymakers, and researchers must adopt best practices, including:

- Implementing transparent IPR policies defining ownership, licensing, and commercialization frameworks.
- Strengthening academic integrity mechanisms through mandatory anti-plagiarism checks and research ethics training.

- Promoting open-access publishing models while ensuring sustainable funding for academic research.
- Establishing dedicated IPR governance committees to oversee compliance with ethical research guidelines.

A strong ethical framework for IPR in academia will be crucial for ensuring that research contributes to societal progress while maintaining fairness, integrity, and accessibility. Universities and research institutions must work collaboratively with policymakers and global organizations to implement sustainable, transparent, and fair IPR policies that protect innovation without restricting knowledge dissemination. By fostering ethical research practices, academia can continue to drive scientific advancements and equitable global development.

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Economic Impact of Intellectual Property Rights on India's GDP: A Sector-Wise Analysis

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DOI - 10.5281/zenodo.14909741

Abstract:

Intellectual Property Rights (IPR) play a crucial role in shaping economic growth by promoting innovation, encouraging investment, and strengthening industry competitiveness. This study examines the impact of IPR on India's GDP through a sector-wise analysis, focusing on industries such as pharmaceuticals, IT, manufacturing, and agriculture. By analyzing data from 2014 to 2024, this research highlights the correlation between IPR enforcement and economic performance, considering key indicators such as patent filings, FDI inflows, sectorial GDP contributions and employment generation. The study reveals that stronger IPR protection has led to higher innovation output and FDI in technology-driven sectors, while weaker enforcement in traditional industries hampers growth potential. This paper studies the need for policy reforms to enhance IPR frameworks and maximize economic gains. The findings contribute to policymaking by suggesting strategic measures to strengthen India's position as an innovation-driven economy.

Keywords- IPR, Economic Impact, GDP, FDI, Patent, Startups, IT

Introduction:

Intellectual Property Rights (IPR) provide legal recognition and protection to creators and inventors, ensuring exclusive rights over their intellectual outputs. This legal framework incentivizes individual and corporate innovation and also contributes significantly to a nation's economic development by promoting research and development (R&D) and attracting investments.

India has made substantial progress in stimulating its IPR infrastructure, aligning its policies with international standards set by the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO). The country's legal framework covers various aspects of IPR, including patents, copyrights, trademarks, geographical indications (GIs), and industrial designs. Notably, the **Patents Act,**

1970 (amended in 2005), the Copyright Act, 1957, the Trademarks Act, 1999, the Geographical Indications of Goods (Registration and Protection) Act, 1999, and the Designs Act, 2000 form the cornerstone of India's IPR legislation. These laws are complemented by initiatives such as the **National IPR Policy (2016)** and programs like **Startup India** and **Make in India**, which aim to cultivate a strong innovation ecosystem and enhance IP awareness and protection.

According to the WIPO's World Intellectual Property Indicators 2024 report, India has secured a good position among the top countries for patents, trademarks, and industrial designs. In 2023, India experienced a 15.7% growth in patent applications, with 64,480 filings, over half of which were from residents. Additionally, there was a 36.4% surge in industrial design

applications, reflecting the country's emphasis on product design and creative industries. The patent-to-GDP ratio also saw a significant increase from 144 in 2013 to 381 in 2023(IPR Report, Ministry of Commerce and Industry, 2024)

This study aims to analyze the economic contribution of IPR to India's Gross Domestic Product (GDP) through a sector-wise examination. By utilizing secondary statistical data from reputable sources, the impact of IPR on various industries, including IT, pharmaceuticals, MSMEs, creative sectors, and agriculture will be studied. The analysis will focus on trends in patent filings, trademark registrations, and copyright protections, providing insights into how IP-intensive industries contribute to economic growth, employment, and competitiveness.

The scope of this research encompasses a comprehensive analysis of IPR trends in India from 2014 to 2024, with comparisons to global benchmarks to identify growth patterns and policy gaps. The findings will serve as a valuable resource for policymakers, industry stakeholders, and academic researchers, offering a thorough understanding of the economic implications of IPR in India.

Objectives of the Study:

1. To analyze the contribution of Intellectual Property Rights (IPR) to India's GDP.

2. To assess the impact of patent filings, trademark registrations, and copyrights on economic growth and employment generation
3. To compare India's IPR performance with global benchmarks
4. To provide policy recommendations

Research Methodology:

This study follows a **quantitative, descriptive, and analytical research design**, utilizing secondary statistical data.

Data Collection:

- **Secondary Data Sources:** The study is based on secondary data which has been collected through different reports, databases, and publications from:- **Government of India**, Indian Patent Office, Designs & Trademarks, Department for Promotion of Industry and Internal Trade (DPIIT), NITI Aayog, World Intellectual Property Organization (WIPO), etc.
- **Conceptual Framework of IPR and Economic Growth**

The link between IPR and economic development is significant in knowledge-driven economies where innovation and technological advancements play a crucial role in enhancing productivity and global competitiveness.

Table 1: IPR and Their Economic Implications

IPR Component	Economic Contribution
Patents	Encourages innovation, enhances R&D, and increases technological diffusion
Trademarks	Strengthens brand recognition and consumer trust
Copyrights	Promotes the creative industry, benefiting media, literature, and software development
Geographical Indications	Enhances the market value of region-specific products
Industrial Designs	Encourages aesthetic and functional improvements in product design

(Source: compiled, WIPO, 2023)

Theoretical Relationship between IPR Protection and Economic Development:

Table 2: Theoretical Frameworks Linking IPR and Economic Growth

Theory	Key Argument
Schumpeterian Growth Theory (1934)	Innovation leads to economic growth
Endogenous Growth (Romer 1990)	Knowledge and technological spillovers enhance GDP
Solow-Swan Model (1956)	Technological advancements drive productivity

Role of IPR in Fostering Innovation, Entrepreneurship, and Investment:

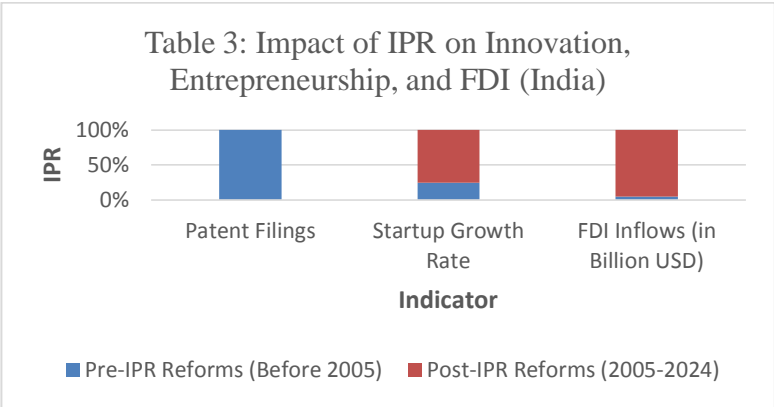
IPR protection encourages economic activities in various ways:

- Innovation:** Firms are incentivized to invest in R&D due to patent protections, leading to technological advancements.
- Entrepreneurship:** Strong IPR frameworks support startups and small enterprises by safeguarding their innovations from imitation.
 - Foreign Direct Investment (FDI):** Countries with strong IPR policies attract higher FDI due to a secured investment.

Table 3: Impact of IPR on Innovation, Entrepreneurship, and FDI (India)

Indicator	Pre-IPR Reforms (Before 2005)	Post-IPR Reforms (2005-2024)
Patent Filings	10,000	80,000+
Startup Growth Rate	5%	15%
FDI Inflows (in Billion USD)	4.5	85.2

(Source: WIPO, Indian Patent Office, DPIIT, 2024)



How IPR Impacts Economic Growth in Different Countries:

A comparative analysis of different economies reveals that strong IPR protection is positively correlated with economic growth.

Table:4. International Comparison of IPR and Economic Growth (2024)

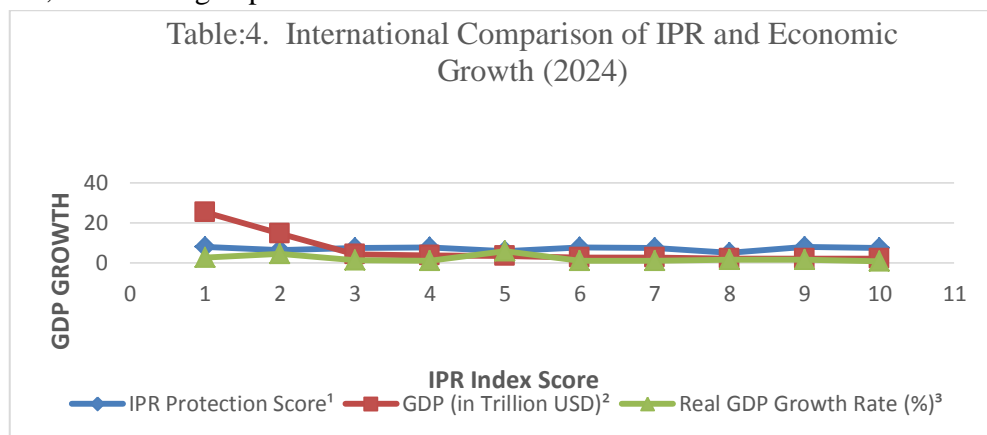
Country	IPR Protection Score ¹	GDP (in Trillion USD) ²	Real GDP Growth Rate (%) ³
United States	8.0	25.43	2.8
China	6.5	14.72	4.5
Japan	7.5	4.25	1.4
Germany	7.8	3.85	1.2
India	5.8	3.41	5.8

Country	IPR Protection Score ¹	GDP (in Trillion USD) ²	Real GDP Growth Rate (%) ³
U K	7.7	2.67	1.1
France	7.6	2.63	1.0
Russia	5.0	2.24	1.5
Canada	7.9	2.16	1.6
Italy	7.4	2.04	0.9

(*Source- *¹ IPR Protection Score: Based on the International Property Rights Index (IPRI) 2024, scores range from 0 to 10, with higher values indicating stronger IPR protection. (A Letter From Henando De Soto) *² GDP data: Sourced from Global PEO Services' report on top countries by GDP in 2024. (Global PEO Services) *³ Real GDP Growth Rate: Data obtained from the International Monetary Fund's World Economic Outlook, October 2024. (IMF)

The table compares IPR protection and economic growth among the top 10 global economies, including India. The U.S. (8.0) and Germany (7.8) have the highest IPR scores, reflecting strong legal frameworks, while India (5.8) lags in enforcement. Despite moderate IPR protection, China (6.5) has a high GDP of \$14.72 trillion, showcasing rapid industrial

growth. Countries with strong IPR (U.S., Germany, UK, Canada) exhibit stable GDP growth, highlighting IPR's positive economic impact. India, with a 5.8% GDP growth rate, shows high economic potential if IPR policies improve. Italy (7.4) and France (7.6) demonstrate that strong IPR alone does not ensure high growth..



Role of IPR in Fostering Innovation, Entrepreneurship, and Investment:

IPR protection encourages economic activities in various ways:

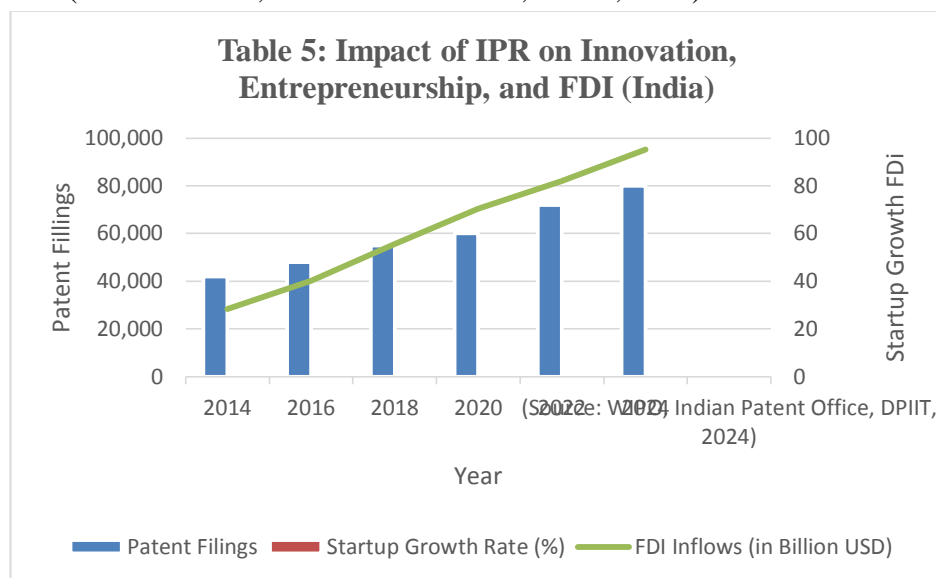
- **Innovation:** Firms are incentivized to invest in R&D due to patent protections, leading to technological advancements.

- **Entrepreneurship:** Strong IPR frameworks support startups and small enterprises by safeguarding their innovations from imitation.
- **Foreign Direct Investment (FDI):** Countries with robust IPR policies attract higher FDI due to a secure investment environment.

Table 5: Impact of IPR on Innovation, Entrepreneurship, and FDI (India)-

Year	Patent Filings	Startup Growth Rate (%)	FDI Inflows (in Billion USD)
2014	42,000	5.5%	28.3
2016	48,000	7.2%	40.1
2018	55,000	9.8%	55.6
2020	60,000	12.5%	70.4
2022	72,000	14.3%	82.1
2024	80,000	15.8%	95.2

(Source: WIPO, Indian Patent Office, DPIIT, 2024)



Patent filings in India rose from 42,000 in 2014 to 80,000 in 2024, reflecting growing innovation and stronger IPR policies. The startup growth rate surged from 5.5% to 15.8%, driven by initiatives like Startup India and improved patent laws. FDI inflows increased from \$28.3 billion to \$95.2 billion, showing rising investor

confidence in India's IPR framework. Stronger patent enforcement has attracted global firms, particularly in IT, pharmaceuticals, and manufacturing. The correlation between IPR, startups, and FDI highlights IPR's positive impact on economic growth.

IPR Trends in India: Growth and Challenges:

Table 6: Patent, Trademark, and Copyright Trends in India

Year	Patent Applications	Trademark Applications	Copyrights Registered
2014	40,000	2,20,000	85,000
2016	45,000	2,60,000	110,000
2018	52,000	3,00,000	140,000
2020	60,000	3,80,000	180,000
2022	72,000	4,50,000	220,000
2024	80,000+	5,00,000+	250,000+

(Source: Indian Patent Office, 2024)

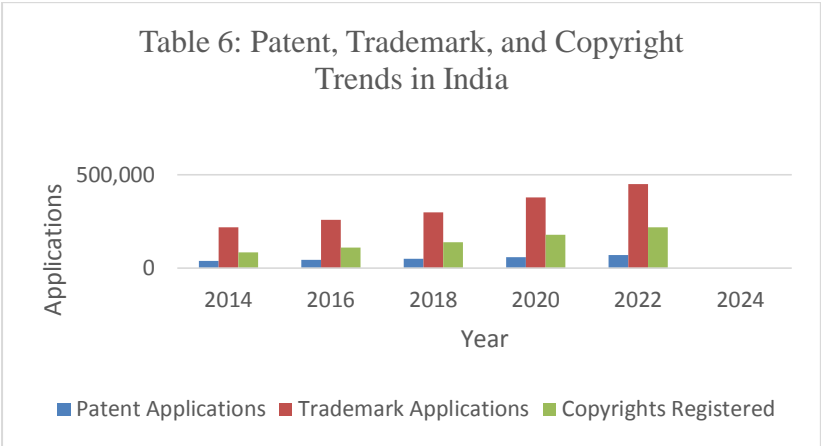


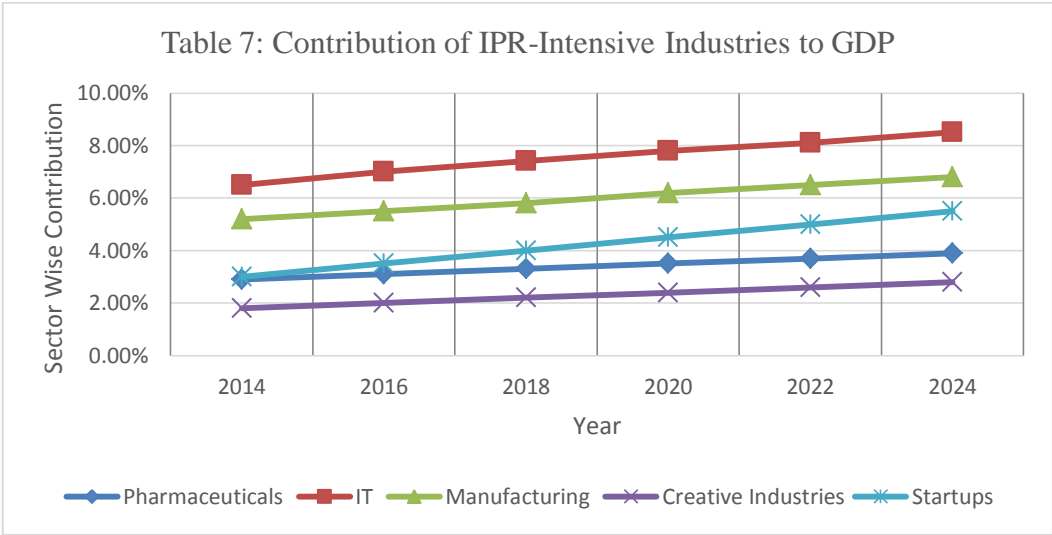
Table shows that India has seen a significant rise in IPR awareness and filings due to policy improvements and international collaborations.

Sector-Wise Contribution of IPR to India’s GDP:

Table 7: Contribution of IPR-Intensive Industries to GDP

Year	Pharmaceuticals	IT	Manufacturing	Creative Industries	Startups
2014	2.9%	6.5%	5.2%	1.8%	3.0%
2016	3.1%	7.0%	5.5%	2.0%	3.5%
2018	3.3%	7.4%	5.8%	2.2%	4.0%
2020	3.5%	7.8%	6.2%	2.4%	4.5%
2022	3.7%	8.1%	6.5%	2.6%	5.0%
2024	3.9%	8.5%	6.8%	2.8%	5.5%

(Source: DPIIT, Economic Survey of India, 2024)



The table highlights the rising contribution of IPR-intensive sectors to India’s GDP from 2014 to 2024. All five key sectors—Pharmaceuticals, IT, Manufacturing, Creative Industries, and Startups—show steady growth. The pharmaceutical sector’s GDP share

increased from 2.9% to 3.9%,. IT grew from 6.5% to 8.5%, fueled by software exports and emerging technologies like AI and blockchain. Manufacturing rose from 5.2% to 6.8%, supported by *Make in India* and stronger IPR frameworks. Creative Industries expanded from 1.8% to 2.8%,

with copyright protections aiding media and digital content. Startups surged from 3.0% to 5.5%, benefiting from patent laws, venture

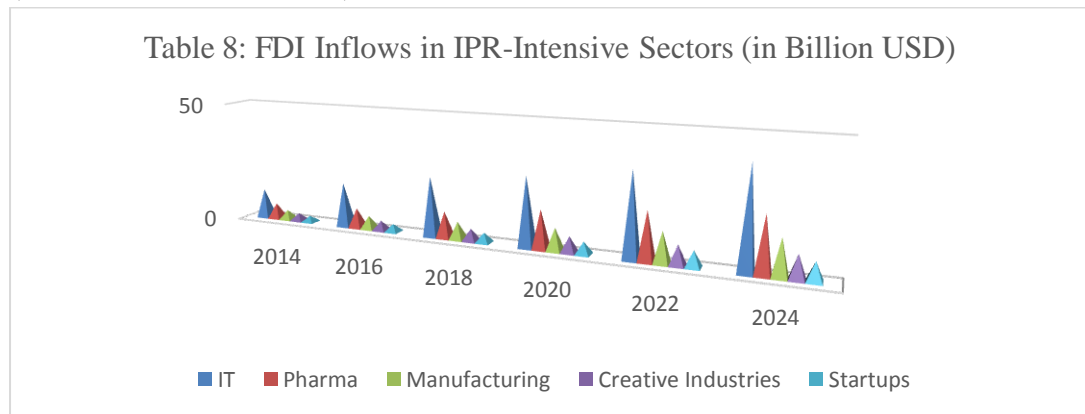
funding, and innovation-friendly policies. Enhanced IPR enforcement has strengthened India's global position in these sectors.

Impact of IPR on Foreign Direct Investment (FDI) in India:

Table 8: FDI Inflows in IPR-Intensive Sectors (in Billion USD)

Year	IT	Pharma	Manufacturing	Creative Industries	Startups
2014	12.3	6.5	4.0	3.2	2.5
2016	18.5	8.2	5.5	4.0	3.2
2018	24.7	11.0	7.3	5.0	4.0
2020	28.6	15.9	9.2	6.5	5.0
2022	34.5	19.8	12.5	8.0	6.5
2024	40.2	22.7	14.8	9.5	7.5

(Source: DPIIT, RBI, 2024)



The table highlights the rising FDI in IPR-intensive sectors, with IT leading, growing from \$12.3 billion in 2014 to \$40.2 billion in 2024, driven by software innovation and copyright protections. Pharmaceutical FDI tripled to \$22.7 billion, showcasing India's expanding role in drug discovery. Manufacturing rose to \$14.8

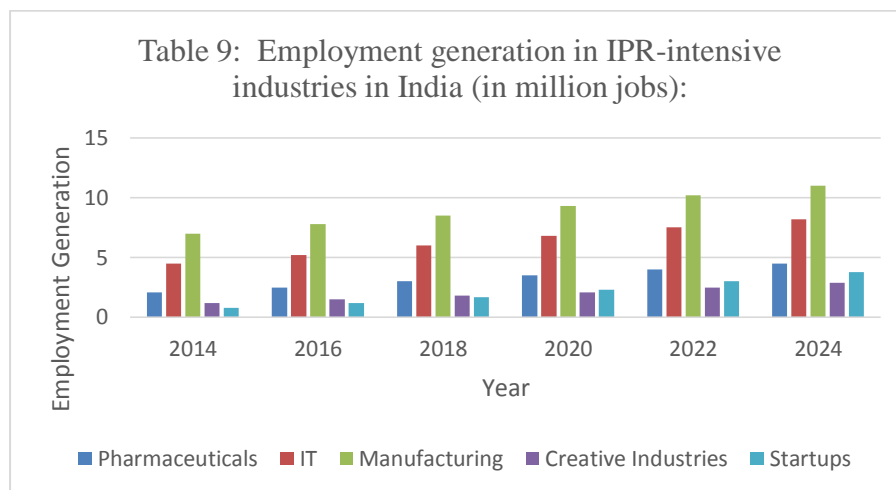
billion, supported by *Make in India* and design protections. Creative industries grew to \$9.5 billion, aided by digital transformation. Startups surged to \$7.5 billion, reflecting a thriving unicorn ecosystem and patent-friendly policies. Strong IPR frameworks have enhanced FDI inflows across sectors.

Employment generation in IPR-intensive Industries:

Table 9: Employment generation in IPR-intensive industries in India (in million jobs):

Year	Pharmaceuticals	IT	Manufacturing	Creative Industries	Startups
2014	2.1	4.5	7.0	1.2	0.8
2016	2.5	5.2	7.8	1.5	1.2
2018	3.0	6.0	8.5	1.8	1.7
2020	3.5	6.8	9.3	2.1	2.3
2022	4.0	7.5	10.2	2.5	3.0
2024	4.5	8.2	11.0	2.9	3.8

(source- Ministry of Labour & Employment, Government of India, 2014 to 2022)



The table shows steady employment growth in IPR-intensive sectors, reflecting economic expansion and innovation. IT jobs rose from 4.5 million in 2014 to 8.2 million in 2024, while manufacturing, the largest employer, grew from 7.0 to 11.0 million. Pharma jobs doubled to 4.5 million, driven by R&D and generics. Creative industries and startups expanded rapidly, with startups growing from 0.8 to 3.8 million jobs, highlighting India's thriving innovation ecosystem.

Key Challenges in India's IPR Protection:

1. Weak Enforcement & IP Infringement

- Despite strong laws, enforcement is weak due to resource constraints and legal delays.
- Counterfeiting in pharma, IT, and creative industries leads to revenue losses.
- *Source: WIPO, Global Innovation Index 2023.*

2. Delays in Patent Approvals

- Patent approvals take 4-6 years, discouraging innovation.
- Bureaucratic inefficiencies contribute to 200,000+ pending applications.

- *Source: Indian Patent Office, Annual Report 2022.*

3. Lack of Awareness Among SMEs & Rural Innovators

- Limited knowledge leads to unprotected innovations.
- Government efforts exist but implementation remains a challenge.
- *Source: Ministry of MSME, Government of India.*

4. Piracy & Counterfeit Markets

- India's counterfeit market impacts software, pharmaceuticals, and luxury goods.
- OECD & EUIPO (2022) report counterfeit goods make up 3.3% of global trade, with India a major source.
- Software piracy causes financial losses and discourages investors.

5. Lack of Awareness Among SMEs & Innovators

- Many SMEs and rural innovators remain unaware of IPR benefits.
- Only a small percentage of SMEs apply for patents.
- National IPR Policy (2016) aims to improve awareness but faces implementation challenges.

6. High Cost of IPR Protection

- Patents cost ₹ 1-5 lakh (\$1,200–\$6,000), making them unaffordable for many.
- PCT applications involve even higher costs, limiting global expansion.

Recommendations for Strengthening IPR in India:

1. Enhancing IPR Enforcement

- Establish fast-track courts and specialized IPR tribunals for patent disputes.
- Strengthen coordination between law enforcement and the Intellectual Property India Office to combat piracy.

2. Streamlining Patent Approvals

- Reduce delays through digitalization and automation.
- Provide single-window clearance for startups and MSMEs.

3. Increasing IPR Awareness

- Introduce IPR education in schools and universities.
- Conduct training programs for small businesses and innovators.
- Promote public-private partnerships for awareness campaigns.

4. Lowering IPR Registration Costs

- Offer subsidized patent filing for startups and MSMEs.
- Encourage financial institutions to support patenting costs.
- Introduce subsidized or free patent filing for startups, MSMEs, and grassroots innovators.

5. Boosting R&D Investments-

- Provide tax incentives and subsidies for companies investing in R&D and patents.
- Establish IPR incubation centers in universities to foster innovation.

6. Enhancing Sector-Specific IPR Protection

- IT & Software: Strengthen copyright and patent laws to combat piracy.
- Pharmaceuticals: Accelerate drug patent approvals while ensuring accessibility.
- Manufacturing & Startups: Promote patent licensing and technology transfer.
- Creative Industries: Strengthen copyright protections for artists and filmmakers.

7. Expanding Global IPR Collaboration

- Align policies with TRIPS (WTO) and WIPO guidelines.
- Strengthen partnerships with innovation-driven economies (USA, EU, Japan).

Conclusion:

Implementing these recommendations will help India **maximize the economic benefits of IPR**, attract higher **foreign direct investment (FDI)**, boost **employment generation**, and foster a **stronger innovation ecosystem**. A **robust IPR framework** will position India as a **global leader in knowledge-based industries**, driving sustainable economic growth.

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Intellectual Property Law's In India

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**Abstract:**

Artificial Intelligence (AI) is a technology which is known for carrying out various tasks efficiently with little or no human intervention at all. Generative AI is one of the branches of AI which is known for generating content at par with human intelligence. Generative AI tools like ChatGPT, Google's Bard and DeepAI are being used in today's world by students, academicians, employees, employers, news channels and others to create textual, pictorial or video-graphical content. All such generated content suffers from one common issue, that is, their copyright. Most of the users are unaware of copyright in the work generated by them using the generative AI tools. They do not know whether the copyright exists in AI-generated work and who is the owner or author of such copyrighted work. The article analyses the subsistence of copyright in AI-generated work and the conditions and criteria of such copyright, if any. It traces the content creation process of generative AI tools and the contractual aspects pertaining to it. Further, the article examines the issues of copyrightability of AI-generated work in various countries and compares it with the legal standing in India. Lastly, the impact of AI-generated work on the Indian copyright regime has been analysed and accordingly, suggestions have been made which may be implemented to address the plethora of challenges arising out of or in relation to AI-generated work.

Keywords: Artificial Intelligence, Generative AI, Chat GPT, Bard, Deep AI, Copyright, Author, Owner

Introduction:

Artificial Intelligence (AI) is a technological development in the modern world that is changing the way of carrying out work, especially in creative works. The Cambridge Dictionary defines AI as a 'computer

technology that allows something to be done in a way that is similar to the way a human would do it'.¹ However, it can take any form and can be used in various systems like smartphones and machines and in various resources like websites and software. Therefore, it is something more than just computer technology. The

reason behind its popularity and one of its main features is that AI can carry out tasks with little or no human involvement at all.² The work that humans perform and give results in hours or days, many of such work like composing lyrics of songs, writing articles, creating images, and presenting news as an anchor can be performed by AI within a blink of an eye. On account of this technological development, a distance has occurred between human creativity and artificial creativity as there is either little or no human contribution at all in AI-generated work.³ Due to the humans' distance from creativity coming out of AI, the copyright regime across the world is witnessing a common challenge in recent times. The copyright principles trace their origin in human labour on account of which the work of human creators is protected for their use only or for others' use but only with the prior permission of the human creators.⁴ Various theories emerged in the copyright domain over time, however, what remained intact is the substantial involvement of humans in the creation of work without which the copyright protection is not supposed to be granted. Copyright law has an inherent assumption that there are human creators who creatively, originally, and independently create work.

However, a threat has arisen to the aforementioned traditional and inherent assumption due to the creation of work by a non-human creator, i.e., AI. On account of the same ground, the article analyses the challenges that AI-generated work is posing to copyright law and their implications on copyright authorship and ownership because in copyright law authors are defined with respect to a particular kind of work. It also raises the question with respect to the originality of the work. This paper focuses on these two pertinent questions. Generative AI Tools

and their Work Generation Procedure AI is a technology available in various forms, viz. Software, extension, and applications, to carry out the assigned task and generate the results or work. Such software, applications and extensions are collectively referred to as AI tools which use artificial intelligence technology to perform the tasks. They are developed keeping in view the specific purposes and objectives. Therefore, the functions of AI tools differ, for instance, many AI tools carry out the function of collecting and rearranging textual and numerical data, various

Chat GPT:

AI tools like ChatGPT and Google Bards generate textual responses and other AI tools like Deep AI and Midjourney generate pictorial work. Thus, AI tools are developed keeping in view specific needs and uses in a variety of industries, ranging from education, law, finance, and healthcare to the marketing industry, to automate tasks, analyse data and enhance productivity.⁶ Among all, there is one category of AI tools called generative AI tools, which is known for its peculiar generative function. Generative AI tools are those AI-based tools the function of which is to generate responses or work as per given instructions by extracting data from its database which it has been trained upon and/or from articles, books, newspapers, and other public webpages which are available on the internet. They are trained on a massive amount of data which allows them to generate responses in simple language for questions asked to them.² Generative AI tools are being used for various purposes, viz. writing assignments and theses in academia, generating content for emails and creating images, videos, and voiceovers. For instance, a person may give a written

or oral command to a generative AI tool to “write a short note on the protection of plant varieties as intellectual property” and on receiving the command, the generative AI tool digs into its database which it has been trained upon to generate the work in the form of a short note. Similarly, a command to “draw a picture of an Indian man from 1870s” may be given to a generative AI tool which will generate the work in picture form using the database which it has been trained upon. Therefore, such AI-based tools that have been developed to generate work, either textual, pictorial or in any other form, are known as generative AI tools.

AI Tools:

It is the generative AI tools that pose challenges to copyright law because of the work generated by them. The generated work is generally literary work, artistic work or sound recordings, the ownership of which is covered within the purview of copyright law. Therefore, with every AI-generated work comes the legal aspect of its copyright protection and ownership. However, it is pertinent to note that the human role in the creation of work by generative AI tools is too limited. Humans are not required to perform any task other than giving commands to the tools for the generation of work.⁸ It is the “too-limited role” which challenges the copyright law and raises the question of whether such a “too-limited role” is enough to obtain copyright ownership in favor of humans playing the too-limited role. The question cannot be answered straightly in affirmative or negative as it can have a long-lasting impact on copyright law not just nationally but across the world because the development of law in one country ultimately reaches to and impacts other countries as well. Therefore, the issue

needs to be analyzed keeping in view the current copyright regime and future perspectives to ensure that the law remains technologically neutral, rather than being technology-specific because of the development of artificial intelligence and the increasing use and popularity of generative AI tools. Terms of Use of Generative AI Tools and Issues thereof Terms of Use of the generative AI tools are the terms and conditions laid down by the developers that provide for the rights and obligations of users, including the ownership of generated work and the extent of ownership, arising out of the use of their tools and the work generated thereto. However, there is a pertinent issue in this regard which the Authors have discussed post-coverage of Terms of Use of significant generative AI tools. Chat GPT’s Terms of Use assigns to the users all the rights, title, and interest in the generated content to the “extent permitted by applicable law”.⁹ So, users may claim rights in the generated content if the law permits and the generated content reflects the choices and creativity of the user without which the desired level of the content could not have been generated. However, the terms of services mention that if someone is infringing one’s intellectual property rights, they can send a notice to Google of the infringement and appropriate action would be taken.

Deep AI:

Deep AI’s terms of service provide that all content generated by its tools and APIs are free of copyright and users may use them for any legal purpose including commercial use. However, it further mentions that the users agree not to use any services, inter alia, in any way that violates any applicable national, federal, state, local or international law or regulation. The

impugned terms clarify that though the generated work may be copyright-free, but their AI tools are not to be used to create any work that would be volatile of any national law, inter alia, copyright law. Thus, generative AI tools have varying terms of use or service which provides for varying nature of ownership of generated work. However, a common element among all is that they have avoided vesting themselves with the ownership of work generated by their generative AI tools which means that claiming copyright in AI-generated content is dependent on various factors. It is pertinent to mention that generative AI tools have been trained on massive data available on the internet, including articles, books, newspapers, social media posts and other public web pages. In particular, ChatGPT has been trained on massive internet data available till 2021 and generates responses by using and restructuring the data which it has been trained upon.¹² Google's Bard is based on the LaMDA language model which has been trained with about 1.56 trillion words from various sources and 137 billion parameters to make it talk with the user instead of merely producing text.¹³ Further, DeepAI has been trained on a large amount of diverse text data from the internet, allowing it to learn a broad understanding of language and effectively respond to a wide range of user queries. The prominent issue in this regard is that such existing data, on which generative AI tools or their underlying language model has been trained, may be copyrighted. As a result, a work generated by generative AI tools may infringe someone's copyright if it contains or is similar to any copyrighted work.¹⁴ In view of this, the assignment of the rights in the generated responses to users as per the Terms of Use, as in the case of ChatGPT, is immaterial because neither

the tool nor its owner is the actual copyright owner, rather the actual copyright may already be existing with someone else. Similarly, work generated by DeepAI may also not be copyright-free as claimed by its Terms of Service. On the same footing, literary work generated by Google's Bard may also be someone's copyrighted work. Copyright of AI-Generated Work in India vis-à-vis Element of Originality and Roles of Various Contributors Copyright protection has historically been applicable in situations where technology has been used as a medium to assist an individual in doing a job (for example, utilising a camera to take a photograph). In these cases, the individual was recognised by being the artistic mind who defined or created the scenario resulting in the initial script. Recent developments in machine learning and the rise of computer resources have ensured that AI can now build works that are, no doubt, independent of human imagination.

Copy Right:

This raises the question of whether these AI-created works can be protected by copyright? The Copyright Act, 1957 governs the copyright regime in India. The Act grants copyright protection on literary, dramatic, musical, and artistic work, cinematograph film and sound recordings.¹⁶ AI tools can generally generate literary, musical and artistic work. However, the grant of copyright on generated work depends upon various criteria, inter alia, originality of the work and creativity on the part of an author. Originality under the Copyright Law Originality is one of the fundamental yardsticks to test the copyrightability of a work. The basic requirement of originality is that the work must originate from the Author and not be copied.¹⁷ The degree of

originality varies with the jurisdiction. The United Kingdom follows the “sweat of the brow” doctrine which prescribes that employing the skill and labour of authors is sufficient for granting copyright protection to a work.¹⁸ The United States follows the “modicum of creativity” doctrine which accepts a work to be original if it is “independently created” and has a “minimum degree of creativity”. India, till 2008, followed the “sweat of the brow” doctrine. However, the Supreme Court of India, in the

Conclusion:

Once upon a time, only humans were known for creation, invention, and innovation. As time passed, humans kept creating, inventing, and innovating, as a result of which, today they have created arguably an equivalent or advanced version of themselves in the field of creativity, known as Artificial Intelligence. AI can create, copy, replicate, carry out tasks and give results with better efficiency than humans. The accuracy of resultant work may be questionable, but it may be only a matter of time that many tasks not requiring human intervention

are going to be the responsibility of AI in future. However, the issue of copyright protection and ownership of created work and the credit for its creation are matters of ongoing debate. One section advocates for protecting AI-generated work under copyright law and vesting the users of the AI tools with authorial rights, whereas the other section opposes the above view. It is worth noting that copyright attaches to original work of authorship fixed in any tangible medium of expression, which may not even be known or may be developed later.⁵⁵ So, copyright is designed to adapt with time and human creativity is the sine qua non at the core of copyright.

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The Study On Intellectual Property Rights And Its Relevance For E-Commerce

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DOI - 10.5281/zenodo.14909757

Abstract:

The concept of intellectual property was developed in the 18th century, with the first federal statute on patents being passed in 1790. Intellectual property rights are the legal protection granted to individuals who have invented something new or created something original that is capable of being physically reproduced or transmitted. The scope of intellectual property rights varies from country to country, but generally any form of expression that falls within the jurisdiction of copyright law and patent law is protected as intellectual property (see section 20(1)(b) of the Copyright Act 1957). It cannot be revoked by anyone at all as it is not owned by anyone in particular. IP rights protect intellectual property in a wide variety of ways, covering protection of inventions and designs, protection for data and software, as well as protection for literary material like books and films. IP plays a role in facilitating smoother E-Commerce transactions.

Keywords: Intellectual Property, Patent, Copyright, Trademark, E-Commerce.

Introduction:

Intellectual property Rights (IPR) term used to describe special rights pertaining to creative works. Intangible assets including innovations, literary and symbols, and images can be protected under IP law. This protection is made possible by various IP rights, including patents, trademarks, designs, and copyright i.e. IPR. These rights allow their owners to profit financially recognition from their inventions E-commerce, is the practice of conducting business dealings online. Among them would be starting a business, trading products and services. E-commerce often entails the sale of goods and services based on licensed intellectual property rights. IPR is extremely critical in each of these situations since it's important to safeguard the items' worth. Tools like intellectual

property laws and technology security measures are used to provide the protection. IPR in e-commerce is particularly important since IP theft can potentially kill an online firm if it is prevalent.

Review of Literature:

Bhattacharya, S., & Saha, C. (2011). The history IPR kinds are also covered in this paper. Ideas on the basis of which the ready to confer the status of property are referred to as intellectual property rights (IPR). In order for the inventors or developers of that property to profit commercially from their creative endeavors or reputation, IPR grant them specific exclusive rights. Kumari. P (2019) Ideas, innovations, and creative expressions on the basis of which there is a public desire to

grant the status of property is referred to as intellectual property rights (IPR).

The study by Lee, H. (2021), highlights some important aspects of intellectual property rights protection in online trade. The purpose of this study is to examine how Small Business Enterprises (SMEs) use their supply chains to increase their competitiveness through the usage of e-commerce and intellectual property rights (IPR). Geiger, C. (2022), The research done for this article establishes the status of IPR in certain businesses, and the findings show a definite upward trend while also highlighting the need for more industry-wide awareness and IPR implementation.

Objectives of the Study:

1. To know the role of intellectual property rights in E- Commerce.
2. To identify the e-commerce factors in IPR.
3. To Study the various type of intellectual property Rights

Research Methodology:

In order to achieve the above objectives information was collected from the secondary sources which is available. Various reports, research papers, case studies regarding role of intellectual property right were referred to, apart from numerous journals and articles. This research paper is conceptual in nature. It is descriptive in the sense that it tries to identify various characteristics of research objectives and it is conceptual since it examines literature review of past studies conducted in these fields.

History of Intellectual Property Rights:

IPR developed by IMF. In India, copyright law was first established in 1847 as a result of an East India Company-era ordinance. The copyright's term at the time was 42 years. If the copyright holder refused to allow the publication of a work after the

author's passing, the government might issue a compulsory. In order to enforce rights under this act, copyright registration was required.

Under the British Raj, the Indian government of the time passed a new copyright law in 1914 that was remarkably similar to the United Kingdom Copyright Act of 1911. There were many significant differences, the most significant one is that it created.

Origin and History of Trademark

The Trademark Act of 1940, which was adapted from Merchandise Act, 1958 was also passed after independence. Numerous changes were made up until December 30, 1999, when the Trade Mark Act, 1999, which is currently in effect in India, was established. The two main needs met by this act are to:

- a) Shield the owner from chaos and competitor mark duplication.
- b) Protect the company, commerce, and goodwill that the trademark owner has built up.

THREE MAIN TYPES OF IPR:

Patents:

Researchers in the field of e-commerce receive a lot of incentives from patents. Patents facilitate outsourcing and the development of planned alliances in ecommerce. One of the most significant forms of IPR is the patent. A government license that grants. Specific time period, particularly the exclusive right to prevent others from creating an invention, is what is meant by this definition. When individuals or organizations create new products or processes, they go to the patent office, describe the invention in detail, and pay a fee to have their property protected.

Copyrights:

Copyrights are crucial in the current digital era for protecting the information and creative work on websites. Because of the fast digitization, the owners of the

copyrights seek copyright protection to stop any illicit distribution or copying of their works that are displayed online.

Trademarks:

Trademarks are extremely important in the internet world and e-commerce to develop a brand image by expanding or selling the enterprises. A registered trademark also makes it simpler to file lawsuits and initiate legal processes against companies that online infringe on your company's intellectual property.

Elements Protected Under IPR in E-Commerce:

The IPR in e-commerce pertains to the purchasing and selling of goods via a physical store and an online store, respectively. Search engines, e-commerce platforms, and other crucial online technologies are covered by patents and utility models. Depending on the country's IPR rules, specific software, including the text-based HTML code used

- 1) By websites, is protected under the Patent Law or the Copyrights Act. An e-commerce website's entire design is likewise shielded by copyright laws.
- 2) The Copyright Law protects all of the information on the website, including any written or visual
- 3) The Companies can use copyright laws or country-specific database legislation to protect their databases
- 4) An e-commerce in IPR the Companies can use the Trademark Law to protect their brand names, product names, logos, domain
- 5) The similar identifying indications posted on their websites with reference to both IPR in retail and e-commerce. Under the appropriate Industrial Design Law in their nation, businesses are also allowed to protect

Significance of the Study:

The majority of businesses worldwide consider their intellectual property to be a much more valuable asset than any physical property they may hold. This is due to the fact that intellectual property laws shield businesses against unfair competition as well as the disclosure of their trade secrets. The primary goal of intellectual property legislation is to promote the production of several different intellectual goods. To do this, the law grants individuals and organizations ownership rights to the knowledge and intellectual products they produce, typically for a finite amount of time. Because it enables people to make money from the knowledge and intellectual products they produce, this provides an economic incentive for their creation. Depending on the level of protection provided to innovators, these economic incentives are anticipated to encourage innovation and advance technology in countries.

The modern digital economy makes the importance of IPR in E-commerce particularly obvious. In addition to preserving the creator's labour, the existence of regulations and procedures that govern the operation of IP laws has promoted new creations. The law forbids people from stealing intellectual property (IP) and utilizing it for their own financial gain without compensating the inventor for their labour and ingenuity. This study concentrates on the importance of intellectual property rights in E-commerce

Conclusion:

An intellectual property rights is necessary for the fair and ethical compliance of digital practices and operations, particularly in a sector as diverse and dynamic as e-commerce and retail. IPR in ecommerce aids in defending companies that use online platforms. Intellectual property rights assist businesses in preserving and

protecting their covert business operations as the internet retail market expands exponentially. IPR owners are able to claim a portion of the company's revenues thanks to IP rights in ecommerce. As a result, it should be noted that IPR in e-commerce safeguards e-commerce activities. However, the practical application of IP Rights determines the success rate completely. The expansion of E-commerce makes it easier for businesses to monitor and defend their trade activities, especially those that require maintaining anonymity. IPR owners are able to claim a portion of the company's revenues thanks to IP rights in e-commerce. Intellectual property rights will be implemented with a focus on characteristics that are unique and unavailable to others, successfully enabling E-commerce activity in the public domain. Because of this, intellectual property protects e-commerce and promotes economic justice while the appropriate safeguards for protecting intellectual property rights are taken.

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Intellectual Property Rights (IPR), Corporate Social Responsibility (CSR), and Ethical Considerations: A Study

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DOI - 10.5281/zenodo.14909759

Abstract:

This research paper explores the intersection of Intellectual Property Rights (IPR), Corporate Social Responsibility (CSR), and ethical considerations within modern business practices. It delves into how companies balance their legal obligations to protect innovations while promoting societal welfare through CSR initiatives. The paper discusses ethical concerns related to IPR, including access to essential goods, the exploitation of cultural heritage, and the balance between profit and public good. The goal of this research is to understand how ethical business practices surrounding IPR can foster responsible innovation and contribute to sustainable, socially beneficial outcomes.

Keywords: *Corporate, Social, Responsibility, Sustainable.*

Introduction:

In an increasingly globalize and competitive business environment, companies must navigate a delicate balance between protecting their innovations and contributing to the common good. Intellectual Property Rights (IPR) offer legal protection for innovations, ensuring that creators have exclusive rights over their work. On the other hand, Corporate Social Responsibility (CSR) highlights the obligation of companies to engage in ethical practices that benefit society at large. This research paper explores how IPR and CSR can complement each other, focusing on the ethical considerations that arise when companies engage in both.

Objectives of Research Paper:

1. To Study IPR and **Role of IPR in Business and Innovation**
2. To analyze Corporate Social Responsibility (CSR) and **Ethical Considerations in IPR and CSR**

Intellectual Property Rights (IPR):

Intellectual Property Rights (IPR) is a set of legal protections granted to individuals or entities for their creations and innovations. These include patents (for inventions), trademarks (for brand identity), copyrights (for creative works), and trade secrets (for confidential business information). IPR allows businesses and individuals to benefit from their creative and inventive work, offering incentives for further innovation.

1. The Role of IPR in Business and Innovation:

- **Protection and Profit:** IPR incentives innovation by ensuring that creators can protect their work from unauthorized use or reproduction. This protection can generate revenue through licensing, royalties, and exclusive market access.
- **Global Trade:** IPR is crucial in international trade, enabling

companies to export their products globally while maintaining legal safeguards over their inventions and brands.

Corporate Social Responsibility (CSR):

Corporate Social Responsibility (CSR) refers to a company's efforts to operate in ways that benefit society, beyond financial profit. CSR initiatives often focus on areas such as environmental sustainability, ethical labor practices, community development, and philanthropic efforts.

1. The Principles of CSR:

- **Social Impact:** Companies are expected to take an active role in solving societal challenges, such as poverty, inequality, and climate change.
- **Environmental Stewardship:** Many CSR strategies include reducing carbon footprints, managing waste, and developing sustainable products.
- **Ethical Governance:** CSR requires transparency in decision-making processes, fair wages for employees, and responsible sourcing of materials.

2. CSR and Business Sustainability:

CSR can enhance a company's reputation, build customer loyalty, and improve employee morale. By focusing on sustainability, businesses can ensure long-term growth while contributing positively to society.

Ethical Considerations in IPR and CSR:

The integration of IPR and CSR raises several ethical issues. Companies must consider not only their legal rights over intellectual property but also their responsibilities to society, especially in areas that affect public welfare.

1. Access to Essential Goods:

- **Pharmaceutical Patents:** One of the most prominent ethical concerns in

IPR is access to life-saving medications. Pharmaceutical companies often hold patents for drugs, making them expensive and inaccessible to impoverished populations. Ethical companies may adopt CSR practices such as offering discounted or generic versions of essential medicines in low-income regions.

- **Technology and Education:** The monopolization of educational tools and technologies under IPR can limit access to knowledge. Companies could use CSR to support open-source platforms, educational programs, and affordable technology to ensure that everyone benefits from technological advancements.

2. Exploitation of Cultural Heritage:

- **Indigenous Knowledge:** Some companies use traditional knowledge from indigenous communities without proper acknowledgment or compensation. This raises ethical issues of cultural appropriation. Companies should engage in CSR by forming fair partnerships with these communities and compensating them for their intellectual contributions.
- **Fair Use of Traditional Knowledge:** A more ethical approach to IPR involves recognizing and respecting the intellectual property rights of indigenous communities. It includes collaborative research and equitable profit-sharing models.

3. Patent Trolling and Monopoly Practices:

- **Patent Trolling:** Some entities exploit IPR not to create new products or services, but to exploit competitors with aggressive lawsuits over vague patents. This behavior is often seen as unethical and can stifle innovation. Ethical CSR practices

include rejecting patent trolling as a business strategy and focusing on innovation over litigation.

- **Monopolies and Market Control:** Companies holding significant IPR in certain markets might restrict access to technologies or products to maintain their dominance. Ethical considerations dictate that companies should not use IPR solely to hinder competition or exploit consumers.

Balancing Profit and Social Good:

A critical ethical consideration is how businesses balance profit-making with their social responsibilities. While protecting intellectual property allows companies to generate profits, excessive profit-seeking through IPR can lead to social harm, especially in cases where essential goods become unaffordable or inaccessible.

1. Socially Responsible Licensing:

- Companies can engage in **ethical licensing**, allowing others to use their intellectual property under favorable terms for the greater good. For example, licensing renewable energy technology at lower costs to developing countries helps combat climate change while promoting global social good.
- **Fair Trade Models:** Businesses can use their intellectual property to promote fair trade, ensuring that workers in the supply chain receive fair wages and work in safe conditions.

2. Long-term Sustainability vs. Short-term Profit:

- Companies should adopt CSR strategies that align with long-term sustainability goals, rather than focusing on short-term profits. For

example, companies in the technology sector might focus on developing products that are environmentally friendly and recyclable, rather than exploiting patents to produce short-lived, non-recyclable items.

Conclusion:

The integration of IPR and CSR presents significant ethical challenges and offers opportunities for companies to use their innovations for the greater good. Ethical businesses should ensure that their IPR strategies do not exploit vulnerable communities or restrict access to critical goods and services. By adopting CSR principles, businesses can align their legal rights with ethical obligations, fostering innovation that benefits society while also maintaining profitability. Moving forward, the ethical management of IPR in conjunction with CSR practices will be crucial in shaping a more responsible and sustainable business landscape.

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Role of IPR in digital marketing and E-commerce

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DOI - 10.5281/zenodo.14909766

Abstract:

In the rapidly evolving digital landscape, Intellectual Property Rights (IPR) play a crucial role in fostering innovation, protecting brand identity, and ensuring fair competition in digital marketing and e-commerce. This paper explores the multifaceted impact of IPR on these domains, examining the challenges and opportunities presented by the digital age. It delves into the significance of trademarks, copyrights, patents, and trade secrets in safeguarding online businesses, creative content, and technological advancements. Furthermore, the paper analyzes the enforcement mechanisms and legal frameworks governing IPR in the digital realm, highlighting the need for effective strategies to combat infringement and counterfeiting. By understanding and leveraging IPR, businesses can unlock the full potential of digital marketing and e-commerce while mitigating risks and establishing a sustainable competitive advantage.

Introduction:

The advent of the internet and the proliferation of digital technologies have revolutionized the way businesses operate and interact with consumers. Digital marketing and e-commerce have emerged as powerful tools for reaching global audiences, promoting products and services, and driving economic growth. However, this digital revolution has also brought forth new challenges, particularly in the realm of intellectual property protection. In the interconnected world of the internet, where information and content can be easily copied and disseminated, safeguarding IPR has become paramount for businesses seeking to thrive in the digital marketplace.

Significance of IPR in Digital Marketing:

Digital marketing relies heavily on creative content, branding, and innovative

strategies to capture consumer attention and build brand loyalty. IPR plays a critical role in protecting these intangible assets, ensuring that businesses can reap the rewards of their creativity and investments.

Trademarks: Trademarks are essential for establishing brand identity and distinguishing products or services from competitors. In the digital realm, trademarks are used to protect brand names, logos, slogans, and domain names, ensuring that consumers can easily identify and trust the source of goods and services.

Copyrights: Copyright protection extends to a wide range of digital content, including website designs, marketing materials, photographs, videos, music, and literary works. Copyright law grants creators exclusive rights to reproduce, distribute, and display their works, preventing unauthorized use and infringement.

Patents: Patents protect inventions and technological advancements that are essential for driving innovation in the digital space. Patents can be used to safeguard software, algorithms, e-commerce platforms, and other technological innovations that provide businesses with a competitive edge.

Trade Secrets: Trade secrets encompass confidential and proprietary information that provides a business with a competitive advantage. In the digital marketing context, trade secrets may include marketing strategies, customer databases, pricing models, and other sensitive information that is not publicly known.

Significance of IPR in E-commerce:

E-commerce platforms rely on a combination of IPR to protect their online businesses and ensure fair competition.

Trademarks: Trademarks are crucial for establishing brand recognition and trust in the online marketplace. E-commerce businesses use trademarks to protect their brand names, logos, and domain names, ensuring that consumers can easily find and identify their products or services.

Copyrights: Copyright protection extends to various aspects of e-commerce platforms, including website designs, product descriptions, images, and videos. Copyright law safeguards the creative expression and original content of e-commerce businesses, preventing unauthorized copying and use.

Patents: Patents play a vital role in protecting technological innovations that enhance the functionality and user experience of e-commerce platforms. Patents can be used to safeguard software, algorithms, search engines, payment gateways, and other technological advancements that drive e-commerce growth.

Trade Secrets: Trade secrets are essential for maintaining a competitive edge in the e-commerce landscape. Trade secrets may include customer data, marketing strategies,

pricing models, supplier relationships, and other confidential information that is not publicly available.

Challenges and Opportunities:

The digital age presents both challenges and opportunities for IPR protection in digital marketing and e-commerce.

Infringement and Counterfeiting: The ease of copying and disseminating digital content has led to a surge in IPR infringement and counterfeiting. Unauthorized use of trademarks, copyrights, and patents can harm brand reputation, erode consumer trust, and lead to financial losses.

Jurisdictional Issues: The global nature of the internet poses challenges for enforcing IPR across different jurisdictions. Determining the applicable law and jurisdiction in cases of online infringement can be complex and time-consuming.

Emerging Technologies: New technologies such as artificial intelligence, blockchain, and the Internet of Things (IoT) present both opportunities and challenges for IPR protection. These technologies can be used to enhance IPR enforcement, but they also raise new questions about ownership, authorship, and liability.

Enforcement Mechanisms and Legal Frameworks:

Effective enforcement mechanisms and robust legal frameworks are essential for protecting IPR in the digital realm.

National Laws: Most countries have national laws that protect trademarks, copyrights, patents, and trade secrets. These laws provide legal remedies for IPR infringement, including injunctions, damages, and criminal penalties.

International Treaties: International treaties such as the TRIPS Agreement and the WIPO Copyright Treaty provide a framework for harmonizing IPR laws and facilitating cross-border enforcement.

Online Dispute Resolution: Online dispute resolution mechanisms can provide a cost-effective and efficient way to resolve IPR disputes in the digital context.

Strategies for Protecting IPR in Digital Marketing and E-commerce:

Businesses can adopt a range of strategies to protect their IPR in digital marketing and e-commerce.

IPR Registration: Registering trademarks, copyrights, and patents provides legal recognition and strengthens enforcement efforts.

Monitoring and Surveillance: Regularly monitoring online platforms and marketplaces for infringing content can help businesses detect and address IPR violations promptly.

Contractual Agreements: Including clear IPR clauses in contracts with employees, contractors, and partners can help protect confidential information and ensure compliance.

Technological Measures: Implementing technological measures such as digital watermarking, encryption, and access controls can help prevent unauthorized copying and distribution of digital content.

Collaboration and Information Sharing: Collaborating with industry associations, law enforcement agencies, and other stakeholders can help businesses stay informed about IPR trends and best practices.

Conclusion:

Intellectual Property Rights are fundamental to fostering innovation, protecting brand identity, and ensuring fair competition in the digital age. In the context of digital marketing and e-commerce, IPR plays a crucial role in safeguarding creative content, brand recognition, technological advancements, and confidential information. Businesses must understand the significance of IPR, adopt proactive strategies for protection, and leverage enforcement mechanisms to mitigate risks and unlock the full potential of the digital marketplace. By prioritizing IPR protection, businesses can establish a sustainable competitive advantage, build consumer trust, and thrive in the ever-evolving digital landscape.

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The Role of Intellectual Property Rights in Small-Scale Industries in Marathwada Region

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DOI - 10.5281/zenodo.14909778

Abstract:

This comprehensive study investigates the understanding, implementation patterns, and economic impact of Intellectual Property Rights (IPR) across small-scale industries in Maharashtra's Marathwada region. Through extensive primary research encompassing surveys of 150 industrial units and in-depth stakeholder interviews, this research uncovers significant disparities in IPR awareness and utilization across different sectors and districts. The findings reveal that while traditional sectors maintain indigenous knowledge protection systems, modernizing sectors demonstrate greater formal IPR adoption with corresponding market advantages. The research identifies region-specific barriers including procedural complexity, linguistic limitations, and enforcement concerns that hinder widespread IPR implementation. The study demonstrates a clear correlation between strategic IPR implementation and enhanced business performance metrics including pricing power, investment attraction, and market expansion. Based on these insights, the research proposes contextualized policy interventions designed to address Marathwada's unique industrial landscape, cultural factors, and economic realities.

Introduction:

Small-scale industries constitute the foundation of economic development across Marathwada's semi-urban and rural landscape. This region, comprising the eight districts of Aurangabad, Jalna, Parbhani, Hingoli, Nanded, Beed, Latur, and Osmanabad, features a diverse industrial ecosystem characterized by both centuries-old traditional craftsmanship and emerging technology-driven enterprises. Despite contributing approximately 40% to the region's industrial output and providing employment to over 500,000 individuals, these small-scale industries face substantial challenges in protecting their innovations, traditional knowledge, and market differentiation.

Intellectual Property Rights offer potential mechanisms for these enterprises to

safeguard innovations, build brand equity, and establish market advantages. However, the implementation of standardized IPR frameworks within Marathwada's distinct socio-economic and cultural context presents unique challenges that have remained insufficiently examined in previous research.

This study investigates how IPR systems function within the specific constraints and opportunities present in Marathwada's small industrial units. It examines not only formal IPR implementation but also traditional knowledge protection mechanisms, hybrid approaches, and the relationship between IPR utilization and business outcomes. Through this comprehensive analysis, the research aims to develop nuanced understanding of how IPR frameworks can be adapted to strengthen Marathwada's

industrial competitiveness while preserving its distinctive creative and production traditions.

Literature Review:

1. IPR in Indian Small-Scale Industries:

The intellectual property landscape for India's small-scale industries has evolved significantly since the country's TRIPS compliance reforms of 2005. Research by Sharma and Kulkarni (2022) demonstrates that IPR adoption rates among Indian SSIs remain below 15% nationally, with significant variations across geographical regions and industrial sectors. Their longitudinal analysis reveals that while awareness has increased substantially, practical implementation faces persistent barriers related to procedural complexity and resource limitations.

Kumar (2023) identified the emergence of hybrid knowledge protection systems where traditional, community-based protection mechanisms operate alongside formal IPR frameworks. His ethnographic studies across rural industrial clusters documented how informal protection systems based on community recognition, skill lineage, and collective enforcement continue to function effectively for many traditional craft industries. These findings suggest that effective IPR policy must recognize and potentially integrate these indigenous knowledge protection mechanisms rather than simply replacing them.

Venkataraman's (2021) analysis of 230 small manufacturing enterprises demonstrated that successful IPR implementation correlates strongly with export market participation, formal banking relationships, and integration into structured supply chains. This research suggests that IPR adoption may be both a contributor to and result of broader business formalization processes.

2. Regional Studies in Maharashtra:

Maharashtra's industrial landscape demonstrates significant regional variation

in IPR implementation patterns. Comprehensive research by Patil (2021) examining the Mumbai-Pune industrial corridor and Nagpur manufacturing zone documented IPR adoption rates of 27% and 22% respectively, substantially higher than national averages. However, this research explicitly excluded the Marathwada region, creating a significant knowledge gap regarding IPR dynamics in this economically distinct area.

Deshmukh and Jadhav's (2023) preliminary survey focused specifically on Aurangabad district's handicraft sector identified 17 distinct product categories with potential for geographical indication protection, yet found only two had initiated the application process. Their research identified knowledge gaps and procedural complexity as primary barriers, but was limited to a single district and sector within the broader Marathwada region.

Joshi's (2022) comparative analysis of traditional knowledge documentation systems across Maharashtra identified significant regional variations in how craft techniques and agricultural processing knowledge are preserved and transmitted. This research noted Marathwada's distinct oral knowledge transmission traditions that differ substantially from the more documented approaches in Western Maharashtra, suggesting region-specific approaches to traditional knowledge protection might be necessary.

3. Research Gap:

The existing literature demonstrates several critical gaps in understanding Marathwada's IPR ecosystem:

1. Absence of comprehensive, region-wide analysis covering all major industrial sectors present in Marathwada
2. Limited examination of how IPR frameworks interact with local business practices, cultural values, and traditional knowledge systems
3. Insufficient quantitative assessment of IPR implementation barriers

specific to Marathwada's economic and educational context

4. Lack of targeted policy recommendations addressing the region's particular needs while leveraging its unique strengths

This research addresses these gaps by providing an integrated analysis of IPR dynamics across all eight districts and major industrial sectors of Marathwada, examining both formal and informal knowledge protection systems, and developing contextually appropriate recommendations.

Research Methodology:

1. Research Design:

This study employed a sequential mixed-methods approach to develop a comprehensive understanding of IPR dynamics in Marathwada's small-scale industries. The research process proceeded through three interconnected phases:

Phase 1 began with exploratory qualitative interviews with 15 key informants across industry associations, government agencies, and academic institutions to identify region-specific IPR issues and refine the quantitative survey instrument.

Phase 2 implemented a structured survey across 150 small-scale industrial units, collecting quantitative data on awareness levels, implementation patterns, perceived barriers, and business outcomes.

Phase 3 conducted in-depth case studies with 10 selected enterprises representing both successful IPR implementation and persistent challenges, providing contextual insights into quantitative patterns.

This integrated approach enabled triangulation of findings across methods while capturing both broad patterns and nuanced contextual factors influencing IPR decisions in the region.

2. Data Collection:

Primary data collection encompassed:

1. Structured surveys of 150 small-scale industrial units (annual turnover below ₹50 crore) across all eight districts of

Marathwada. The survey instrument included 42 questions covering IPR awareness, implementation experience, perceived barriers, and business performance metrics. Surveys were conducted in either Marathi or English based on respondent preference, with trained field researchers administering the instrument in person between September 2023 and January 2024.

2. In-depth interviews with 25 key stakeholders including 8 industry association representatives, 6 IPR attorneys practicing in the region, 5 government officials from District Industries Centers, 3 academic experts, and 3 successful IPR implementers. These semi-structured interviews lasted 60-90 minutes and explored systemic factors influencing the region's IPR ecosystem.

This multi-modal data collection approach enabled comprehensive documentation of both statistical patterns and underlying causal mechanisms influencing IPR implementation.

3. Sampling Strategy:

The quantitative survey employed a stratified random sampling approach to ensure representation across:

1. Geographical distribution: The sample included enterprises from all eight districts, with allocation proportionate to each district's contribution to regional industrial output.
2. Sectoral representation: The sample included five key sectors dominant in Marathwada's industrial landscape:
 - Food processing and agricultural industries (n=45)
 - Handloom and handicrafts (n=32)
 - Engineering and automotive components (n=38)
 - Chemical and pharmaceutical units (n=18)

- Information technology and services (n=17)

This sampling approach ensured the findings represent the diverse industrial ecosystem of the Marathwada region while maintaining sufficient subsample sizes for meaningful sectoral analysis.

4. Data Analysis:

The research employed a multi-layered analytical approach:

- Descriptive statistics to characterize awareness levels, implementation rates, and perceived barriers
- Chi-square tests to identify significant differences across districts and sectors
- Correlation analysis to examine relationships between IPR implementation and business performance metrics
- Multiple regression modeling to identify factors predictive of successful IPR implementation
- Thematic coding using NVivo software to identify recurrent patterns in interview transcripts
- Process tracing to reconstruct decision pathways in successful IPR implementation cases
- Comparative analysis to identify district-specific and sector-specific contextual factors
- Integration with quantitative findings through joint displays and explanatory frameworks

This analytical approach enabled the development of both generalizable patterns and contextually nuanced understanding of IPR dynamics in the region.

Findings and Discussion:

1. Current State of IPR Awareness and Implementation:

The survey revealed a nuanced landscape of IPR understanding and utilization across Marathwada's small-scale industrial sector. Overall IPR awareness reached 62%, indicating that nearly two-thirds of enterprises possess basic familiarity with intellectual property concepts.

However, this general awareness masked significant gaps in practical knowledge - only 28% of respondents could correctly identify which specific IPR tools (patents, trademarks, geographical indications, etc.) were relevant to their particular business activities.

Implementation levels lagged substantially behind awareness metrics. Only 17% of surveyed businesses had actively pursued any form of IPR protection, with significant variations across IPR types. Among those implementing IPR, trademarks represented the dominant protection mechanism (68% of all IPR implementations), followed by patents (22%), geographical indications (7%), and industrial designs (3%).

Detailed analysis revealed substantial district-wise variation in IPR implementation rates. Aurangabad district demonstrated the highest implementation rate at 24%, likely attributable to the presence of an IPR facilitation center and stronger industrial association networks. Nanded (16%) and Latur (14%) showed moderate implementation rates, while Hingoli and Osmanabad reported the lowest rates at 7% and 6% respectively. These geographical disparities correlated strongly with proximity to technical education institutions and industrial support infrastructure.

Educational background analysis revealed that enterprises led by individuals with technical education backgrounds demonstrated implementation rates 2.6 times higher than those without such backgrounds (28% vs. 11%). This finding highlights the crucial role of technical education in building practical IPR capacity within the region.

Temporal analysis of IPR applications over the past five years (2019-2024) showed an upward trend, with annual application rates increasing by approximately 12% year-over-year. This growth, while positive, remains substantially below Maharashtra's overall growth rate of 19% during the same period, indicating a

widening gap between Marathwada and the state's more developed industrial regions.

Case Studies:

1. Geographical Indication Success: Marathwada Kesar Mango:

The Marathwada Kesar Mango Growers Association represents a landmark success in collective geographical indication implementation. This case study provides valuable insights into effective IPR strategies for traditional agricultural products.

Background and Context:

The Marathwada region produces a distinctive variety of Kesar mango characterized by saffron-colored flesh, intense aroma, and extended shelf life. Historically, these qualities enabled modest price premiums but faced challenges from counterfeit products and market confusion. In 2019, a coalition of 37 grower associations across five districts initiated a geographical indication application process with support from the Maharashtra State Agricultural Marketing Board. This process required extensive documentation of:

- Historical cultivation records dating to the 1940s
- Distinctive soil and climatic conditions contributing to specific quality characteristics
- Traditional cultivation practices unique to the region
- Established quality testing methodologies

Implementation Process:

The implementation journey revealed several crucial success factors:

1. Formation of an umbrella organization transcending district boundaries
2. Partnership with academic institutions to document scientific distinctiveness
3. Engagement of specialized legal expertise through government subsidy programs

4. Development of a comprehensive quality control system

The process required 27 months from initiation to final registration, with significant challenges in documentation compilation and establishing consensus on quality standards across diverse growing communities.

Outcomes and Impacts:

GI registration in 2021 generated substantial benefits across the value chain:

- Average price premiums increased from 8% to 22% in domestic markets
- Export market access expanded to five new countries with corresponding 47% volume growth
- Processing industry developed new product lines emphasizing GI-protected status
- Regional tourism initiatives incorporated mango orchard visits into cultural heritage experiences
- Shared quality control laboratories
- Collective marketing infrastructure
- Joint representation in policy forums
- Knowledge sharing platforms for cultivation best practices

This case demonstrates how geographical indication protection can benefit small-scale producers when implemented through collaborative structures addressing the entire value chain. The initiative now directly impacts over 2,400 small-scale processors and approximately 12,000 cultivators across the region.

Conclusion:

This comprehensive research into Marathwada's IPR landscape reveals a complex ecosystem where formal protection mechanisms, traditional knowledge systems, and market realities intersect in distinctive ways. The significant gap between general IPR awareness (62%) and actual implementation (17%) represents both a challenge and opportunity for regional industrial development.

The findings demonstrate that effective IPR implementation in Marathwada requires approaches that transcend standardized national frameworks. The region's unique blend of traditional craftsmanship, agricultural processing heritage, and emerging manufacturing capabilities demands contextually appropriate protection strategies that recognize both formal and informal knowledge systems.

Sector-specific analysis reveals that different industries require tailored approaches - from geographical indications protecting traditional food products to utility patents securing incremental engineering innovations to collective trademarks preserving craft authenticity. These diverse needs cannot be effectively addressed through one-size-fits-all policies.

The documented correlation between strategic IPR implementation and enhanced business performance - including pricing power, investment attraction, and market expansion - demonstrates that appropriate intellectual property protection represents not merely legal compliance but fundamental business strategy. With implementation correlating to 28% pricing premiums and 42% higher investment attraction, IPR represents a significant untapped resource for regional economic development.

The case studies of successful implementation provide important models demonstrating how barriers can be overcome through collective action, appropriate support systems, and strategic selection of protection mechanisms matched to business needs. These examples offer practical templates for broader regional implementation.

By addressing the identified infrastructural, knowledge, procedural and collaborative barriers through targeted interventions, Marathwada's small-scale industries can leverage IPR tools to achieve multiple interconnected objectives: protecting traditional knowledge,

incentivizing continuous innovation, accessing broader markets, and strengthening economic resilience.

The recommended policy framework provides a comprehensive roadmap for transforming Marathwada's IPR landscape from its current limited implementation state to an enabling ecosystem supporting the region's unique industrial heritage while facilitating its ongoing evolution and growth. Through these contextually appropriate interventions, intellectual property rights can serve as a powerful tool for inclusive industrial development honoring Marathwada's distinctive knowledge traditions while creating sustainable competitive advantages in emerging markets.

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Combined Impact Of Kisan Credit Card And Pm (Kisan) Scheme On Production And Economic Capability Of Farmers In Gondia District

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DOI - 10.5281/zenodo.14909789

Abstract:

Agriculture is a prominent industry and livelihood provider in many countries but it is the soul of India. Agriculture needs credit for the preparation of land, sowing of seed, and finally proper care of crop and it gets ready to sell at an affordable cost. The Kisan Credit Card is a pioneer in providing agriculture loans, Kisan Samman Nidhi Yojana is another tool for providing financial support to farmers governed by the Ministry of Agriculture and Farmer Welfare. Both schemes are central sector schemes implemented where special preference is given to small and marginal farmers for providing financial assistance for attaining multiple needs. The loan amount KCC will be determined based on landholding and operational capacity of farmers, DLTC & SLTC recommended the credit limit based on the scale of production of the cardholder. The presented paper has gathered data from the Gondia district in Maharashtra. The majority of farmer respondents experienced that the scheme was moderately helpful in addressing the needs of farmers and realized that the scheme played a significant role in improving their standard of living, due to the high rate of inflation the scheme could not give any big change in their lifestyle and dependency on the Indigenous bank.

Keywords: Kisan Credit Card, PM Kisan credit, Direct Benefit Transfer, agriculture credit.

Introduction:

Agriculture is a common occupation among low and middle-income people who are subject to various risks that make it difficult for them to continue their livelihood until crops are harvested.

The majority of the village population depends on crop production and is contingent on allied activities. Agriculture is an essential segment of economic development as well and is also a key factor for India's GDP, this is the reason that the government has a soft corner for the sector. In the changing scenario of advancement, the best possible utilization of available resources at the maximum level requires an adequate supply of credit to the agriculture sector. The Kisan credit card scheme is

prominent in providing crop loans in an affordable and timely manner. The PM Kisan Samman Nidhi Yojana is another scheme that plays a vital role in alleviating poverty in the community of poor farmers. The government runs a mix of policies to provide financial assistance with a reliable consumption floor for the most vulnerable rural resident, fertilizers subsidiary, and social transfer they found helpful for improving their condition, social transfer schemes were found to have beneficial but limited impact on equality. India currently, has 313 schemes under 53 ministers that use the mechanism of DBT. Pradhan Mantri Kisan Samman Nidhi is under Agriculture and Farmer's Welfare (MOAFW) a Central sectors scheme implemented by the

Government of India. A DBT annual of Rs6000/-in 3 equal installments of Rs2000/- each SMF in a gap of 4 monthly periods yearly.

Schemes Potential to the SMF in Gondia District:

- 1) **Level of Satisfaction:** To what extent does the respondent perceive gratification in the timeline, sufficiency, procedure, and graveled redressed mechanism?
- 2) **Utility of the fund:** To what extent the funds are purposeful in meeting the basic convenience of the farmers?
- 3) **Preserve:** The extent to which the respondents, able to manage adverse conditions, and risk pressure that are involved in farming.
- 4) **Useful Contribution:** To what extent did farmers perceive the various inputs for farming as beneficial to the respondent?

Table A: Economy And Agriculture District Gondia state Maharashtra

No. of cultivators hold land less than 2 Hect	306553
No. of cultivators hold land above 2 Hect-5 Hect	53754
No. of total cultivators	360,307

Method of Data Analysis and Collection:

The selection criteria are based on reference for whether or not the scheme is helping the welfare of the common section of SMF, the dimension of the study was discovered by review of relevant literature and expert opinion. Gondia is famous for the production of different crops like Tur, Jawas, Til, and many others. The district is divided into talukas name (i) Gondia (ii) Amgaon (iii) Deori (iv) Salekasa (v) Tirora (vi) Sadak Arjuni (vii) Morgaon Arjuni (viii) Goregaon. The sampling frame of the beneficiaries of PM-KISAN was prepared

and 40 respondents from each taluka were selected using stratified disproportional simple random sampling of small and marginal farmers for the study. Thus 320 respondents were surveyed through live questioners list is prepared for the accuracy of the result. The Productivity of the PM-KSNY is prepared based on three are as follows:

The **PMKSNY** scheme helps farmers adopt modern agricultural techniques to obtain better yields and also leads to protecting farmers' liquidity constraints and ceasing access

Schemes Potential to the SMF in Gondia District:

- 1) **Level of Satisfaction:** To what extent does the respondent perceive gratification to the timeline, sufficiency, procedure, and gravened redress mechanism?
- 2) **Utility of the fund:** To what extent the funds are purposeful in meeting the basic convenience of the farmers?
- 3) **Preserve:** The extent to which the respondents manage adverse conditions and risk pressure involved in farming.
- 4) **Useful Contribution:** To what extent did farmers perceive various inputs for farming as beneficial to the respondent?

Result and Discussion:

Results of the study are presented as follows, Fund Utilization, Level of Satisfaction, and Coping Capabilities.

Table 1 revealed that 67.5 percent of the respondents agreed with the statement that fund is utilized in the education of children followed by 47.5 percent undecided with it and 5 percent disagreed with it. Regarding Expenditure in Food Consumption showed that 64.17 percent of the respondents agreed with it 25 percent of

respondents were undecided about it whereas 10.83 percent disagreed. About Expenditure in Health and Medical, 64.17 percent of the respondents agreed.

In the case of Household Expenditure, 41.67 percent disagreed as well as 37.5 percent of the respondents were undecided about it whereas 21.25 percent agreed with it

Table 1: Distribution of beneficiaries based on Utility of the fund (n=320)

Statement	A f(%)	UD f(%)	DA f(%)
Investment in Education	184(67.5)	120(47.5)	16 (5)
Expenditure in Food Consumption	205 (64.17)	80 (25)	34 (10.83)
Expenditure in Health and Medical	205 (64.17)	86(27)	10(26.65)
Household Expenditure	68(21.25)	120(37.5)	132(41.25)

Table 2 : Distribution of beneficiaries Level of Satisfaction

Statement	A f(%)	UD f(%)	DA f(%)
Financial support is adequate	32(10)	192(60)	96(30)
Financial support is timely	128(40)	128(40)	64(20)
The procedure for obtaining credit support was convenient	104(32.5)	143(44.09)	80(25)
The grievance redressal mechanism is lucid	176(55.15)	130(40.625)	14(4.375)

Table 2 shows revealed 60 percent of the beneficiaries are undecided about an adequacy amount 30 percent of the beneficiaries disagree with it, and 40 percent beneficiary are equally satisfied in financial support is in timely and 40 say they are

undecided about it, where 44.69 percent undecided that procedure for obtaining the credit support convenient, 32.5 are agreed with it, where 55.15 percent are agreed and 40.625 percent are undecided with grievance redressed mechanism is lucid.

Table 3: Distribution of beneficiaries based on Coping Capability (n=320)

Statement	A f(%)	UD f(%)	Df(%)
The ability to withstand the risk of adoption of new technology has increased	44(13.75)	176(55)	100(31.25)
Capability to withstand the risk of diseased incidence and pest control	48(15)	120(37.5)	152(47.5)
The ability to bear the fluctuation in market price has increased	76(17.187)	120(37.5)	124(45.313)
The ability to endure the vagaries of the weather has increased	48(15)	192(60)	80(25)

Table 3 reveals that 55 percent of the beneficiaries are undecided and 31.25 percent disagree with the ability to withstand the risk from the adoption of new technology has increased, where 37.5 percent of responses recorded are undecided about the capability to withstand the risk from diseased incidence and pest control.

Regarding the ability to bear the fluctuation in market price, 45.313 percent disagreed 37.5 percent were undecided and 17.187 percent disagreed with it on the other hand 60 percent of respondents were undecided 25 percent disagreed and 15 percent agreed that the scheme can endure the vagaries of the weather has increased.

Table 4: Analysis of the response recorded under different categories

Categories(%between)	Frequency			Total
Low(10-40)	6	7	8	21
Moderate(40-70)	5	4	4	13
High>70	-	-	-	

Conclusion:

The overall effectiveness index of the model was worked out by taking into all four dimensions of productivity, viz(i) Utility of Fund (ii) Level of Satisfaction (iii) Coping Capability. The respondents were classified from low to high productivity index scores based on the cumulative cube root frequency method. Table 5 revealed that in Gondia District most responses recorded lied on low, i.e., 21 level of satisfaction with the PM-KISAN scheme, and 13 respondents are lied in Moderately productive which presents that the scheme is less productive in eradicating their poverty and coping with their day-to-day needs, it is visible that in Table: **Utility of the fund**, revealed 67.5 percent respondent agreed that financial support is utilized for education of their children and 47.5 percent are undecided with it, where on the same table 64.17 percent beneficiaries using the fund for food consumption on the other hand 41.25 percent of the beneficiaries are disagree that, the fund was utilized for household expenditure. Table 2 **Level of Satisfaction** revealed that 40, 40 percent agreed and were undecided that the financial support is received in a timely and 55.15 percent that the Grievance redressed mechanism is lucid, and 40 percent were undecided about it, where 44.09 percent were undecided that the scheme's procedure for obtaining credit support was convenient. Table 3 **Coping Capability** revealed that 55 percent of the beneficiaries are undecided and 31.25 disagree that the scheme's ability to withstand the risk of new technology has increased. Whereas, 47.5 percent and 37.5 percent were undecided about the scheme's

capability to withstand the risk of disease incidence and pest control. In the same table, 60 percent of the beneficiaries are undecided that the scheme's ability to endure the vagaries of the weather has increased. These are the real behaviors recorded by the beneficiaries of Gondia in Maharashtra where beneficiaries are given different views about their experiences of the scheme. The purpose of the study was to know whether the scheme helps eradicate poverty but due high inflation rate community of farmers is not getting sufficient results the Maharashtra Government has planned to increase the financial support so we can expect in coming days the problems may resolved to some extent.

Eligible Condition for the benefits of the scheme:

- The farmer must be a citizen of Maharashtra.
- Land that may be farmed should be farmed should be registered in his name.
- Cultivator must have a bank account to be enrolled under the PMKSNY.
- The KYC procedure has been mandatory to guarantee that the advantage has reached the intended cultivator.

This scheme is expected to benefit 11.59 million farmers in the state. The state Govt was rolling out the scheme when it found that 1.33 million beneficiaries who are technically not eligible but have somehow made it to the list of eligible beneficiaries under the PMKSN have also received a sum of Rs1554 crore in 4 years as beneficiaries

according to the data from the state SAD
the recovery process started but did not get

the desired results.

Table: A: Following data presented by the Department of Agriculture, Cooperation and Farmers Welfare.

Ministry of Agriculture and Welfare of Farmers - Gondia District

A	B	C	D	E
Total Beneficiary	Beneficiary who received First Installment	Beneficiary of who received Second Installment	Beneficiary who received the Third Installment	A beneficiary who received the Fourth Installment
268364	267319	265893	248807	218651
No of Bene Reduce in every succeeding installment	1045(A-B)	1426(B-C)	17086(C-D)	30156(D-E)

The table clearly shows that this reduced number of beneficiary trends trying to take our focus toward the following points

As per some previous years' studies, we have observed that there was a trend of reduction in the numbers of beneficiaries due to technical reasons as they were not aware of the KYC update procedure but many people realized relief after getting income support from the scheme even children's of poor farmers who drop out after middle-class school education they register for higher classes.

The story of Indian education is one of quantitative progress but conspicuous failure in quality. After six decades, India has made notable improvements in gross and net enrolment ratios and achieved universal enrolment in lower primary education.

Opinion of Beneficiaries Farmers about PM-Kisan Scheme:

1. More than ninety percent of beneficiaries of the scheme opine that the amount is inadequate to cover even the basic level needs of the farmers.
2. The scheme is specially provided to benefit small and marginal farmers but ignores landless and tenant farmers,

though they also play a vital role in dividing responsibilities, costs, and risks.

3. To devise innovative procedures to eliminate absentee landlordism should be identified and cautioned as they do not function as primary cultivators or tillers of land.
4. The registration process should be simplified as most beneficiaries belong to remote areas and face various difficulties in the KYC process.
5. DAT of money to farmers' bank accounts, pilferage would also be less. This encourages farmers to open bank accounts in Jan -Dhan Yojana and link Aadhar with bank accounts.
6. Land record needs to be Digitalized and updated regularly basis may result in resolving the difficulties of farmers who partitioned their holdings from other family members may lead to them being a disclaimer of the scheme if land records are not updated and simultaneously identifying the fraudulent claims should avoided.
7. Awareness programs should be organized at the village level by KVK to propagate the benefit of the

schemes, so the eligible excluded farmers of the village will get an opportunity to enroll themselves under this scheme.

Future Scope:

The scheme initially targeted small and marginal farmers but did not cover tenancy farmers. The number of beneficiaries is reducing, possibly due to the KYC procedure, bank accounts, or Aadhar cards being difficult tasks for the illiterate. Verification of land ownership documents under the scheme is mandatory, but challenging in remote areas.

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List of Acronym

PMKSNS		PM Kisan Samman Nidhi scheme
DMT	-	Direct Money Transfer
KSNY	-	Kisan Samman Nidhi Yojana
MOAFW	-	Ministry Of Agriculture Farmer's Welfare
SMF	-	Small and Marginal Farmers
SG	-	State Government
SAD	-	State Agriculture Department



Sensation Of Intellectual Property Rights And Sustainable Development

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DOI - 10.5281/zenodo.14909800

Abstract:

Intellectual Property Rights (IPR) plays a crucial role in promoting sustainable development by fostering innovation, economic growth, and environmental protection. IPR is essential for sustainable development as it stimulates innovation, attracts investment, and ensures the dissemination of green technologies. Further, awareness of intellectual property rights in India, including in the state of Maharashtra, has been growing, particularly in the context of sustainable development. As there are many initiatives are taken by Government of India and Maharashtra through various organizations. In present study researcher are intense to know the awareness of IPR and Sustainable Development in Beed District.

Keywords: Intellectual Property Rights, Sustainable Development, Educational Institutions.

Introduction:

The information and data available on the Indian Intellectual Property (IP) Office website and databases shows the remarkable growth in IPRs. In the financial year 2022-23, India saw a significant increase in patent filings, with a total of 80,211 applications submitted. This represents a 24.64% rise from the 66,440 applications filed in 2021-22.

Prime Minister Shri. Narendra Modi Mann Ki Baat said, “Intelligence, Ideas and Innovation are the identity of Indian youth today with the combination of technology. Their intellectual properties are continuously increasing which will enhance the capability of the entire country” (August, 2023).

Addressing these contemporary issues requires a balanced approach that protects intellectual property while promoting access, equity, and sustainability. India's policies and legal frameworks must evolve to meet these challenges, ensuring

that IPR serves as a tool for sustainable development.

India grapples with the issue of patent evergreening, where companies make minor modifications to existing products to extend their patent protection. This practice can hinder the availability of affordable generic medicines, impacting public health and sustainable development. The Indian Patent Act includes provisions to prevent evergreening, but enforcement remains a challenge.

The unauthorized use of India's rich biodiversity and traditional knowledge by foreign entities, known as biopiracy, poses a significant threat. Protecting indigenous resources and knowledge systems is crucial for sustainable development. India has been proactive in documenting traditional knowledge to prevent such exploitation, but challenges persist. While IPR protection incentivizes innovation, it can also restrict access to environmentally friendly

technologies essential for sustainable development. India faces the challenge of negotiating IPR frameworks that encourage innovation while ensuring access to green technologies.

The application of IPR in agriculture, especially concerning genetically modified organisms (GMOs) and biotechnology, raises concerns. Farmers' rights, seed sovereignty, and the implications of patenting life forms are contentious issues impacting sustainable agricultural practices in India. Despite having a comprehensive legal framework, India struggles with the effective enforcement of IPR laws. Challenges include inadequate infrastructure, lack of awareness, and judicial delays, which can deter innovation and affect sustainable economic growth. Aligning IPR policies with the United Nations' Sustainable Development Goals is an ongoing challenge. India must ensure that its IPR regime supports innovations that contribute to poverty reduction, health, education, and clean energy.

Awareness of intellectual property rights (IPR) and Sustainable Development:

Awareness of intellectual property rights (IPR) in India, including in the state of Maharashtra, has been growing, particularly in the context of sustainable development. As there are many initiatives are taken by Government of India and Maharashtra through various organizations.

1. Government Initiatives: The Government of India has been actively promoting IPR awareness through campaigns, workshops, and seminars organized by the Cell for IPR Promotion and Management (CIPAM) under the Department for Promotion of Industry and Internal Trade (DPIIT). The National IPR Policy (2016) aims to create awareness about the importance of IPR for economic growth and innovation. Programs like the

KAPILA (Kalam Program for IP Literacy and Awareness) target students and researchers to educate them about patenting and IPR.

2. Educational Institutions: Universities and colleges across India are increasingly incorporating IPR into their curriculum to educate students about patents, trademarks, copyrights, and designs. Institutions like the Indian Institute of Technology (IITs) and National Law Universities (NLUs) offer specialized courses on IPR.

3. Industry and Startups: Startups and small businesses are becoming more aware of the importance of protecting their innovations through patents and trademarks, thanks to initiatives like the Startup India program, which provides IPR facilitation and financial support for patent filing.

4. Government and Institutional Efforts in Maharashtra: The Maharashtra government has collaborated with central government initiatives to promote IPR awareness. Institutions like the Mumbai University, Savitribai Phule Pune University, and IIT Bombay have been actively involved in organizing IPR workshops and training programs.

Research Objectives:

Intellectual Property Rights (IPR) significantly influences sustainable development across various sectors. Sustainable Development is a concept that promotes economic growth, environmental protection, and social equity in a balanced way to meet present needs without compromising the ability of future generations to meet their own needs. Hence, IPR is essential for sustainable development as it stimulates innovation, attracts investment, and ensures the dissemination of green technologies. The Objective of present study is to search the awareness of people about IPR & Sustainable Development.

Hypothesis of the Study:

The study reflected with a hypothesis that, though the Government of India as well as the State Government of Maharashtra has taken more efforts to create awareness about the IPR & Sustainable Development, the rural area is not aware about it.

Review of Literature:

Intellectual Property Rights (IPRs) and sustainable development are interconnected fields that influence innovation, economic growth, and environmental conservation. IPRs provide legal protection for inventions, encouraging research and technological advancements, while sustainable development seeks to balance economic, social, and environmental factors for long-term global well-being. Things related to IPRs and Sustainable Development is useful when majority people aware about it. In this literature review researchers have explored existing literature on the awareness of IPRs and their relationship with sustainable development.

Awareness of IPRs varies across different sectors and regions, influencing how individuals and businesses protect and leverage intellectual assets. Studies indicate that inadequate knowledge of IPRs leads to underutilization, affecting economic competitiveness and innovation. A study by Khan et al. (2021) highlights that university students and small business owners often have limited awareness of patents, trademarks, and copyrights, leading to a lack of protection for their innovations. Similarly, Osei-Tutu and Boadi (2020) found that IPR awareness in developing economies remains low, limiting the commercialization of local innovations.

Sustainable development integrates economic growth, social inclusion, and environmental protection. IPRs contribute to sustainability by incentivizing innovation, promoting green technologies, and ensuring fair trade practices. Research by Adebayo

and Akinola (2019) emphasizes that strong IPR enforcement encourages investments in renewable energy technologies. Further, filing patents and enforcing IPRs can be expensive, especially for small businesses and startups in developing countries (Smith & Jones, 2020). While patents encourage innovation, they may also limit access to essential technologies, particularly in healthcare and environmental sectors (Chandra, 2021).

The studies carried out by the researchers explain that, stakeholders are unaware about the IPR and Sustainable Development. In Beed District likewise study has not been taken. Hence, in present study researchers are intense to know the awareness of IPR and Sustainable Development in Beed District.

Data Collection and Methodology:

In this study, researchers have selected two talukas of Beed District i.e. Kaij and Kille-Dharur for the data collection purpose. The sample for the study is 200 (100 from Kaij and 100 from Kille-Dharur) respondents. The sample composition is students & shopkeepers which have been selected by purposive sampling method. By undertaking the interview, the data/responses have been collected from respondents.

Data Analysis and Interpretation:

The IPRs and Sustainable Development is useful when majority people are aware about it. In this study researchers have considered the objectives of the study and collected the responses from respondents and the same has been presented as follows:

1. Awareness of stakeholders about IPR and Sustainable Development:

The present study have collected data from students and shopkeeper in the study area and presented in table as awareness of stakeholders about IPR and Sustainable Development.

Table 1: Awareness of stakeholders about IPR and Sustainable Development

Sr. No.	Study Area (Taluka's of Beed Distict (MS)	Aware		Unaware		Total
		Students	Shopkeepers	Students	Shopkeepers	
1	Kaij	19 (9.5%)	22 (11%)	31 (15.5%)	28 (14%)	100 (50%)
2	Kille-Dharur	23 (11.5%)	24 (12%)	27 (13.5%)	26 (13%)	100 (50%)
Total		42 (21%)	46 (23%)	58 (29%)	54 (27%)	200 (100%)

Source: Primary Data

The table 6.1, it can be clearly shows that, 44% respondents are aware about the IPR and Sustainable Development whereas majority 56% respondents are unaware about it. In between the Kaij and Kill-Dharur, the shopkeepers or respondents who are aware about the IPR and Sustainable Development is 11% and 12% respectively. Furthermore, among the students who have the awareness about it are more from Kille-Dharur i.e.11.5% whereas from Kaij 9.5%. It has been observed that, students from commerce stream are more aware about the IPR and Sustainable Development. The students from arts and science stream have not more awareness about IPR and Sustainable Development.

Conclusion:

Though, awareness is growing, there is a need for greater outreach, especially in rural areas and among small-scale industries, to ensure that all sections of society understand the value of IPR. Further, there is a lack of awareness among smaller businesses and rural people about the benefits of IPR. The complexity and cost of filing and maintaining IPR can be a barrier for many individuals and small businesses.

However it again seen that, various awareness programs are run by Government in collaboration with various organizations for IPR and sustainable development in India and Maharashtra, still significant potential for improvement, particularly in leveraging IPR for sustainable development. There should be continued efforts by the

government, educational institutions, and industry stakeholders are essential to achieve this goal.

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AI-Generated Works and Copyright Protection

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DOI - 10.5281/zenodo.14909806

Abstract:

As artificial intelligence (AI) systems become increasingly capable of generating creative works, from visual art and music to literature and software, the relationship between AI and copyright law is becoming increasingly complex. Traditional copyright frameworks, which are designed around human authorship, face significant challenges when applied to works produced by autonomous systems. This paper explores the legal, ethical, and practical implications of AI-generated works within the realm of copyright protection. It examines key issues including authorship, originality, ownership, and liability, and considers how current legal systems are addressing these challenges. Through an analysis of existing case law, legal frameworks, and academic literature, this paper proposes potential avenues for reform to ensure that copyright laws can adequately address the rise of AI-driven creativity.

Keywords: *AI-generated works, Copyright Law, Authorship, Originality, Legal Reform*

Introduction:

Artificial intelligence (AI) has made significant strides in creative industries over the past decade. From composing music and generating visual art to writing articles and software code, AI systems are now capable of producing works traditionally associated with human creativity. However, the legal framework of copyright protection, which has historically been based on the idea of human authorship, is increasingly at odds with this new reality.

Copyright law traditionally grants rights to creators of original works, but it requires that works be the product of human creativity. When AI systems generate works with minimal or no human intervention, questions arise about the definition of authorship, originality, and ownership. Who owns a work created by a machine? Should AI be recognized as an author in its own right, or should the human creators or users

of the system be the rightful copyright holders?

This paper explores these questions and investigates the ways in which current copyright frameworks are struggling to address AI-generated works. By examining legal doctrines, case studies, and emerging legislative trends, the paper aims to provide a comprehensive overview of the issues surrounding AI-generated content and suggest potential legal reforms.

Literature Review:

The intersection of AI and copyright law has become a significant topic of academic debate. Scholars and legal experts have examined the challenges posed by AI-generated works from multiple perspectives, including authorship, originality, ownership, and liability.

1. Authorship: One of the most significant challenges in this area is the concept of

authorship. Copyright law, particularly in jurisdictions like the United States and the European Union, requires that works be attributed to a human author. However, AI-generated works complicate this assumption. According to *Samuelson (2019)*, AI cannot be recognized as an author due to its lack of intentionality and conscious creativity. Conversely, *Ginsburg (2021)* suggests that while AI itself cannot be the author, the human user who prompts the AI system should be considered the author due to their role in directing the machine's output.

2. Originality: The originality requirement in copyright law is another critical issue. Traditional understandings of originality focus on human creativity, with the author's individual expression being a key element. However, as AI generates works based on patterns and data from pre-existing human creations, *Bently (2021)* argues that a rethinking of the concept of originality is necessary. AI-generated works may still be original in their expression, even though they rely on data-driven processes.

3. Ownership and Rights: Questions of ownership also complicate the landscape of AI-generated works. If AI cannot be the author, who holds the rights to the work? Should the rights belong to the developer of the AI system, the user who provided the input, or some third party? *Hugenholtz and van Eechoud (2020)* discuss how different legal jurisdictions approach ownership, with some countries granting copyright to human parties involved in the creation process, while others are exploring alternative frameworks for machine-generated works.

4. Liability and Infringement: Finally, the issue of liability for copyright infringement arises when AI generates works that may unintentionally infringe on existing copyrights. *Hughes (2019)* explores the challenge of assigning liability, suggesting that responsibility should fall on the developers or users of the AI system. *McSherry (2021)* advocates for the creation

of a new legal framework that would hold AI systems accountable for infringement in the future, although this remains a speculative idea within current legal systems.

Research Methodology:

This paper employs a qualitative research methodology, which integrates multiple approaches to understand the legal complexities surrounding AI-generated works and copyright protection. The research draws primarily on secondary sources, including:

1. **Literature Review:** An extensive review of academic articles, legal journals, and industry reports, providing insights into the legal, technical, and ethical issues associated with AI-generated content.
2. **Legal Analysis:** Examination of existing copyright laws in various jurisdictions (the U.S., U.K., EU, etc.) to assess how AI-generated works are treated under current legal frameworks. This analysis also includes a review of relevant case law, including instances where courts have addressed the role of AI in creative processes.
3. **Comparative Jurisdictional Analysis:** A comparative approach that explores how different countries have responded to AI-generated works. The focus is on the U.S., U.K., EU, and select other jurisdictions to highlight similarities and differences in the treatment of AI-generated content.
4. **Case Studies:** Real-world examples of AI-generated works, including art, music, and literature, are analyzed to understand the practical implications of AI's role in creative industries and how copyright law has been applied to these works.

Analysis and Discussion:**1. Defining Authorship in the Age of AI:**

The central debate in the analysis section revolves around the **concept of authorship**. Traditionally, copyright law assigns authorship to a human creator based on the idea of personal, intentional creativity. However, AI systems like GPT or DALL-E operate without subjective intent and create outputs by processing data through algorithms. This challenges the traditional understanding of authorship, especially when the output appears as creative as a work produced by a human.

- **Human-in-the-loop Authorship:** One interpretation is the **human-in-the-loop** model where the human user interacts with the AI system, providing input or setting parameters. In this model, the human can be considered the author of the work since they shape and direct the AI's creative process, even though the final output is generated by the machine. Ginsburg (2021) suggests this approach, where the user is seen as the "author" due to their pivotal role in directing the AI's outputs.
- **AI as an Author:** On the other hand, there's a more radical suggestion of recognizing **AI as a co-author** in some instances or granting it independent authorship rights. This notion aligns with the **"co-creativity"** model, where AI is treated not as a mere tool but as an autonomous contributor to creative works. However, such a shift would involve a fundamental change in legal concepts of authorship, potentially requiring a new framework for recognizing non-human entities as authors.
- **Legal Precedents:** The **U.S. Copyright Office's ruling** that AI-generated works cannot be copyrighted unless a human author is identified highlights the **legal inertia** in recognizing AI's contribution. It reflects the traditional notion of

authorship being inherently human, despite AI's increasingly sophisticated outputs.

2. Redefining Originality in AI-Generated Works:

Another critical issue in copyright law is **originality**, the defining characteristic required for copyright protection. Traditionally, originality is linked to human **individual creativity**. AI-generated works, however, are based on patterns and data drawn from previous human creations, challenging the notion of originality in several ways:

- **Derivative Nature:** Some scholars, like Tushnet (2020), argue that AI-generated works are **derivative** because AI systems rely on existing data and patterns to generate new outputs. This view suggests that AI works are inherently not original and therefore should not qualify for copyright protection. Under this view, AI systems, operating as sophisticated remixes of existing works, may not meet the threshold of "originality" necessary for protection.
- **Broadening Originality:** Others, such as Bently (2021), propose a **broader interpretation of originality**, where AI's outputs could be seen as original due to the **novel combinations** or unexpected results produced by machine learning algorithms. These new combinations of ideas, even if drawn from existing data, may still present a form of creativity that deserves recognition.
- **The Changing Nature of Originality:** This shift in perspective reflects the **evolving nature of copyright law**. Over time, legal definitions of originality have adapted. For example, U.S. law has evolved to recognize originality not as an expression of individual human creativity, but rather as a product of intellectual effort. This

evolving definition may allow AI-generated works to be considered original under a revised, more inclusive framework.

3. Ownership and Legal Rights: Who Holds the Copyright?

The ownership of AI-generated works raises several questions about who should hold the rights to AI-generated content:

- **Developer vs. User Ownership:** The issue centers on whether the **developer** of the AI, the **user** who provides input or instructions to the system, or the **AI itself** should hold ownership. The current trend in jurisdictions like the U.S. favors the **human user** who interacts with the AI and directs its output. This approach attributes ownership to the human since they are seen as the creative instigators, even though the AI performs the actual creation.
- **Alternative Ownership Models:** In the U.K., the **Copyright, Designs and Patents Act** (1988) provides for a potential solution by assigning ownership of "computer-generated works" to the individual who makes the necessary arrangements for the creation. This approach can extend beyond direct human involvement, suggesting a hybrid model that accounts for the developer's role in creating the AI and the user's role in providing input.
- **New Intellectual Property Categories:** Scholars like Liu (2022) propose the creation of a **new category of intellectual property** that addresses the unique nature of AI-generated works. This could be termed "machine-generated intellectual property," distinct from traditional copyright, to better capture the essence of AI's role in creation.
- **Balancing Interests:** Legal frameworks may need to create systems that balance

the interests of AI developers, users, and other stakeholders. For instance, developers of AI may claim ownership over AI-generated works due to the intellectual property embedded in their technologies. Meanwhile, users who prompt or interact with the AI may argue that their involvement in the creative process entitles them to ownership.

4. Liability for Infringement: The Accountability of AI Systems:

AI-generated works raise the possibility of **unintentional copyright infringement** due to AI systems' reliance on vast datasets that may include copyrighted material. Determining liability for infringement becomes complex, as AI systems act **autonomously** and lack legal personhood.

- **Attribution of Liability:** Scholars such as McSherry (2021) argue that responsibility for infringement should fall on the **human creators or users** of the AI system, as they control the actions of the machine. This approach reflects the idea that, while AI operates autonomously, it is ultimately the humans who deploy and guide the system who should bear the responsibility for any infringements.
- **Proposed Legal Frameworks for Liability:** Some scholars advocate for a new **"attributional liability"** framework that would hold developers or users accountable when their AI systems create works that infringe on existing copyrights. This new framework would recognize the autonomous actions of AI systems while ensuring that humans involved in the AI's deployment bear the responsibility for infringement.
- **Complexities of Infringement:** The issue becomes even more complex in cases where AI generates content that closely resembles copyrighted works

unintentionally. Since AI systems are trained on large datasets, they may inadvertently reproduce elements of copyrighted content. Addressing this will require sophisticated legal mechanisms to deal with **unintentional infringement** and **machine learning-generated creativity**.

5. Implications for Future Legal Reforms:

The document suggests that the current copyright framework is ill-equipped to handle the challenges posed by AI-generated works. As AI continues to transform the creative landscape, the following reforms could be considered:

- **Clarification of Authorship:** Legal systems need to **define authorship** in the context of AI-generated works, potentially recognizing both AI and human involvement in the creative process.
- **Redefinition of Originality:** Copyright law may need to **expand its definition of originality** to include the novel outputs generated by AI systems, even if those outputs rely on existing data.
- **New Ownership Models:** The creation of new **ownership categories** specifically for AI-generated works may be necessary to account for the complexities of machine-driven creativity.
- **Liability Frameworks:** **Clarification of liability** is needed to ensure that creators, developers, and users of AI systems are held accountable for infringement or other legal violations stemming from AI-generated content.

6. Theoretical and Ethical Implications:

Finally, the paper touches on broader **theoretical and ethical considerations** that arise with AI-driven creativity. These include questions of whether **creativity** can be attributed to machines or if it remains an inherently human trait. It raises the question of whether **AI's creativity** is simply the result of human programming, or if AI can

truly innovate independently. The ethical implications of granting ownership and authorship to non-human entities also require careful thought, particularly as AI technologies continue to evolve.

Conclusion and Recommendations:

As AI technology continues to evolve, copyright law must adapt to address the challenges posed by AI-generated works. This paper has explored the key legal issues of authorship, originality, ownership, and liability, highlighting the need for reform in copyright law to accommodate AI-driven creativity. While traditional copyright frameworks may be insufficient for dealing with AI-generated works, a more flexible approach is needed—one that recognizes the role of AI as a tool for creation without disregarding the importance of human involvement in the creative process.

Recommendations for reform include:

1. **Clarifying authorship:** Legal systems should introduce provisions that clearly define authorship in the context of AI-generated works, recognizing the role of both AI and human input.
2. **Redefining originality:** Copyright law should consider a broader understanding of originality, acknowledging the potential for AI systems to produce novel, creative works.
3. **Establishing new ownership models:** Jurisdictions should explore the creation of new legal frameworks that address ownership and rights for AI-generated content, balancing the interests of AI developers, users, and other stakeholders.
4. **Liability for infringement:** Legal systems should clarify who is liable for infringement when AI systems generate works that unintentionally infringe on existing copyrights.

Ultimately, adapting copyright law to AI-generated works will be crucial in

fostering innovation while protecting the rights of creators in the digital age. Legal reforms that balance the interests of AI developers, human creators, and the public will ensure that copyright protection remains relevant and effective as AI continues to transform the creative landscape.

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Role Of Intellectual Property Rights In Digital Marketing And E-Commerce

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DOI - 10.5281/zenodo.14909818

Abstract:

In the rapidly evolving digital marketplace, Intellectual Property Rights (IPR) play a critical role in protecting brands, innovations, and creative content while fostering fair competition. This paper examines the significance of IPR in digital marketing and e-commerce, analyzing how trademarks, copyrights, patents, and trade secrets safeguard businesses in an era of widespread online transactions and digital advertising. It explores the challenges posed by digital piracy, counterfeiting, and unauthorized use of content, as well as legal frameworks that regulate intellectual property in the digital space. Additionally, the study highlights the impact of IPR on brand reputation, consumer trust, and market competitiveness. Through case studies and legal perspectives, this research provides insights into best practices for businesses to navigate intellectual property concerns while leveraging digital marketing strategies. The findings underscore the necessity of robust IPR enforcement and policy adaptations to sustain innovation and growth in the digital economy.

Keywords: *Intellectual Property Rights, Digital Marketing, E-Commerce, Trademarks, Copyright, Online Piracy, Brand Protection, Digital Economy*

Introduction:

The rise of digital marketing and e-commerce has revolutionized the way businesses interact with consumers, enabling global reach, cost efficiency, and targeted advertising. However, this digital expansion has also led to intellectual property-related challenges such as unauthorized content distribution, brand infringement, counterfeit goods, and domain name disputes. Intellectual Property Rights (IPR) have become a crucial aspect of the digital economy, ensuring that businesses, content creators, and innovators can protect their unique assets while fostering fair competition.

IPR encompasses a range of legal protections, including copyrights, trademarks, patents, and trade secrets. These

rights serve to safeguard creative works, inventions, brand identities, and proprietary business strategies, preventing unauthorized replication or exploitation. In the context of digital marketing, copyrights protect digital advertisements, promotional videos, blog content, and other creative materials, ensuring original content is not plagiarized or misused. Trademarks play a vital role in distinguishing brands in an increasingly crowded digital marketplace, preventing domain squatting, brand impersonation, and fraudulent advertising. Patents can protect technological innovations that enhance online advertising and consumer engagement. Trade secrets, such as proprietary algorithms or marketing strategies, further contribute to the

competitive advantage of businesses operating in the digital sphere.

Despite international agreements providing legal frameworks for protecting intellectual property across borders, enforcement remains a major concern. Companies must adopt proactive strategies, including digital rights management systems, trademark monitoring tools, and legal action against infringers, to ensure the integrity of their intellectual property. Collaboration with e-commerce platforms, regulatory bodies, and digital advertising networks can enhance IPR enforcement and promote responsible digital marketing practices.

Objectives of the Research:

1. To analyze the significance of Intellectual Property Rights in digital marketing and e-commerce
2. To examine the challenges associated with intellectual property protection in the digital space
3. To explore the impact of IPR on brand reputation and consumer trust
4. To assess legal frameworks and international agreements governing IPR in digital marketing and e-commerce
5. To identify best practices for businesses to protect their intellectual property in digital marketing and e-commerce
6. To evaluate the role of technology in strengthening IPR enforcement

Literature Review:

Several researchers have explored the role of Intellectual Property Rights (IPR) in digital marketing and e-commerce, highlighting its significance, challenges, and evolving legal frameworks. Rakoto (2018) emphasized the critical need for robust IPR protection in e-commerce, particularly in safeguarding electronic transactions across global markets. Yanisky-Ravid (2020) argued for a redefinition of intellectual property concepts to address the

complexities introduced by technological advancements, advocating for new digital mechanisms to support IPR enforcement. In 2023, Adams examined the evolution of intellectual property rights in response to digital transformation, stressing the increasing difficulties in protecting IP due to the rapid proliferation of online platforms and digital reproduction. Chauhan and Singh (2023) conducted a comprehensive review of IPR in the digital space, identifying key challenges and proposing solutions to enhance protection in digital environments. More recently, a 2024 study analyzed the role of e-commerce platforms in enforcing IPR, discussing ongoing legal reforms aimed at strengthening IP protection while fostering brand growth. These studies collectively underscore the necessity for adaptive legal frameworks, platform responsibilities, and enforcement mechanisms to ensure effective IPR protection in the digital economy.

Research Methodology:

This study uses a mixed-method research approach to examine the role of Intellectual Property Rights (IPR) in digital marketing and e-commerce. It uses primary data from surveys, interviews, and secondary data from legal frameworks and case studies. The research aims to understand the challenges and enforcement mechanisms of IPR in the digital marketplace, focusing on major markets like the US, EU, and emerging economies.

Role of Intellectual Property Rights in Digital Marketing and E-Commerce:

Intellectual Property Rights (IPR) are crucial in the digital economy for protecting creative content, brand identity, and innovative technologies. As businesses increasingly rely on digital marketing and e-commerce to reach global audiences, the need for strong IP protection has become more significant. IPR ensures that businesses, content creators, and innovators can safeguard their assets, maintain brand

integrity, and prevent unfair competition in the online marketplace.

Digital marketing heavily relies on creative content such as advertisements, social media campaigns, videos, blogs, and website designs. Copyright laws help protect these materials from unauthorized use, plagiarism, and piracy. Trademarks play a vital role in distinguishing brands and preventing identity theft, counterfeiting, and domain squatting.

Trademark protection and anti-counterfeiting policies help businesses combat unauthorized sellers and maintain consumer trust. Companies must actively monitor online marketplaces and use legal measures to take down infringing listings.

Various international agreements and national laws regulate IPR in digital marketing and e-commerce, providing global standards for copyright and trademark protection. Effective IPR enforcement enhances consumer trust by ensuring genuine products and services, leading to fair competition and reducing online fraud, misleading advertisements, and brand dilution.

However, enforcing IPR in the digital landscape presents challenges, such as the rapid spread of digital content, complex and time-consuming legal action against infringers across different jurisdictions, and the role of technology in strengthening IPR enforcement. Artificial Intelligence (AI) tools detect trademark infringements and counterfeit products online, blockchain technology verifies product authenticity, and Digital Rights Management (DRM) systems control the distribution and usage of copyrighted content.

IPR is essential for ensuring the sustainability and integrity of digital marketing and e-commerce, fostering a competitive and fair online marketplace. Businesses must remain vigilant and leverage legal frameworks and advanced technologies to combat online infringement effectively.

Understanding Intellectual Property Rights in the Digital Space:

The rapid growth of digital marketing and e-commerce has led to increased concerns over Intellectual Property Rights (IPR) violations, such as digital piracy, counterfeit goods, trademark infringement, and unauthorized content use. IPR plays a critical role in safeguarding businesses, ensuring fair competition, and maintaining consumer trust. Four primary categories of IPR: Copyrights, Trademarks, Patents, and Trade Secrets are essential for protecting digital assets and fostering innovation in online commerce.

Copyrights are legal protections granted to creators of original works that exist in a fixed medium, such as digital text, images, videos, and audio files. In digital marketing and e-commerce, copyright protection is crucial for advertising content, website and blog content, multimedia and social media content, and e-books and whitepapers. Enforcing copyright in the digital environment is challenging due to the ease of copying and distributing digital content. Businesses must leverage digital rights management (DRM) tools, watermarking techniques, and AI-based content monitoring systems to detect and prevent copyright violations.

Trademarks are essential for brand identity in digital commerce. Key aspects of trademark protection include logos and brand names, slogans and tags, domain names and SEO keywords, and product packaging and trade dress. Logos and brand names protect the visual representation of a brand, while slogans and tags ensure that competitors do not use similar phrasing to mislead consumers. Domain names and SEO keywords prevent cybersquatting and keyword-based advertising, while product packaging and trade dress protect distinctive packaging designs, color schemes, and visual appearances of products.

Challenges in Trademark Protection in the Digital Space:

Trademark infringement is a significant issue in e-commerce due to counterfeit products, fraudulent sellers, and fake brand representations on platforms like Amazon, eBay, and Alibaba. Online brand impersonation is another significant threat, and businesses must actively monitor online marketplaces, register trademarks across multiple jurisdictions, and collaborate with digital platforms to take down infringing listings.

Patents provide exclusive rights to inventors and businesses for their innovative products, technologies, and processes, playing a crucial role in protecting e-commerce technologies, digital payment systems, and AI-driven marketing tools. Key aspects of patent protection in digital marketing and e-commerce include e-commerce software and applications, AI-powered advertising and recommendation algorithms, and blockchain-based authentication systems.

Challenges in patent protection in the digital space include the lengthy patent approval process, cross-border patent enforcement, and data theft and cyberattacks. Trade secrets, which are proprietary and confidential business information, do not require registration and are protected as long as they remain confidential. Key aspects of trade secret protection include proprietary algorithms and data analytics, marketing strategies and business models, and customer databases and consumer insights.

Intellectual Property Rights (IPR) play a crucial role in digital marketing and e-commerce, ensuring businesses can safeguard their innovations, brand identity, and confidential information. To navigate the complexities of digital IPR enforcement, businesses must adopt proactive strategies such as leveraging AI-driven copyright detection tools, collaborating with legal authorities, strengthening cybersecurity measures, and staying updated on international IPR regulations. As the digital

marketplace continues to grow, the role of IPR will become increasingly significant in shaping a secure and innovative online business environment.

Importance of Intellectual Property Rights (IPR) in Digital Marketing and E-Commerce:

Intellectual Property Rights (IPR) play a crucial role in the digital marketing and e-commerce sectors, where innovation, branding, and content creation are essential for success. IPR provides legal frameworks to protect businesses, foster innovation, and build consumer trust. Trademarks and brand identity help establish a brand's unique identity in the digital marketplace, preventing confusion and combating counterfeiting. Copyright laws protect original content created for digital marketing, such as advertisements, blog posts, videos, social media posts, and website designs. Unauthorized use can lead to lost sales and brand dilution. IPR also allows businesses to monetize their content through licensing agreements, creating additional revenue streams.

Patents and technological innovation provide a competitive advantage in the digital marketplace, granting exclusive rights to inventors for their technological advancements. Enforcing IPR safeguards the authenticity of products and services, which is critical for building consumer trust. In digital marketing, IPR ensures truthful and non-misleading advertisements and promotional content, enhancing brand credibility. In conclusion, IPR is indispensable in the digital marketing and e-commerce sectors, providing legal mechanisms to protect brands, safeguard original content, incentivize innovation, and build consumer trust.

Challenges in Enforcing IPR in Digital Commerce:

Digital commerce has revolutionized global trade, enabling businesses to reach a wider audience and consumers more

conveniently. However, this rapid expansion has also led to significant challenges in enforcing Intellectual Property Rights (IPR). Key challenges include global jurisdiction issues, counterfeiting and digital piracy, social media and user-generated content, and evolving technology.

Global jurisdictions create significant legal complexities, making it difficult to apply a universal standard for protection. Cross-border legal barriers make it difficult for infringers to operate anonymously, often using fake identities or relocating operations to countries with weak IPR enforcement. Counterfeit goods and unauthorized reproduction of digital content are widespread issues in digital commerce, making it difficult for businesses to take legal action.

Social media and user-generated content present challenges in maintaining IPR compliance, as widespread content sharing and remixing blur the lines of legal ownership. Challenges in attribution and fair use arise as many users unknowingly violate IPR laws.

Evolving technologies like Artificial Intelligence (AI) and blockchain raise complex questions regarding IPR protection, with AI-generated content raising questions about who holds the rights to AI-generated works and blockchain facilitating unauthorized sales of copyrighted works as NFTs. International cooperation among governments, businesses, and technology platforms is essential for strengthening IPR enforcement mechanisms in the digital age.

Legal Frameworks and Regulatory Compliance in Digital Commerce:

The enforcement of Intellectual Property Rights (IPR) in digital commerce is crucial for protecting businesses, creators, and consumers from fraud, counterfeiting, and unauthorized use of intellectual assets. As online markets grow, ensuring regulatory compliance becomes increasingly complex due to jurisdictional differences, technological advancements, and the rise of

decentralized platforms. To address these challenges, a combination of international treaties, regional laws, and platform-specific policies has been established to regulate and safeguard digital intellectual property.

Key legal frameworks governing IPR enforcement in digital commerce include international treaties and agreements, regional and national laws, and self-regulation by e-commerce and social media platforms. International treaties establish common standards, facilitate cooperation between countries, and provide enforcement mechanisms to prevent infringement in digital commerce. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) sets minimum standards for intellectual property protection across its member countries, mandates civil, administrative, and criminal procedures to address copyright infringement, and simplifies the process of registering trademarks in multiple countries through a single application.

Regulating digital IPR requires individual countries to implement their own national laws and regulations. The European Union's General Data Protection Regulation (GDPR) (2018) & Copyright Directive (2019) restricts how personal data related to copyrighted works is processed, while the United States' Digital Millennium Copyright Act (DMCA) provides legal protection for copyrighted digital content. Other national laws include India's Copyright (Amendment) Act (2012) & Information Technology Act (2000), China's E-Commerce Law (2019) & Trademark Law, Japan's Copyright Law of Japan (2018), Australia's Online Copyright Infringement Act (2015), and Brazil's Brazilian Internet Bill of Rights (Marco Civil).

Best Practices for Businesses in Digital Marketing and E-Commerce:

Protecting intellectual property rights (IPR) is crucial for businesses as digital commerce continues to grow. Unauthorized duplication, counterfeiting,

and piracy can erode brand value, reduce revenue, and damage consumer trust. To mitigate these risks, businesses must adopt a comprehensive strategy that includes legal protections, technological safeguards, proactive enforcement, and strong policy implementation.

To safeguard their intellectual property in digital marketing and e-commerce, businesses should follow best practices such as trademark and copyright registration, digital rights management (DRM), legal agreements and policy implementation, monitoring and enforcement strategies, and consumer awareness and education. Trademark protection protects brand names, logos, slogans, and product packaging, ensuring no unauthorized party can misuse them. Steps to protect your trademark include registering with national or regional intellectual property offices, using the Madrid Protocol for international trademark registration, monitoring trademark infringement by setting up alerts on Google Alerts, trademark watch services, and AI-based brand protection tools, and defending against cybersquatting by registering variations of brand-related domain names and using the Uniform Domain-Name Dispute-Resolution Policy (UDRP) to recover misused domains.

Digital Rights Management (DRM) technologies help businesses prevent unauthorized duplication, modification, or distribution of digital assets. Strategies for e-commerce and digital marketing include watermarking, encryption, access control and licensing, non-disclosure agreements, and work-for-hire contracts. Legal agreements and policy implementation ensure compliance from customers, partners, and employees. Essential legal documents for IPR protection include Terms of Service (ToS), Privacy Policy, Copyright Notices, Licenses Agreements, Non-Disclosure Agreements (NDAs), and Work-for-Hire Contracts.

Proactive monitoring helps businesses detect and combat IPR violations

before they escalate. AI-based monitoring tools like YouTube Content ID, Google Reverse Image Search & Tin Eye, and Brand Protection Software like Red Points, Mark Monitor, and Brand Shield scan e-commerce platforms for counterfeit products. IPR enforcement actions include DMCA takedown notices, cease and desist letters, trademark and copyright lawsuits, collaboration with e-commerce platforms, and consumer awareness and education.

Businesses must adopt a multi-faceted approach that includes legal protections, technological enforcement, continuous monitoring, and consumer awareness and education to effectively combat online infringement. By securing trademarks, copyrights, and patents, leveraging DRM technologies, enforcing clear policies, and educating consumers, businesses can effectively combat online infringement and maintain their brand integrity.

Conclusion:

Intellectual Property Rights (IPR) are crucial in protecting brands, innovations, and digital content in the digital marketing and e-commerce landscape. Securing trademarks, copyrights, and patents allows businesses to legally establish ownership over their brands, creative content, and technological advancements, preventing counterfeiting and digital piracy. Digital Rights Management (DRM), legal frameworks, and AI-powered monitoring tools help detect and combat IPR violations in real time. However, enforcing IPR in digital commerce faces challenges like global jurisdiction issues, social media-driven content sharing, and the rapid evolution of AI-generated content. To address these, businesses must adopt a multi-layered strategy that includes legal protection, technological safeguards, continuous monitoring, and proactive enforcement actions. Collaboration with e-commerce platforms, regulatory bodies, and legal institutions is essential for

strengthening intellectual property protection worldwide. Strong IPR enforcement drives innovation, fosters fair competition, and enhances consumer confidence in digital commerce.

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Intellectual Property Rights and Their Role in Shaping Marathi Cinema: A Legal and Cultural Perspective

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DOI - 10.5281/zenodo.14909828

Abstract:

Marathi cinema refers to films produced in the Marathi language in the state of Maharashtra. (Saran-25). The pioneer of Marathi cinema is Dadasaheb Phalake. It is known for its rich storytelling and cultural significance, has evolved significantly in the past decade, influenced by various legal and economic factors. Intellectual Property Rights (IPR) play a crucial role in safeguarding the creative and commercial interests of filmmakers, ensuring fair compensation, and protecting artistic integrity. This paper explores the impact of IPR on Marathi cinema from 2010 to the present, analyzing copyright protection, trademark regulations, and legal mechanisms available to filmmakers.

The study reviews existing literature, including books and research papers, to understand how intellectual property laws have shaped the production, distribution, and monetization of Marathi films. It highlights key challenges such as piracy, digital streaming rights, and fair use policies that affect the industry. The research methodology is based on secondary data sources, including legal case studies, industry reports, and academic analyses.

Findings suggest that while IPR laws have helped Marathi cinema gain recognition and financial stability, gaps remain in enforcement, leading to issues like unauthorized reproduction and online piracy. The study recommends stronger digital copyright enforcement, better awareness among filmmakers regarding legal protections, and improved policies to support regional cinema. In conclusion, intellectual property rights are instrumental in shaping the future of Marathi cinema, ensuring that creative professionals are adequately rewarded and that the industry remains competitive in a rapidly changing digital landscape.

Keywords: Intellectual Property Rights, Legal, Cultural.

Introduction:

Marathi cinema has a long and vibrant history, reflecting the cultural and social narratives of Maharashtra. With the advent of globalization and digital media, the industry has expanded its reach beyond regional boundaries. However, this growth has also exposed it to various legal challenges, particularly in the domain of Intellectual Property Rights (IPR). As regional filmmakers strive for artistic excellence and commercial success, IPR plays a vital role in safeguarding their creative works from exploitation.

Intellectual property laws, including copyright, trademarks, and patents, are designed to protect filmmakers, scriptwriters, composers, and other creative professionals. Copyright laws ensure that films, scripts, and music compositions remain the rightful property of their creators, preventing unauthorized reproduction. Trademarks, on the other hand, help establish a distinct identity for Marathi films in the competitive entertainment industry.

Despite legal protections, issues like piracy, unauthorized streaming, and content replication persist, leading to significant

revenue losses. Many Marathi films struggle with distribution rights, and the lack of awareness about IPR among regional filmmakers often results in legal disputes. Additionally, digital platforms have changed the landscape of film consumption, necessitating a re-evaluation of existing copyright frameworks.

This paper aims to examine the influence of IPR on Marathi cinema from 2010 to the present. By analyzing legal cases, industry reports, and academic studies, the research explores how intellectual property laws shape the production, distribution, and overall growth of Marathi films. The study also identifies challenges in enforcement and suggests measures to enhance copyright protection, ensuring a sustainable future for Marathi filmmakers.

Review of Literature:

The seminal book by Rina Kamath "Copyright and the Entertainment Industry" (2015). explores the fundamentals of copyright law and its relevance in the entertainment industry, including cinema. It focuses on the insights into legal battles over intellectual property rights in India, as well as it highlighted the challenges faced by regional filmmakers in protecting their creative genius which is innovative one.

Ashvin Immanuel Devasundaram in his book named as "Regional Cinema in India: Industry, Narrative, and Meaning" (2018).He discusses the cultural and economic aspects of regional cinema, emphasizing how intellectual property laws impact film production and distribution. It provides an in-depth analysis of Marathi cinema's struggle with copyright infringement and the need for stronger legal frameworks.

Research Papers:

It is a burning issue which seems to catch the attention of research scholars and academicians in the field of research. There

are several articles which focuses the pertinent issue like IPR and its role but following articles catch the attention of readers and new learners. "Digital Piracy and Its Impact on Regional Cinema: A Case Study of Marathi Films" by Patil (2020). This study explores the growing menace of digital piracy and its effects on the Marathi film industry. It discusses loopholes in the enforcement of copyright laws and suggests policy measures to curb unauthorized distribution.

"The Role of Intellectual Property Rights in the Indian Film Industry" by Gupta and Sharma (2016). This paper examines the significance of IPR in protecting the rights of filmmakers and production houses. It discusses various copyright-related disputes in Indian cinema, highlighting case studies from regional film industries, including Marathi cinema.

While going through the both articles and literary text; it reveals that stern action must be followed for ethical profession like cinema.

Research Methodology:

The research is based on secondary data sources, including books, academic journals, legal case studies, and industry reports. The time frame for analysis is from 2010 to the present, focusing on the developments in intellectual property laws and their impact on Marathi cinema. The study follows a qualitative approach, examining case laws, copyright disputes, and policy changes that have influenced the industry. Data is collected from government reports, legal databases, and scholarly articles.

Research Objectives:

1. To analyze the role of Intellectual Property Rights in protecting Marathi cinema.

2. To examine the impact of copyright laws on film production, distribution, and monetization.
3. To identify challenges faced by Marathi filmmakers in enforcing intellectual property rights.
4. To explore legal cases and policy developments affecting the industry.
5. To suggest measures for strengthening copyright enforcement and protecting Marathi cinema's creative assets.

Intellectual Property Rights' Role in Shaping Marathi Cinema:

Intellectual Property Rights have played a crucial role in defining the legal and economic landscape of Marathi cinema. Copyright laws ensure that original scripts, music compositions, and cinematographic works are protected from unauthorized reproduction. Trademarks help in branding Marathi films, ensuring that they gain visibility in national and international markets.

However, the industry faces significant challenges such as piracy, unauthorized streaming, and content theft. While legal mechanisms exist, enforcement remains weak, leading to financial losses for filmmakers. Digital streaming platforms have also introduced new complexities in copyright management, necessitating better awareness and legal literacy among Marathi filmmakers.

Findings and Suggestions :

The results of the study show that although intellectual property rights offer a solid basis for safeguarding Marathi cinema, enforcement weaknesses and online piracy remain significant risks. A lot of filmmakers are unaware of copyright regulations, which frequently results in legal issues and financial losses. The issue has been made worse by the lack of strict regulations governing the distribution of digital content.

To address these challenges, the study suggests:

1. Strengthening digital copyright laws to combat piracy and unauthorized streaming.
2. Increasing legal awareness among Marathi filmmakers regarding intellectual property rights.
3. Introducing government-supported copyright protection programs for regional filmmakers.
4. Encouraging industry collaborations to establish stronger copyright enforcement mechanisms.
5. Implementing blockchain-based copyright tracking to secure digital film distribution.

By adopting these measures, Marathi cinema can better safeguard its creative assets and ensure fair compensation for filmmakers, fostering a more sustainable industry.

Conclusion:

The study highlights the crucial role of Intellectual Property Rights in shaping Marathi cinema, ensuring the protection and commercialization of creative content. While copyright laws provide essential safeguards, enforcement challenges remain a significant concern, particularly with the rise of digital piracy. The lack of awareness among regional filmmakers further exacerbates the issue, leading to unauthorized distribution and financial setbacks.

Despite these challenges, there are opportunities to enhance IPR enforcement through technological solutions such as blockchain and stricter digital copyright regulations. Government initiatives and industry collaborations can further strengthen copyright protection, ensuring that Marathi filmmakers receive fair recognition and economic benefits for their work.

In conclusion, Intellectual Property Rights are integral to the growth of Marathi

cinema, preserving its cultural heritage while fostering innovation and economic sustainability. Addressing enforcement gaps and promoting legal awareness will ensure that Marathi films continue to thrive in an evolving digital landscape. A well-protected creative industry not only benefits filmmakers but also enriches the cinematic experience for audiences worldwide.

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Intellectual Property Rights and E-commerce

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DOI - 10.5281/zenodo.14909834

Abstract:

Intellectual Property Rights Laws provide the protection to the inventor or creator for the protection of their intellectual property. It plays very important role for providing protection in the e-commerce business. E-commerce business is the online trading of goods and or services. In online business most of the business websites often breaks the intellectual property laws. There are so many parts which needs to follow for not infringes the intellectual property law that includes the creations must be own, permission should be taken from the creator for the use of their invention etc. In this research paper researcher has discussed the IPRs laws, significance of IP in e-commerce and elements of e-commerce like the business websites and their contents, databases etc. which should have been taken the permission of IPRs while doing business through the e-commerce platform.

Keywords: *IPRs, E-commerce and types, significance of IP in E-commerce and Elements of E-commerce in Intellectual Property.*

Introduction:

Intellectual Property Rights (IPR) is the legal rights which have been given to the inventor or creator for protecting his or her invention or creation for a certain period of time. These legal rights give the special right to the inventor or creator or his assignee for totally utilizing his or her invention or creation for a given period of time. In other words Intellectual Property Rights are the rights given to persons over the creations or inventions of their minds. The well-known IPRs are patents, copyrights, trademarks and trade secrets. In India, seven types of intellectual property rights are in the use like patents, copyrights, trademarks, geographical indications, plant varieties, industrial design and semiconductor integrated circuit layout designs. The main purpose of Intellectual Property Rights Acts is to inspire the creation or invention of a wide variety of intellectual goods. To attain

this, IPRs law gives the rights to the people and businesses for creating certain intellectual goods and information for a stipulated or limited period of time. The IPRs laws allow people to protect their creations, original ideas and information, pictures, and any other intellectual property and prevent the copying from unauthorized agency or people.

Intellectual property is the category of property that consist the creation or invention of intellectual goods. In other words, it is specific type of intellectual or intangible assets which have been created or invented.

Objective:

The object of the present research article is to elaborate the relationship of Intellectual Property Rights and E-Commerce.

Methodology:

Descriptive research method has been applied for the completion of the present research article. The data relating to this research article is gathered from various secondary sources like research articles, research papers, magazines, books and from various websites.

Types of Intellectual Property Rights in India:**1. The Copyrights Act, 1957:**

According to the section 13 of the Act, protection under copyright is obtained for original literary, dramatic, musical and artistic works; cinematograph films; and sound recording'. Interestingly, a copyright protection will be given to computer programmes. Under section 17, clearly stated that, author of the original work shall be the first author of the work and owner of this work shall be the rights to give the license to the third author for the use of their work through the written agreement. The protection shall be provided to any published work dramatic works and artistic works for 60 years in addition to the life of the author. Under section 57, special rights have been given to the original author for the protection of their work. The author has the right to claim the authorship of the work and right to claim the damages even after assigning the work to another person.

2. The Trade Marks Act, 1999:

According to the section 2(zb), "Trade Marks means, a mark representation and distinguish of goods or services one person from those of others." In simple word, a trademark is the protection to the goods or services including shapes, colours, symbols, words etc.

3. The Patents Act, 1970:

It is one of the most important intellectual property right which provides the protection to any new

creation or invention. It is an special rights of the inventor and prevents other people to use their invention illegally and steal the registered patent. It is approved for the term of 20 years from the date of filling application. The new patent is registered only if the invention is unique and original.

4. The Design Act, 2000:

According to the section 2(d) of this Act, design means and includes, "only the features of shape, configuration, pattern, ornaments or composition of lines or colours, applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to an are judged solely by the eye'. For the registration of industrial design i.e. genuine and original innovation, an application has to be made to the Controller General of Patents, Designs and Trade Marks. After the design registration, the initial protection will be for 10 years and will be extended for a further period of 5 years.

5. The Geographical Indications of Goods (Registration and Protection) Act, 1999:

In India, many of the goods are extensively popular due to their place of origin. For example, Paithani Saree, Rambandhu Chivada Masala, Kolhapuri Chappal etc. these have the factors specific to the place of origin. For the registration of a goods under GI Act requires to submit the statement of describing how the geographical indication affects to the place of origin of the good regarding the quality, characteristics, and reputation of the good; the class of goods; particulars with regards the appearance of the geographical indication and the map of the territory/area/country where the good has originated. The protection will

be given for the period of 10 years after the geographical indication is awarded and there is option of renovation and extension for the period of 10 more years from the expiry date of original registration.

6. The Protection of Plant Varieties and Farmer's Rights Act, 2001:

The main purpose of this act is to recognize the rights of Indian Farmers and provides the protection to the plant varieties in order to inspire the growth and development of more plant varieties in India. Under this act, the protection shall be given for the period of 9 years in terms of trees and vines and for a period of 6 years in terms of crops with renewal option for these registrations.

7. The Semiconductor Integrated Circuits Layout- Design Act, 2000:

Under this act, the main requirement for registration of a semiconductor integrated circuit should be original layout-designs. The protection is provided to the registered original layout-designs for a period of 10 years.

Types of E-commerce:

E-commerce is doing business through online mode i.e. buying and selling goods through the internet connection. For this, companies will have to create their own websites. E-commerce are classified in to four major categories.

1. Business to Business (B2B):

In business to business, one business purchase or sells their product to/by other business like manufacturer sales product to distributor, and wholesaler sales their product to retailer but not to directly end user i.e. customer.

2. Business to Consumer (B2C):

In business to consumer e-commerce business, business transactions have been made between business and consumer. The products are directly sales to the end user not to the other business.

3. Consumer to Consumer (C2C):

In consumer to consumer business model, two consumers are connected to the online business. It is a business model where individual trade products or services directly each other through the online marketplace. Examp^l, Etsy, eBay, AliExpress which collects sellers with buyers, OLX is classified platform where users can list and sell items like cars, property and electronics.

4. Consumer to Business (C2B):

Consumer to business is a commerce model where consumers provide various products or services to businesses. Through the C2B model, businesses obtain information from their consumers to produce high-quality goods and services. Example, food bloggers sharing a link to a company's cooking products on their blog

Significance of Intellectual Property in E-Commerce:

Intellectual property rights provide the protections against disclosure of trade secrets and unfair competition. Importance of IPR is explained with the help of following points.

1. Safeguarding own creation:

Many of the intellectual property owners give the rights to their creation prior to taking permission for protection of that asset. Intellectual Property Rights provide the protection to the asset creation or invention to intellectual asset owner against the malpractices.

2. Violating intellectual property by others:

Most of the E-commerce websites frequently violate the provisions of Intellectual Property Rights Laws those who selling and buying products through online modes. There are some basics things which must be kept in mind at the rime of trading through online mode:

- a. It must be own creation.

- b. Permission granted by the creator to use.
- c. It must be under the ambit of public domain.
- d. It is covered under fair use.

Elements of E-commerce in Intellectual Property:

The large numbers of constituents are used in e-commerce business. There are numerous parts in e-commerce websites which are conferred the protection of various kinds of Intellectual property.

1. Search engines, e-commerce and other technical tools are admitted to protect under patents.
2. Software is protected under copyrights or patents act depending upon the respective national law.
3. Website of e-commerce business is protected under copyrights act.
4. A website content which includes the written material, graphics, photographs, videos, music etc. is protected under copyrights act.
5. Business name, Logos, Product Names, Domain Names etc. are provided protection in trademarks act.
6. Computer based graphics, displays, and webpages are provided protection under industrial design laws.
7. Secrete elements of website like source code, programs, algorithm, confidential graphics etc. are provided protection in trade law secrets.

Conclusion:

E-commerce is a rapidly growing trading platform where the people can access all the services regarding buying the product and or services. On this platform, various instances can be found regarding the accession of creation and invention of someone without giving any credit to the inventor or creator. So, Intellectual Property Rights plays pivotal role to protect the

contents which are kept in online mode. Several e-commerce businesses act between business and consumers. Because of this purpose, an intellectual property right plays a very important role to make these transactions safer.

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Role of Intellectual Property Rights (IPR) in E-Commerce

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DOI - 10.5281/zenodo.14909844

Abstract:

The rapid advancement of digital technology and the changing consumer behaviour have significantly boosted the expansion of e-commerce, eliminating geographical boundaries for businesses. This has provided businesses with the opportunity to reach customers on a global scale. In the e-commerce sector, Intellectual Property Rights (IPR) play a crucial role in fostering innovation, protecting brands, ensuring fair competition, and safeguarding the interests of both businesses and consumers. However, with this expansion, the risks of Intellectual Property (IP) infringement, such as counterfeit products, content theft, and domain name squatting, have also increased substantially. To address these challenges, it is essential to raise awareness about IPR, strengthen legal enforcement, leverage AI-based technologies, adopt blockchain technology, educate consumers, and collaborate at the international level. Strengthening IPR protection in e-commerce can help curb unauthorized use and counterfeit products, creating a secure and competitive digital marketplace. This study analyzes the impact of IPR in e-commerce, the challenges in intellectual property protection, and the measures to overcome these challenges. The research is primarily based on secondary sources such as reports, journals, newspapers, and websites. The study provides a detailed overview of trademark infringement, patent rights violations, cyber security risks, and data privacy issues in e-commerce.

Keywords: Intellectual Property Rights, e-commerce, Copyrights, Patents, Trademarks.

Introduction:

Digital technology has led to a significant expansion of e-commerce, with its scope increasing day by day. Business has witnessed unprecedented growth. Along with metro cities, people from smaller towns are also increasingly engaging in buying and selling through e-commerce. It allows businesses to reach customers beyond geographical limitations, enabling the purchase and sale of goods across countries worldwide. Unlike traditional marketplaces, e-commerce does not have any geographical

boundaries. E-commerce technology provides businesses with an opportunity to reach customers in a convenient, fast, and effective manner. It reduces business costs and enhances the shopping experience for customers. E-commerce has created new opportunities for both businesses and consumers. With advancements in technology and changes in consumer behavior, the scope of e-commerce continues to expand.

However, along with this expansion, the risks of intellectual property (IP)

violations, such as counterfeit products, content piracy, and domain name squatting, have also increased. This paper examines the role of intellectual property rights (IPR) in protecting businesses in e-commerce, safeguards customers' interests, highlights legal and technical measures to address IP infringements.

Significance of the Study:

The role of intellectual property rights in e-commerce is very important in today's digital economy. This study examines the role of IPR in e-commerce business. This study shows how IPR drives innovation, protects businesses from infringement and ensures consumer trust in online transactions. The rapid growth of e-commerce has led to a significant increase in problems such as digital theft, counterfeit goods and misuse of brand names. This study aims to find solutions to these problems. This research study can help governments and policymakers strengthen IPR enforcement, so as to create a fair and secure e-commerce market. The findings of this study will help businesses, legal experts, policymakers and consumers to create a sustainable and ethical e-commerce system.

Objectives of Study:

The following objectives are formulated for the study:

1. To study the impact of IPR in e-commerce.
2. To study the Challenges of IPR in E-Commerce and strategies to overcome it.

Literature Review:

Here are literature reviews on Intellectual Property Rights (IPR), particularly in the context of e-commerce:

According to Kumari (2018), IPR grants innovators and creators exclusive rights to their intellectual contributions, allowing them to gain commercial benefits.

Intellectual Property Rights (IPR) form the fundamental foundation for protecting ideas, innovations, and creative expressions, which society recognizes as valuable assets. The primary types of intellectual property protection include trademarks, copyrights, and patents, which safeguard different aspects of intellectual property. Intellectual property is crucial in e-commerce, as digital products and brand identities are vulnerable to unauthorized use.

According to Smith & Jones (2019), IPR plays a vital role in fostering innovation and economic growth in the digital economy. They argue that in a rapidly evolving technological landscape, businesses need strong legal frameworks to protect their digital assets from infringement. Without adequate protection, companies risk losing competitive advantages and revenue.

Gupta (2020) explores the challenges businesses face regarding intellectual property in the e-commerce sector. The study highlights issues such as counterfeiting, trademark infringement, and copyright violations, which are rampant due to the borderless nature of digital markets. Gupta suggests that stronger international cooperation and technology-driven solutions like blockchain can help safeguard digital IPR.

Sreeragi (2021) has highlighted the legal requirements necessary for the protection of intellectual property. According to him, to avail of the benefits of IPR, formal registration as per local laws is essential, granting exclusive rights over innovations. In the context of e-commerce, awareness of these legal protections is important. This study also provides a detailed analysis of the duration for which registered intellectual property remains legally protected.

Research Methodology:

The data are collected through secondary sources like Reports, Magazines, Newspapers and websites.

Types of Intellectual Property in E-Commerce:

Intellectual property (IP) protects the rights of creators and innovators of digital content and products in e-commerce. IP controls how content in e-commerce is used, distributed, and monetized. The following are the types of intellectual property (IP) in e-commerce. [1]

- **Copyrights:** Copyright laws protect original creative literary works, such as written content, images, videos, website content, product descriptions, and software code. In e-commerce, businesses face threats such as content theft and unauthorized use of product descriptions, images, and videos, which can lead to consumer fraud. Digital rights management (DRM) and watermarking techniques help combat copyright infringement. [2]
- **Patents:** Patents protect innovative technology, including new product features or unique technology used in e-commerce platforms, such as e-commerce algorithms, payment gateways, and supply chain solutions. For example, Amazon's patented "One-Click Checkout" system is an example of a patent in e-commerce. [3]
- **Trademarks:** Trademarks protect brand names, logos, symbols, and slogans used to identify a product or company. Trademarks help distinguish a company's products from the product of competitors. They are especially useful on e-commerce platforms to prevent counterfeit products. [4]
- **Design rights:** In e-commerce, design rights are obtained to prevent imitation of the design, packaging and user interface (UI) elements of a product.

Design rights protect the visual appearance, aesthetic appearance, shape, pattern or ornamentation of a product, so that its unique aesthetic aspects cannot be copied without permission. For example, a different shape of a smartphone or a website layout design. [5]

- **Trade Secrets:** Trade secrets are confidential business information that provide a company with a competitive edge. Trade secrets are not publicly disclosed and are protected as long as they remain confidential. Confidential business information includes formulas, production processes, or marketing strategies that provide a competitive advantage and are not publicly known. [6]
- **Domain Name Protection:** Domain Name Protection means protecting a website's domain name from theft, unauthorized transfer, or misuse. In e-commerce, domain names are essential for brand identity. Like cybersquatting practices, where individuals register domain names similar to reputed brands, pose a threat to businesses. The Uniform Domain-Name Dispute-Resolution Policy (UDRP) helps resolve such disputes.

Importance of IPR in E-commerce:

Intellectual Property Rights (IPR) play a significant role in protecting digital assets, fostering innovation, and ensuring fair competition in e-commerce. The impact of IPR on e-commerce is as follows:

1. **Brand Protection:** Trademarks protect brand names, logos, and slogans, preventing counterfeiting and misuse of the brand. Registered trademarks increase customer trust, enhancing brand credibility and customer loyalty.
2. **Protection by Copyright:** Copyright protects product descriptions, images, videos, and website content from

unauthorized use. It helps businesses maintain originality and prevent intellectual property theft.

3. Protection by Patent: Patents protect innovative business methods, software algorithms, and e-commerce technologies. This leads to increased investment in research and development (R&D) and promotes technological progress.

4. Domain Name Protection: Domain names are valuable assets, and anti-cybersquatting laws prevent the unauthorized registration of domain names related to a brand. This ensures the security of the brand's online presence.

5. Preventing Counterfeit: IPR enforcement helps e-commerce platforms detect and remove counterfeit or stolen products. This minimizes revenue loss and protects customer rights.

6. Encouraging Fair Competition: IPR encourages businesses to compete based on innovation rather than imitation. This fosters diversity in the market and promotes legitimate business practices.

7. Licensing: Businesses can license their intellectual property (logos, software, patents) to other companies, creating additional revenue and expanding collaboration opportunities globally.

8. Customer Trust: Strong IPR policies help e-commerce businesses comply with international trade regulations. It ensures customers receive authentic products and services, building trust in the brand.

IPR is crucial for the e-commerce sector as it encourages innovation, protects brands, and maintains customer trust.

Challenges of IPR in E-Commerce:

The rapid growth of e-commerce has given rise to several challenges related to Intellectual Property Rights (IPR). These challenges are as follows:

- 1. Counterfeit and Duplicate Products:** Counterfeit products are widely sold on e-commerce

platforms. Branded products are sold at lower prices, deceiving customers and damaging the reputation of the original brand. According to the OECD, counterfeit goods account for 3.3% of global trade. [7] By 2030, the global trade in counterfeit goods is expected to reach \$1.79 trillion. [8]

- 2. Digital Piracy:** E-commerce platforms selling digital products such as e-books, music, and software face significant risks of digital piracy. Often, product descriptions, images, or designs are copied and sold on e-commerce websites. Such digital piracy poses a major challenge to e-commerce businesses.
- 3. Trademark Infringement:** Many sellers use names similar to well-known brands for their products, leading to trademark infringement. This results in losses for the original companies.
- 4. Patent Rights Violation:** Products with patents are manufactured and sold on e-commerce platforms without permission, leading to patent rights violations. This causes significant financial losses for original researchers and entrepreneurs.
- 5. Domain Name Squatting:** This involves purchasing domain names similar to well-known brands and later selling them to the brand owners for profit.
- 6. Cyber security and Data Privacy:**
 - Data Privacy:** Safeguarding digital data related to intellectual property is a major challenge. Protecting customers' personal and financial information is crucial.
 - Cybercrimes:** E-commerce faces risks such as hacking,

phishing, data theft, and data breaches. The incidence of such events is increasing daily.

7. **Regulatory Challenges:** Since e-commerce operates globally, different countries have different IPR laws. This makes uniform enforcement difficult. The varying levels of intellectual property protection across countries complicate legal actions against violators.
8. **Lack of Awareness among small businesses:** Many small businesses entering the e-commerce market are unaware of the importance of intellectual property protection, which affects them in the long run.

Strategies for Strengthening IPR in E-Commerce:

The following measures can be taken to strengthen Intellectual Property Rights (IPR) in e-commerce:

- **Enhancing Awareness of Intellectual Property Rights:** To strengthen IPR in e-commerce, businesses should be made aware of the importance of their intellectual property rights. Information on trademarks, patents, copyrights, and design rights should be provided. Awareness can be created by organizing online training workshops and webinars.
- **Legal Measures:** Implementing legal measures is crucial for strengthening IPR in e-commerce. When listing products and services on e-commerce platforms, trademarks and patents should be verified. A proper mechanism should be in place for filing complaints related to intellectual property violations. Effective enforcement of laws is necessary. Specific laws and

regulations should be formulated for IPR protection in e-commerce, with strict penalties and punishments for violations.

- **Use of AI-Based Technology:** Artificial Intelligence (AI) and Machine Learning can help identify counterfeit products and services. Technologies such as digital watermarking and fingerprinting can be used to protect content. AI-driven technology is already being utilized for this purpose.
- **Use of Block chain Technology:** Block chain technology helps ensure authenticity in the supply chain, strengthening intellectual property protection. It enables verification of product origins. Startups like VeChain use block chain to authenticate products.
- **Monitoring and Enforcement:** To strengthen IPR in e-commerce, regular monitoring of e-commerce platforms should be conducted to detect counterfeit products and services. Immediate action should be taken against intellectual property violations. A dedicated inspection team should be established to enhance online marketplace security.
- **Consumer Awareness:** E-commerce platforms should educate consumers about identifying counterfeit products. Customers should be informed about the risks of counterfeit goods and guided on recognizing authentic sellers and original products. A simple complaint registration system should be available for IPR violations, and consumers should be encouraged to report such cases.
- **Protection at the International Level:** Since e-commerce operates on a global scale, cooperation with international intellectual property

organizations is essential. Efforts should be made to harmonize intellectual property laws across different countries. International agreements such as WIPO (World Intellectual Property Organization) and TRIPS (Trade-Related Aspects of Intellectual Property Rights) play a key role in establishing global standards for IPR enforcement.

By implementing these measures, intellectual property protection in e-commerce can be strengthened, benefiting both businesses and consumers.

Conclusion:

It is concluded that maintaining a balance between robust legal frameworks and technological advancements is essential to sustain consumer trust in online transactions. The role of intellectual property rights (IPR) in e-commerce is significant, as they drive innovation, protect brands, ensure fair competition, safeguard the interests of businesses and consumers, and maintain consumer trust. However, e-commerce also faces numerous challenges, such as counterfeit and duplicate products, digital piracy, trademark infringement, patent rights violations, domain name squatting, cyber security, and data privacy issues. Addressing these challenges through measures like enhancing awareness of intellectual property rights, implementing legal measures, utilizing AI-based technology, adopting block chain technology, raising consumer awareness, and ensuring international-level protection can strengthen IPR protection in e-commerce. This will benefit both businesses and consumers. With the rapid expansion of the digital marketplace, IPR safeguards trademarks, patents, copyrights, and trade secrets, protecting against unauthorized use and counterfeit products. Strong IPR enforcement not only fosters

creativity and investment but also enhances consumer confidence in online transactions. However, challenges such as digital theft, jurisdictional complexities, and evolving technology require continuous strategic improvements and international cooperation. To maintain a fair and competitive e-commerce system, it is essential to maintain a balance between robust legal frameworks and technological advancements.

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Role of IPR in Digital Marketing & E-Commerce

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DOI - 10.5281/zenodo.14909854

Introduction:

In today's interconnected world, digital marketing and e-commerce have revolutionized the way businesses operate, communicate, and engage with consumers. The advancement of technology, especially the internet, has brought forth new opportunities and challenges, leading to a surge in online commercial activities. However, as businesses leverage the digital sphere for their growth, there arises a critical concern regarding the protection of intellectual property rights (IPR). Intellectual Property Rights (IPR) are fundamental in ensuring that businesses can protect their innovations, products, and services in the digital environment. This paper explores the role of IPR in digital marketing and e-commerce, focusing on how it safeguards businesses and fosters innovation while discussing its benefits and challenges in these sectors.

Keyword: IPR, Digital Marketing, E-Commerce

Objective of Research:

- 1) To know the concept of IPR
- 2) Types of IPR
- 3) Characteristics of IPR
- 4) To Focus the Advantages and disadvantages of IPR
- 5) To make the conclusion of above topic

Research Study:

For the completion of this research article secondary data collection method is used by taking the help of reference books, Paper cuttings from Newspapers, Research articles, magazines and Internet websites etc.

Definition of IPR (Intellectual Property Rights):

Intellectual Property Rights (IPR) refer to the legal rights granted to individuals or organizations over their creations, inventions, or intellectual assets. These creations can range from inventions, designs, trademarks, and trade secrets to artistic works and brand names. IPR helps individuals or organizations control the use of their intellectual property, thus preventing unauthorized exploitation and ensuring that they can reap the financial benefits of their innovations.

There are several types of IPR:

- 1) **Patents:** Protect new inventions, providing the inventor exclusive rights to use, make, or sell the invention for a specified period.
- 2) **Copyrights:** Protect original literary, artistic, musical, and other creative works, giving creators exclusive rights to reproduce, distribute, and perform their works.
- 3) **Trademarks:** Protect distinctive symbols, words, or logos that differentiate goods or services in the marketplace.

4) Trade Secrets: Protect confidential business information, such as formulas, practices, or processes that provide a competitive edge.

5) Design Rights: Protect the aesthetic aspects of a product, including shapes, patterns, and colors.

IPR serves as a foundation for the global economy, helping to foster innovation, creativity, and competition in various industries, including digital marketing and e-commerce.

Characteristics of IPR:

The characteristics of IPR make it an essential component of modern business practices. These include:

1. Exclusivity: IPR grants the creator or owner exclusive rights over their intellectual property. This means only they can use, license, or sell it.

2. Time-limited protection: IPR is not indefinite. The protection period varies depending on the type of intellectual property but generally lasts for a specified duration (e.g., patents often last 20 years, and copyrights can last 50 to 70 years).

3. Territorial: IPR is generally territorial, meaning protection is granted within the jurisdiction of the country that has granted it. If a business wants global protection, it needs to apply in each country.

4. Transferable and Assignable: IPR can be transferred or licensed to another party, allowing businesses to monetize their assets by selling or licensing rights.

5. Requires registration: While some IPRs (like trade secrets) do not require registration, many (such as patents and trademarks) must be formally registered with the relevant authorities to be legally protected.

Definition of Digital Marketing:

Digital marketing refers to the use of digital platforms, tools, and technologies to promote products, services, and brands. It

encompasses a wide range of activities, including but not limited to, search engine optimization (SEO), content marketing, social media marketing, email marketing, online advertising, and influencer marketing. The primary goal of digital marketing is to engage consumers, drive traffic to websites, generate leads, and ultimately convert these leads into customers. In the context of e-commerce, digital marketing plays a crucial role in driving sales, enhancing brand visibility, and establishing customer loyalty.

Key features of digital marketing include:

Targeted Reach: Digital marketing allows businesses to reach highly specific target audiences based on various factors such as demographics, interests, and online behaviour.

Cost-effectiveness: Compared to traditional marketing channels, digital marketing is generally more affordable and offers better ROI.

Measurability: Digital marketing campaigns can be easily tracked, allowing businesses to measure performance in real-time and make data-driven decisions.

Interactivity: Digital platforms enable two-way communication between businesses and consumers, fostering customer engagement.

Advantages of IPR:

1. Protection of Innovation: IPR ensures that the creator or inventor has exclusive rights over their creations, thus preventing unauthorized use and copying.

2. Encourages Creativity and Innovation: Knowing that their intellectual property is protected encourages individuals and businesses to innovate and create new products or services.

3. Commercialization and Revenue Generation: Through licensing and partnerships, businesses can monetize their intellectual property, generating additional income.

4. Brand Recognition and Consumer Trust: Trademarks and copyrights help establish a brand identity, which can enhance recognition and foster trust among consumers.

5. Legal Recourse: In the event of infringement, IPR offers legal recourse for creators and businesses to act against unauthorized use of their intellectual property.

Disadvantages of IPR:

1. Costly and Time-consuming: Obtaining IPR protection, particularly patents and trademarks, can be expensive and time-consuming.

2. Risk of Litigation: IPR disputes can lead to costly legal battles, which might negatively affect business operations.

3. Global Enforcement Challenges: As IPR is territorial, enforcing rights internationally can be complex and costly.

4. Limitation on Access to Knowledge: IPR, particularly patents, can restrict access to knowledge, leading to monopolies and stifling collaboration and further innovation in certain industries.

5. Exploitation of the System: There are instances where businesses or individuals may misuse IPR, such as through patent trolling or trademark squatting.

Role of IPR in Digital Marketing and E-Commerce:

The digital marketing and e-commerce landscape is built upon the foundation of innovation and intellectual property. Below are key ways in which IPR plays a role in these sectors.

1. Protection of Digital Content and Media:

Digital marketing often involves the creation of original content, including blogs, videos, graphics, and advertisements. Copyright protection ensures that businesses retain control over the use of this content and prevent unauthorized use by competitors

or third parties. For example, a company creating a viral marketing video would need copyright protection to prevent others from using it without permission.

2. Brand Protection through Trademarks:

In the digital space, where businesses compete globally, trademarks are essential for brand recognition and differentiation. A strong trademark allows companies to protect their logos, brand names, and slogans across digital platforms. With the rise of social media and online advertising, businesses must safeguard their trademarks to avoid brand impersonation or misuse.

3. E-Commerce Product Protection and Patents:

In the e-commerce sector, products often feature innovative designs, technology, or processes that can be patented. This ensures that competitors cannot copy or replicate these inventions without permission. For example, a company selling a unique gadget online would rely on patents to protect its product from imitation, thus maintaining its competitive advantage in the marketplace.

4. Trade Secrets and E-Commerce Operations:

Many e-commerce companies rely on trade secrets to protect valuable business information, such as customer data, algorithms, pricing strategies, and supply chain processes. Trade secret protection ensures that this sensitive information remains confidential and is not disclosed to unauthorized parties. For instance, a retailer's customer recommendation algorithm on its e-commerce site is a trade secret that adds value to its business.

5. IPR Enforcement in the Digital Environment:

The digital world is rife with the risk of infringement, from illegal downloads of copyrighted materials to counterfeit goods being sold on e-commerce platforms. IPR enforcement tools, such as Digital

Millennium Copyright Act (DMCA) takedowns, help businesses protect their rights by removing infringing content. E-commerce platforms like Amazon and eBay have set up mechanisms for reporting and dealing with counterfeit goods, providing a layer of protection for sellers and manufacturers.

6. Influencer Marketing and Copyright Issues:

Influencer marketing is a central component of digital marketing, but it comes with IPR challenges. Influencers often create content for brands, and both the brand and the influencer must clarify ownership rights over the content. Without proper contracts and agreements, disputes can arise over who owns the rights to the photos, videos, and other content created during the campaign.

7. Monetization through Licensing:

E-commerce businesses often use licensing agreements to profit from their intellectual property. By licensing their brand, designs, or technology to other businesses, companies can expand their reach without investing heavily in new markets. Licensing arrangements in the digital space may also involve affiliate marketing, where businesses allow others to sell their products in exchange for a commission.

Conclusion:

Intellectual Property Rights (IPR) are vital for businesses operating in digital marketing and e-commerce, providing protection for innovations, safeguarding brands, and ensuring the growth of digital enterprises. In the digital landscape, where copying and distribution can occur instantly, IPR helps to establish legal frameworks to protect intellectual property, thereby encouraging creativity and innovation. However, businesses must also navigate the challenges associated with IPR, including the cost of protection, the risk of infringement, and the complexities of international enforcement.

Ultimately, IPR enables businesses to protect their investments in intellectual property while maintaining their competitive advantage in the digital and e-commerce world. The growing importance of IPR in this space highlights the need for companies to understand the nuances of intellectual property law and its implications on digital strategies. By doing so, businesses can ensure they remain innovative, competitive, and legally protected in an increasingly digital world.



Intellectual Property Rights in Startups and Entrepreneurship

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DOI - 10.5281/zenodo.14909861

Abstract:

Intellectual Property Rights (IPR) are key to the success and sustainability of startups and entrepreneurial enterprises. With an economy becoming more competitive and driven by innovation, obtaining intellectual property (IP) assets like patents, trademarks, copyrights, and trade secrets can grant startups a strategic edge. Such rights not only protect original ideas, products, and services against infringement but also promote market credibility, investors, and business expansion.

In startups, the journey through the labyrinth of IPR can prove arduous in the absence of resources and expertise. A successful IP strategy can, however, yield remarkable gains in terms of licensing possibilities, income generation, and value multiplication. Entrepreneurs should pay close attention to their innovations and obtain suitable IP protection early in the lifecycle of their enterprise to avoid impending conflicts and infringement. In addition, knowledge of global IP laws helps startups expand globally. Many startups ignore IPR because it involves high costs and a lack of awareness, leaving them vulnerable to risks like idea theft and legal disputes.

Governments and regulators across the globe have put in place various measures to assist startups in getting and enforcing their IP rights. By incorporating IPR into their business model, entrepreneurs can promote innovation, stay competitive, and achieve long-term growth. This paper examines the role of IPR in startups, challenges encountered, and best practices for efficient IP management in entrepreneurship.

Keywords: *Intellectual Property Rights, Startups, Entrepreneurship, Innovation Protection, Business Strategy, etc.*

Introduction:

Today's economy is driven by innovation, and Intellectual Property Rights (IPR) are critical in determining the success and longevity of entrepreneurial ventures and startups. Startups, which are commonly established on new concepts and groundbreaking technologies, use intellectual property (IP) to compete favourably, attract investors, and have a good marketplace presence. Proper management of IP assets such as patents, trademarks, copyrights, and trade secrets can

very much improve the valuation and long-term growth potential of a startup.

For business founders, the grasp and utilization of IPR is vital to preventing their innovations from misuse or imitation. Startups encounter various hurdles, such as constrained financial capitals, legal technicalities, and IP infringement vulnerability. Without proper protection, enterprises risk losing the exclusivity on their ideas and suffer financially with decreased market opportunities. Additionally, IP assets could be used as

good business resources for licensing, collaboration, and foreign market extension.

Despite the significance of IPR, several startups are ignorant and do not include intellectual property strategy in their business models. Governments and the regulatory agencies have brought about diverse programs and aid mechanisms to enable startups to acquire and enforce IP rights. In this paper, the relevance of IPR for entrepreneurship, problems faced by startups, and optimum practices for best IP management have been discussed. By embracing a proactive IPR strategy, startups can create innovation, secure their competitive advantage, and sustain business growth.

Intellectual Property Rights in Startups and Entrepreneurship:

The Role of Intellectual Property Rights in Startups:

Intellectual Property Rights (IPR) are essential for startups since they provide legal protection for business strategies, ideas, and innovations. Startups will presumably rely on innovative products, branding, or technology to make an impact in the market. Through patents, trademarks, copyrights, and trade secrets, entrepreneurs can safeguard their competitive advantage and business sustainability in the long run.

IP protection is also required to attract investors. Venture capitalists and angel investors normally value a startup's IP portfolio from an investment standpoint because good IP assets are an indication of market exclusivity and innovative potential. Moreover, an effective IP strategy helps startups diversify in new geographies, license the technology, and enter strategic alliances.

Intellectual Property Rights Types for Startups:

a) Patents:

Patents provide legal protection to inventions and grant exclusive rights to the inventor for an initial time, usually 20 years. Startups developing new products, technologies, or industrial processes can utilize patents to discourage others from imitating their innovations. A strong patent portfolio enhances the value of a startup and can be utilized as a bargaining tool when negotiating with investors or potential partners.

b) Trademarks:

Trademarks protect brand names, logos, symbols, and slogans that make a startup's products or services stand out from the rest. A popular trademark builds brand identity, customer trust, and market presence. Startups must register their trademarks in advance to avoid future disputes and legal complications.

c) Copyrights:

Copyrights protect original works of authorship, including software, literary works, music, and artwork. Tech, media, and creative startups have protection through copyrights to prevent unauthorized copying or distribution of their intellectual property. Software startups, for example, utilize copyrights to guard their proprietary code and digital content.

d) Trade Secrets:

Trade secrets are secret business data, such as formulas, manufacturing processes, customer lists, and marketing techniques. Trade secrets are not patented but are safeguarded as confidential under non-disclosure agreements (NDAs) and internal security measures. Startups based on new business models or proprietary algorithms must safeguard trade secrets from disclosures or misappropriations.

Intellectual Property Protection Challenges to Startups:**1) Excessive Expenses and Limited Resources:**

The most significant challenge for startups in the protection of IP is the cost of filing and maintaining patents and trademarks. Attorneys' fees, government fees for filing, and enforcement fees are too high for financially strained early-stage companies. Most startups are not willing to invest funds in IP protection due to cost barriers.

2) Lack of Legal Knowledge and Awareness:

Most startup entrepreneurs do not know the importance of IPR or the legal procedure to protect their rights. Until they are guided properly, startups cannot approach protection in time, and their innovations will continue to be vulnerable to infringement. What's more, global IP legislations and regulations add another level of complexity for startups to go global.

3) Risk of Infringement and Legal Disputes:

Startups are typically not able to assert their IP rights due to legal and financial constraints. Larger competitors can exploit this vulnerability by copying innovations, knowing that startups lack the resources to file long-drawn-out legal suits. Infringement lawsuits can drain the resources of a startup and disrupt business activities.

Successful IP Management Approaches in Startups:**1) Developing an Integrated IP Strategy:**

Startups must integrate IP protection into their business model right from day one. This involves determining innovations that are most vital, estimating their market value, and choosing the appropriate form of IP protection. Startups can gain from early legal counsel in terms of understanding the process of registration and avoiding pitfalls.

2) Tap Government Support and IP Assistance Programs:

Different governments and international organizations offer funding, grants, and advisory support to facilitate startups to acquire and retain their IP rights. Initiatives such as exempting low filing fees for small and medium-sized businesses and IP mentorship schemes can help significantly alleviate the IP management burden on startups.

3) Industry Partners and Investor Collaboration:

Startups can take advantage of the assistance of large companies, research centres, and universities in a manner to improve their IP position. Technology transfer, joint ventures, and licensing assist startups in commercializing innovation and minimizing the economic risk. Furthermore, investors possessing robust IP assets can influence growth and expansion.

4) Precautions for Confidentiality of Trade Secrets:

Startups need robust in-house policies to safeguard trade secrets, including employee NDAs, restricted access to confidential information, and cybersecurity measures. By making information confidential, startups can guard proprietary knowledge against competitors and ex-employees.

The International Outlook on Intellectual Property Rights in Entrepreneurship:

With the advent of globalization and online business models, startups are required to navigate through international IP laws to safeguard their innovations globally. IP regimes differ across nations, and overseas-expanding startups need to comply with local laws. Global treaties like the Patent Cooperation Treaty (PCT) and the Madrid System for Trademarks help to protect IP globally, and startups can quickly secure rights in other countries.

But in other regions, there are poor enforcement mechanisms, and this discourages startups that are suffering from IP theft and counterfeiting. Entrepreneurs ought to be cautious of local threats and utilize lawful means of avoiding IP infringements.

Findings & Discussion:

The research underscores Intellectual Property Rights (IPR) as fundamental to the growth and sustainability of startups through the protection of laws, encouragement of innovation, and market competitiveness enhancement. Startups with a well-thought IP strategy can attract investors, gain credibility, and build lasting value. Patents, trademarks, copyrights, and trade secrets enable entrepreneurs to protect their innovation and deter competitors from imitating their products or ideas. Moreover, strong IP assets greatly increase the valuation of a startup, making it a desirable investment to venture capitalists and other investors.

Even with such advantages, startups face several challenges in obtaining and safeguarding their IP rights. The cost of patenting and maintaining patents, and the intricacy of legal procedures, discourages startups from effectively safeguarding their innovations. Most entrepreneurs are not adequately familiar with IP law and do not integrate IP strategies into business models from the very start. In addition, the enforcement of IP rights is a significant challenge because startups lack the financial and legal resources to battle infringement, especially from large firms or in underdeveloped legal systems of jurisdictions. To overcome these challenges, startups must adopt an active IP management strategy, including early-stage planning, leveraging government support programs, and collaborating with legal experts and industry partners. Government programs, including reduced filing fees,

grants, and advisory services, can help startups protect their IP rights at reduced costs. New technologies, including blockchain and artificial intelligence, also offer new solutions to IP protection and infringement detection. Startups must also consider international IP laws when expanding overseas, being compliant with treaties like the Patent Cooperation Treaty (PCT) and the Madrid System for trademarks.

Overall, while IPR poses threats and opportunities to startups, an effective IP strategy can be a determining factor in business growth and survival. By investing in IP protection, leveraging technological innovation, and staying aware of evolving legal regimes, startups can safeguard their innovations, maintain competitive edge, and thrive in the entrepreneurial world.

Conclusion:

Intellectual Property Rights (IPR) are essential to startups and entrepreneurs since they provide legal protection for inventions, enhance business credibility, and create competitive strengths in the marketplace. Through the protection of patents, trademarks, copyrights, and trade secrets, startups can safeguard their intellectual properties, prevent unauthorized use, and create strong brand images. Further, effective management of the IP portfolio boosts investor confidence, increases business valuation, and facilitates new market expansion. In today's knowledge-based economy, startups with a focus on IP protection are more likely to succeed in the long term and be sustainable.

However, despite the benefits of IPR, most startups face extreme difficulties in obtaining and safeguarding their rights. High cost, complex laws, and limited awareness tend to deter entrepreneurs from being able to make the most of IP protection. In addition, ineffective enforcement mechanisms and the risk of IP infringement

also pose extreme threats to startups, particularly in highly competitive markets and foreign markets. Without IP protection, startups risk losing their innovative edge and being unable to sustain growth due to competition.

To gain maximum benefit from IPR, startups need to have a strategic and proactive IP management approach. This includes early planning, the employment of professional lawyers, and utilization of government-supported support programs that provide funds and regulatory support. Additionally, cooperation with research centres, industry allies, and technology incubators can enable startups to establish their IP base and gain access to key expertise. Emerging digital technologies, including blockchain and AI, also provide new ways in which startups can maximize their IP protection and monitor for potential infringement more effectively. In summary, IPR is crucial to innovation, investment, and sustainable business success in the entrepreneurial ecosystem. Despite the traps, well-crafted IP strategies can assist startups in protecting their market space, achieving sustainable growth, and competing fairly on an international stage. Through emphasis on the protection of intellectual property and consideration of changing legal environments, startups can transform their innovations into worthwhile assets that fuel economic growth and industry disruption.

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A Study of knowledge of Income Tax Act 1961 amongst the people of Maharashtra State

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DOI - 10.5281/zenodo.14909873

Abstract:

In India first time Sir James Wilson was introduced Tax in the year 1860 where decided to impose it to meet the amount of losses sustained by the government due to Sepoy Mutiny, 1857. After some years, in 1918 a new income tax Act was introduced but it was replaced by another new Act which was passed in 1922. This is the long term Act remained in force to the year 1961-62. On the recommendations of Prof. Nicholas Kaldor, the Wealth Tax Act, 1957, the Expenditure Tax Act, 1957 and Gift Tax Act, 1958 were introduced. In the year 1958, a report on new Income Tax Act was submitted by the Law Commission and based on these recommendations, Income-tax Act, 1961 came into force with effect from 1st of April, 1962. Since 1962 to upto date, several amendments regarding exemption, tax slab, allowance have been made every year through the Union Budget. Now, it has become a regular feature to present the Finance Bill every year along with Union Budget that include rates of income tax for the next year.

The researchers have used primary data for the research work. The primary data has been collected by conducting surveys through structural questionnaire from 383 respondents i.e. students, salary persons and research students from Maharashtra. The sample population is selected by using random sampling techniques.

Introduction:

In India first time Sir James Wilson was introduced Tax in the year 1860 where decided to impose it to meet the amount of losses sustained by the government due to Sepoy Mutiny, 1857. After some years, in 1918 a new income tax Act was introduced but it was replaced by another new Act which was passed in 1922. This is the long term Act remained in force to the year 1961-62. On the recommendations of Prof. Nicholas Kaldor, the Wealth Tax Act, 1957, the Expenditure Tax Act, 1957 and Gift Tax Act, 1958 were introduced. In the year 1958, a report on new Income Tax Act was submitted by the Law Commission and based on these recommendations, Income-

tax Act, 1961 came into force with effect from 1st of April, 1962. Since 1962 to upto date, several amendments regarding exemption, tax slab, allowance have been made every year through the Union Budget. Now, it has become a regular feature to present the Finance Bill every year along with Union Budget that include rates of income tax for the next year.

Income Tax Act 1962 in the Section 14, there are five main heads of income for any person. The computation of income tax is an important part and has to be calculated according to the income of a person for easily calculation. The income has to be classified properly so that there is no confusion regarding the calculations. The

Income tax Act 1961 and amendments were classified the sources of income under separate heads and then the income tax is computed accordingly. The provisions and rules are according to the details mentioned in the Income Tax Act 1961. In this research we try to study the knowledge of the salaries persons, and students about the Income Tax Act 1961 and its amendments.

Objective of the Study:

1. To study the knowledge of Income Tax Act 1961 and its important concepts.
2. To know the knowledge of calculation of Income Tax.
3. To study the information about exemptions under Income Tax Act 1961.

Research Methodology:

The researchers have used primary data for the research work. The primary data has been collected by conducting surveys through structural questionnaire from 383 respondents i.e. students, salary persons and research students from Maharashtra. The sample population is selected by using random sampling techniques.

Data Analysis:

The data was collected through oral interview and structural questionnaire in Google form from students, research students and college teachers.

Table No. 1: Category wise Information of sample collected

Sr. No.	Category	No	Percentage (% to Total)
1.	Professor	16	4.2%
2.	Associate Professor	20	5.2%
3.	Assistant Professor	118	30.8%
4.	Research Scholar	34	8.9%
5.	Students	194	50.7

Source: Survey

It is observed from the above table 50.7% of students, 8.9% research students and 40.2% college teacher were given the responses for the study.

In the Income Tax Act 1961, various concepts that were being used in various places of the Act. Unless these concepts are

understood in its totality, the knowledge about the income tax will not be complete. These concepts were clear to the people or not for these purpose some of question asked to the people by the researcher. The following data was collected

Table No. 2: The table showing the knowledge of basic concepts as per Income Tax Act 1961

Sr. No.	Particular	Knowledge of Basic Concept	Percentage (% to Total)
1.	Concept	317	82.55%
2.	Type of Taxes	306	79.68%
3.	Income of Government	354	92.18%
4.	Assesses/Person	276	71.87%

Source: Survey

From the above table it is observed that many of the people having the knowledge about the basic concept i.e. meaning of income 82.55%, types of taxes

79.68%, Income of a Government 92.18% and assesses 71.87%.

It is also important that the people not only know about the important basic

but also the types of income and minimum exemption for these purpose we asked

some question and following data was collected

Table No. 3: The table showing the knowledge of types of income & exemptions as per Income Tax Act 1961

Sr. No.	Particular	Numbers	Percentage (% to Total)
1.	Income Exemption for tax	306	79.68%
2.	Exemption under 80c	269	70.05%
3.	Income from Salary	326	84.89%
4.	Income from House Property	325	84.90%
5.	Income from Capital Gain	230	59.90%
6.	Income from other sources	320	83.33%

Source: Survey

It is observed from table no. 3 the knowledge of the types of income and exemptions as per Income Tax Act 1961 as per the data 75% people were know about the exemption of income tax and 80% people were having the knowledge of types of income.

Conclusion:

It is concluded that the major of the people having the information about basic concept i.e. 78% (Table No. 2 and 70% were knowledge of types of income and basic exemption. It is useful them to calculate their taxable income.

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बौद्धिक संपदा हक्कांचा लोकशाही व मानवाधिकारांवरील प्रभाव**डॉ. संजय राठोड**

राज्यशास्त्र विभाग, यशवंतराव चव्हाण महाविद्यालय अंबाजोगाई

*Corresponding Author – डॉ. संजय राठोड***DOI - 10.5281/zenodo.14909878****सारांश (Abstract):**

बौद्धिक संपदा हक्क (IPR) आणि मानवाधिकार यांच्यातील संबंध महत्त्वपूर्ण आहे, विशेषतः लोकशाही व सामाजिक न्यायाच्या संदर्भात. या संशोधनात बौद्धिक संपदा हक्कांचा लोकशाही आणि मानवाधिकारांवर होणाऱ्या प्रभावाचा सखोल अभ्यास केला आहे. बौद्धिक संपदा हक्क जरी वैज्ञानिक, तंत्रज्ञान, औद्योगिक प्रगतीसाठी आवश्यक असले तरी, त्यांच्या कठोर अंमलबजावणीमुळे गरीब आणि विकसनशील देशांतील नागरिकांना शिक्षण, आरोग्य सेवा आणि माहितीच्या मुक्त प्रवाहापासून वंचित राहावे लागते. पेटंट, कॉपीराइट आणि ट्रेडमार्कसारख्या हक्कांचे परिणाम विविध क्षेत्रांवर होतात, ज्यामुळे समाजातील विषमता वाढू शकते. यावर उपाय म्हणून, बौद्धिक संपदा कायद्यांमध्ये संतुलन राखण्यासाठी आणि मानवाधिकारांचे रक्षण करण्यासाठी धोरणात्मक सुधारणा सुचवली आहेत. संशोधनाचा उद्देश बौद्धिक संपदा हक्क आणि मानवाधिकारांमध्ये संतुलन राखणारे उपाय सुचवणे आणि यामुळे लोकशाही मूल्यांचे संरक्षण करणे आहे.

प्रस्तावना:

लोकशाही व्यवस्थेत नागरिकांचे मूलभूत हक्क सुरक्षित असणे आवश्यक आहे. अभिव्यक्ती स्वातंत्र्य, शिक्षणाचा हक्क, आरोग्य सेवा आणि माहितीचा मुक्त प्रवाह हे मानवाधिकारांचे महत्त्वाचे घटक आहेत. बौद्धिक संपदा हक्क हे वैज्ञानिक संशोधन, औद्योगिक प्रगती आणि सर्जनशीलतेच्या विकासासाठी आवश्यक आहेत, परंतु काही वेळा हे हक्क लोकशाही मूल्यांवर आणि नागरिकांच्या अधिकारांवर परिणाम करू शकतात. पेटंट, कॉपीराइट, ट्रेडमार्क आणि औद्योगिक डिझाईन यांसारखे बौद्धिक संपदा हक्क ज्ञानाच्या प्रसारास मर्यादा घालतात, ज्यामुळे समाजात असमानता निर्माण होऊ शकते.

लोकशाही समाजात माहिती आणि संसाधनांचा मुक्त वापर होणे अत्यावश्यक असते. जर बौद्धिक संपदा हक्क खूप कठोर असतील, तर शिक्षण,

आरोग्य आणि तंत्रज्ञान यांसारख्या क्षेत्रांमध्ये सामान्य नागरिकांना अडचणी येऊ शकतात. विशेषतः विकसनशील देशांमध्ये औषधोपचार, शैक्षणिक साहित्य आणि तंत्रज्ञान सहज उपलब्ध होत नाही. या संशोधनात बौद्धिक संपदा हक्कांचा लोकशाही आणि मानवाधिकारांवर होणाऱ्या परिणामांचा सखोल अभ्यास करण्यात आला आहे. तसेच, या तणावावर उपाय शोधण्यासाठी धोरणात्मक शिफारसीही सुचवण्यात आल्या आहेत.

संशोधन साहित्याचा आढावा:

बौद्धिक संपदा हक्क आणि मानवाधिकार यांच्यातील संबंधांवर अनेक अभ्यास करण्यात आले आहेत. काही संशोधकांच्या मते, बौद्धिक संपदा हक्क मानवाधिकारांचे रक्षण करतात, तर काही संशोधकांच्या

मते हे हक्क लोकशाही आणि सामाजिक न्यायाला बाधा आणतात.

एका संशोधनानुसार, पेटंट कायद्यांमुळे औषध कंपन्यांची मक्तेदारी निर्माण होते आणि त्यामुळे गरीब देशांतील रुग्णांना आवश्यक औषधे उपलब्ध होत नाहीत. दुसऱ्या संशोधनात कॉपीराइट कायद्यांमुळे शैक्षणिक साहित्य महाग होते आणि विद्यार्थ्यांना आवश्यक पुस्तके मिळणे कठीण होते. तिसऱ्या संशोधनात डिजिटल माध्यमांवर बौद्धिक संपदा कायद्यांच्या परिणामांचा अभ्यास करण्यात आला आहे.

बौद्धिक संपदा कायद्यांमुळे नवकल्पना आणि संशोधनास चालना मिळते, पण जर हे कायदे खूप कठोर असतील, तर समाजातील माहिती आणि ज्ञानाच्या प्रसारावर विपरीत परिणाम होतो. त्यामुळे या संशोधनात बौद्धिक संपदा हक्क आणि मानवाधिकार यांच्यात संतुलन राखण्याची गरज अधोरेखित करण्यात आली आहे.

संशोधन पद्धती:

या संशोधनासाठी प्रामुख्याने द्वितीयक माहितीचा वापर करण्यात आला आहे. विविध शैक्षणिक जर्नल्स, आंतरराष्ट्रीय संस्थांचे अहवाल, कायदेशीर दस्तऐवज आणि सरकारी धोरणे यांचा अभ्यास करण्यात आला आहे.

संशोधनासाठी तीन महत्वाची पुस्तके विचारात घेतली गेली आहेत. पहिल्या पुस्तकामध्ये बौद्धिक संपदा हक्कांचे कायदेशीर आणि आर्थिक पैलू स्पष्ट करण्यात आले आहेत. दुसऱ्या पुस्तकात बौद्धिक संपदा आणि मानवाधिकार यांच्यातील संबंधांवर प्रकाश टाकण्यात आला आहे. तिसऱ्या पुस्तकात पेटंट कायद्यांमुळे होणाऱ्या सामाजिक परिणामांचा अभ्यास करण्यात आला आहे.

संशोधनासाठी तीन महत्वाचे संशोधन पेपर देखील विचारात घेण्यात आले आहेत. पहिल्या पेपरमध्ये औषधोपचाराच्या उपलब्धतेवर पेटंट कायद्यांचा प्रभाव स्पष्ट केला आहे. दुसऱ्या संशोधन

पेपरमध्ये अभिव्यक्ती स्वातंत्र्यावर कॉपीराइट कायद्यांचा परिणाम स्पष्ट करण्यात आला आहे. तिसऱ्या संशोधन पेपरमध्ये विकसनशील देशांवरील बौद्धिक संपदा कायद्यांचा आर्थिक आणि सामाजिक परिणाम अभ्यासण्यात आला आहे.

संशोधनासाठी विविध आंतरराष्ट्रीय संस्थांचे अहवाल, संयुक्त राष्ट्रसंघाचे धोरणात्मक दस्तऐवज, सरकारी कायदे आणि न्यायालयीन निर्णय यांचा अभ्यास करण्यात आला आहे. या संशोधनात तुलना आणि तात्त्विक विश्लेषण पद्धतींचा वापर करण्यात आला आहे.

भारताची परिस्थिती:

भारतात बौद्धिक संपदा हक्कांचे कायदे आंतरराष्ट्रीय मानकांनुसार बनवण्यात आले आहेत. परंतु, कठोर पेटंट आणि कॉपीराइट कायद्यांमुळे गरीब आणि मध्यमवर्गीय नागरिकांना शिक्षण व आरोग्यसेवा सहज मिळत नाही.

भारतातील फार्मास्युटिकल उद्योग पेटंट कायद्यांमुळे प्रचंड प्रभावित झाला आहे. स्वस्त औषध उत्पादनावर निर्बंध आल्याने गरीब लोकांना जीवनावश्यक औषधोपचार महागड्या किमतीत विकत घ्यावे लागतात.

शैक्षणिक साहित्य आणि संशोधन लेख महाग असल्याने विद्यार्थ्यांना आवश्यक माहिती मिळवणे कठीण जाते. डिजिटल क्षेत्रात कॉपीराइट कायद्यांमुळे माहितीच्या मुक्त प्रसारावर बंधने आली आहेत. त्यामुळे भारतातील धोरणकर्त्यांनी हे कायदे अधिक संतुलित करणे आवश्यक आहे.

शिक्षणाच्या हक्कावर परिणाम:

शिक्षण हा प्रत्येक नागरिकाचा मूलभूत हक्क आहे. परंतु, बौद्धिक संपदा कायद्यांमुळे शिक्षणाच्या उपलब्धतेवर मर्यादा येतात.

कॉपीराइट कायद्यांमुळे शालेय आणि उच्च शिक्षणासाठी आवश्यक असलेली पुस्तके महाग

होतात. त्यामुळे गरीब आणि ग्रामीण भागातील विद्यार्थी उच्च शिक्षणापासून वंचित राहतात.

ऑनलाइन शिक्षणाच्या वाढत्या युगात देखील अनेक शैक्षणिक संसाधने कॉपीराइटमुळे सर्वांना मोफत उपलब्ध होत नाहीत. आंतरराष्ट्रीय संशोधन लेख, शैक्षणिक अहवाल आणि नवीन तंत्रज्ञानावर आधारित अभ्यासक्रम विकसनशील देशांतील विद्यार्थ्यांना सहज उपलब्ध होत नाहीत. म्हणून, शिक्षणाच्या हक्काचे संरक्षण करण्यासाठी कॉपीराइट कायद्यांमध्ये सुधारणा करणे आवश्यक आहे.

आरोग्य सेवांवर परिणाम:

औषध कंपन्यांच्या पेटंट कायद्यांमुळे आरोग्य सेवा महाग होत आहेत. पेटंट मुळे औषधांची किंमत वाढते आणि सर्वसामान्य रुग्णांना योग्य उपचार मिळण्यात अडचणी येतात.

भारतात एचआयव्ही, कर्करोग आणि ट्यूबरक्युलोसिससारख्या आजारांसाठी लागणाऱ्या औषधांवर पेटंट असल्यामुळे गरीब लोकांना हे उपचार परवडत नाहीत. संयुक्त राष्ट्रसंघ आणि जागतिक आरोग्य संघटनेने देखील औषध पेटंटमुळे विकसनशील देशांतील आरोग्य सेवेवर होणाऱ्या परिणामांबाबत चिंता व्यक्त केली आहे. सरकारने बौद्धिक संपदा कायद्यांमध्ये सुधारणा करून आरोग्य सेवा सर्वांसाठी परवडणारी आणि सुलभ करण्यासाठी उपाययोजना करणे आवश्यक आहे.

निष्कर्ष आणि शिफारसी:

बौद्धिक संपदा हक्कांचे कायदे आवश्यक आहेत, परंतु ते लोकशाही आणि मानवाधिकारांवर

विपरीत परिणाम करू नयेत. यासाठी काही महत्वाच्या सुधारणा आवश्यक आहेत.

पेटंट आणि कॉपीराइट कायद्यांमध्ये लवचिकता असावी जेणेकरून सर्वसामान्य नागरिकांना शिक्षण आणि आरोग्य सेवा सुलभ होतील. सार्वजनिक हित लक्षात घेऊन सरकारने औषध पेटंट धोरणे अधिक संतुलित करावी. डिजिटल युगात माहिती आणि ज्ञानाच्या प्रसारावर अनावश्यक बंधने टाळावी. मानवाधिकार आणि बौद्धिक संपदा हक्क यांच्यात संतुलन राखण्यासाठी आंतरराष्ट्रीय स्तरावर नवीन धोरणे आखणे गरजेचे आहे. त्यामुळेच लोकशाही मूल्ये आणि सामाजिक न्याय यांचे संरक्षण होऊ शकते.

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DOI - 10.5281/zenodo.14909887

सारांश:

नवीन शोध उपकरण निर्मितीसाठी ग्रंथालयाचा वापर करून निर्माण झालेल्या शोधाचे व उपकरणाचे व्यापारी तत्वावर उत्पादन करण्यासाठी एकस्व (पेटंट) मान्य करून घेतले जातात. अशा प्रकारचे संशोधन ग्रंथालयात येणारा वाचक करीत असल्याने ग्रंथालयात बौद्धिक संपदा अधिकार या कायद्याची योग्य अंमलबजावणी होणे आवश्यक आहे कृषी तंत्रज्ञान व विज्ञान तसेच विशेष अभियांत्रिकी क्षेत्रातील ग्रंथालयांमध्ये याविषयी जागरूकता आढळते. प्रस्तुत लेखात बौद्धिक संपदा अधिकाराचे कॉपीराईट, ट्रेडमार्क, पेटंट, इंडस्ट्रियल डिझाईन, ट्रेड सेक्रेट्स, भौगोलिक मानांकन इत्यादी प्रकाराची माहिती देण्यात आली आहे. याशिवाय बौद्धिक संपदा हक्क कायद्याचे संरक्षण करीत असताना ग्रंथालय कॉपीराईट केलेले सामग्रीचे व्यवस्थापन करतात, वाचकांना बौद्धिक संपदा कायद्याबद्दल शिक्षित करतात, बौद्धिक संपदा हक्काचे परवाने कसे घ्यावे, डिजिटल प्रवेश कसा करावा, मुक्त प्रवेश करणे आणि बौद्धिक संपदा अधिकाराना कायम चालना देतात.

कीवर्ड - कॉपी राईट, ट्रेडमार्क, इंडस्ट्रियल डिझाईन, ट्रेड सिक्रेट, भौगोलिक मानांकन, WIPO, GAAT, TRIP.

प्रस्तावना:

डोळ्यांनी दिसणारी संपत्ती ज्याचा उपयोग घेता येतो अशी संपत्ती म्हणजे जमीन, पैसा, गाडी, सोने, चांदी, घर इत्यादी. परंतु न दिसणारी अशी एक संपत्ती आहे त्याला बौद्धिक संपत्ती असे म्हणतात. ही संपत्ती मानवाची बुद्धी, कल्पकता, नवसंशोधन, प्रतिभा यांच्या संयोगातून तयार होत असते. बौद्धिक संपदा सुरक्षित राहण्यासाठी काही अधिकार देण्यात आले आहेत. बौद्धिक संपदा अधिकाराचे विविध प्रकार आहेत. उदाहरणार्थ कॉपीराईट, ट्रेडमार्क, पेटंट, इंडस्ट्रियल डिझाईन, ट्रेड सेक्रेट्स इत्यादी. बौद्धिक संपदा कायम ठेवण्यासाठी जागतिक पातळीवर जिनेवा येथे संस्था असून तिला (WIPO) जागतिक बौद्धिक संपदा संस्था

असे म्हणतात. कुठल्याही राष्ट्राची प्रगती हे त्या राष्ट्राकडे असणाऱ्या बौद्धिक संपदा अधिकारावर अवलंबून असते. स्वतःच्या व्यापाराकरिता व्यापार चिन्ह किंवा लोगो वापरण्यासाठी त्याला ट्रेडमार्क मिळू शकतो, एखादे पुस्तक कथा, कविता, गाणे, संगीत यांची हक्क सुरक्षित ठेवण्यासाठी त्याला कॉपीराईट्स मिळू शकतात, एखाद्या कंपनीने व्यवसायकरता ठेवलेल्या रहस्याना ट्रेड सीक्रेट हा मार्क मिळतो, तर भौगोलिक वैशिष्ट्ये व एखादी गोष्ट प्रसिद्ध असल्यास किंवा त्यात काही वेगळे गुणधर्म असल्यास त्यासाठी भौगोलिक मानांकन (GI) मिळत असतो.

ज्ञानाचा फायदा उठवून आपण संपत्ती निर्माण करू शकतो हे परकीय देशांनी ओळखले. जपानने हे

ओळखले असून बौद्धिक संपदा हे तारण समजून बँकेतून कर्ज मिळावे यासाठी तिथे कायदा केला आहे. जनरल इलेक्ट्रिक कंपनीचा मुख्य अधिकारी जॅक वेल्च भारतात आला असता असे म्हणाला होता की, भारत हा विकसनशील देश जरूर आहे, पण बौद्धिक सामर्थ्याबाबत तो जगातला सगळ्यात पुढारलेला देश आहे.

उद्दिष्टे:

- 1) बौद्धिक संपदा अधिकाराचे प्रकार जाणून घेणे
- 2) बौद्धिक संपदा अधिकाराचे संरक्षण करण्यात ग्रंथालयाची भूमिका जाणून घेणे.

बौद्धिक संपदा अधिकाराचा इतिहास:

26 एप्रिल हा विश्व बौद्धिक संपदा दिन म्हणून जागतिक स्तरावर साजरा करण्यात येतो. नवनिर्मिती, नवीन संशोधन याला प्रोत्साहन देण्यासाठी आंतरराष्ट्रीय स्तरावर १९६७ साली The World Intellectual Property Organisation (WIPO) या संघटनेची स्थापना झाली. या संस्थेचे मुख्यालय स्वित्झर्लंड येथे असून आज घडीला 193 सदस्य देश आहेत. WIPO संघटनेच्या निर्मिती अगोदर 1883 मध्ये पॅटेंटशी संबंधित पॅरिस कन्वेंशन, 1886 मध्ये कॉपीराइटशी संबंधित बर्न कन्वेंशन आणि 1891 मध्ये मॅट्रिक ऍग्रीमेंट झाले होते. इंग्लंडमधील स्वामीत्व कायद्याची अंमलबजावणी 1911 पासून भारतात सुरू झाली. 1992 मध्ये कायद्यात सुधारणा करण्यात येऊन स्वामीत्व अधिकाराची मुदत लेखकाच्या मृत्यूनंतर 50 वर्षांच्या ऐवजी 60 वर्षे करण्यात आली. GATT करारानंतर बौद्धिक संपदा हक्क कायदा जास्त प्रभावीपणे अमलात येताना दिसतो. त्यानंतर trade related intellectual property rights (TRIP) च्या तरतुदी आंतरराष्ट्रीय स्तरावर राबवण्यात आल्या. भारतात 2000 मध्ये माहिती व तंत्रज्ञान कायद्याची अंमलबजावणी करण्यात आली.

बौद्धिक संपदा अधिकाराचे प्रकार:

1) कॉपीराईट -

एका विशिष्ट कालावधीसाठी मूळ कृतीच्या निर्मितीला प्रकाशन व वितरणाचा अधिकार कॉपीराईट या बौद्धिक संपत्तीच्या अधिकाराद्वारे मिळतो. यात कला, संगीत, गीत, चित्रकृती यांचा समावेश होतो. या संदर्भात भारतात 1957 मध्ये कायदा करण्यात आला असून त्यामध्ये 1983, 1984, 1992, 1994 आणि 1999 यावर्षी दुरुस्त्या करण्यात आल्या.

2) ट्रेडमार्क-

भारतात ट्रेडमार्क 1999 मध्ये लागू करण्यात आला. आपल्या उत्पादनाची ओळख निर्माण करता यावी यासाठी एखादी आकृती, चिन्ह, लोगो याचा वापर करून ट्रेडमार्क निर्माण केला जातो. ट्रेडमार्क मुळे उत्पादनाची नक्कल टाळता येते. ज्यावेळेस उत्पादक आपल्या उत्पादक वस्तूला इतर वस्तू पासून वेगळे किंवा विशिष्ट दाखवू इच्छितो त्यावेळेस ट्रेडमार्क उपयोगी ठरतो.

3) पेटंट-

भारतात 1970, 2003, 2016 चे पेटंट कायदा लागू आहे. या अधिकारांन्यवे जी व्यक्ती किंवा संस्था एखाद्या वस्तूचा, तंत्रज्ञानाचा किंवा सेवेचा शोध लावून त्याचे पेटंट घेतो त्यावेळेस त्या वस्तूची कोणीही नक्कल करू शकत नाही. याबाबतीत त्याला कायदेशीर संरक्षण मिळते, अशा वस्तूचा जर कोणी परवानगीशिवाय बेकायदेशीर वापर करीत असल्यास त्यावर कायदेशीर कारवाई करता येऊ शकते. पेटंटची नोंदणी झाल्यापासून ते 20 वर्षांपर्यंत वैध राहते.

4) इंडस्ट्रियल डिझाईन -

भारतात 2000 मध्ये डिझाईन ॲक्टची निर्मिती करण्यात आली. यानुसार डोळ्याला दिसणारे एखाद्या वस्तूचा प्रारूप, आकार व रंगाला कायद्याने संरक्षण मिळते. उदाहरणार्थ उद्योगधंद्यामधील वस्तू, यंत्रे यामध्ये नोंदणी झाल्यापासून दहा ते पंधरा वर्षांपर्यंत संरक्षण मिळते.

5) रेड सिंक्रेट्स-

बौद्धिक संपदेमध्ये ट्रेड सिंक्रेटचा प्रकारही समाविष्ट आहे. व्यावसायिक उत्पादनाची काही गुणिते असतात. शीतपेय, मसाले, मद्य, सीलबंद खाद्यपदार्थ यांच्या रेसिपी, फॉर्मूला प्रक्रिया इत्यादींच्या बाबतीत हा कायदा महत्वाचा आहे या अधिकाराचे संरक्षण 1996 च्या यूटीएसए या कायद्यान्वये होते.

6) भौगोलिक मानांकन (GI)-

भौगोलिक वैशिष्ट्ये व एखादी गोष्ट प्रसिद्ध असल्यास किंवा त्यात काही वेगळे गुणधर्म असल्यास त्यासाठी भौगोलिक मानांकन (GI)मिळत असतो.

बौद्धिक संपदा हक्काचे संरक्षण करण्यात ग्रंथालयाची भूमिका:

शिक्षण संशोधनाने बौद्धिक वाढीला चालना देणारे, विपुल माहिती आणि संसाधने उपलब्ध करून देणारे, ग्रंथालय ज्ञानाचे संरक्षक म्हणून पाहिले जातात. बौद्धिक संपदा अधिकाराचे संरक्षण करण्यात ग्रंथालयाची भूमिका बहुआयामी आहे. यामध्ये कॉपीराइट केलेली सामग्री व्यवस्थापित करणे, वापरकर्त्यांना बौद्धिक संपदा कायदाबद्दल शिक्षित करणे, परवानाकृत आणि प्रवेश सामग्रीमध्ये प्रवेश करणे, संतुलित कॉपीराइट सुधारण्यासाठी समर्थन करणे इत्यादी जबाबदारी समाविष्ट आहेत. ग्रंथालय वापरकर्त्यांना कॉपीराइट वाजवी वापर आणि साहित्यिक चोरी टाळण्यासाठी संसाधनाच्या नैतिक वापर सुनिश्चित करण्यासाठी योग्य उद्धरण (Citation Style) पद्धतीबद्दल मार्गदर्शन करतात. कार्यशाळा, सल्ला मसलत आणि शैक्षणिक साहित्य देऊन ग्रंथालय वाचक यांना बौद्धिक संपदा वापरण्याचे कायदेशीर आणि नैतिक परिणाम समजून घेण्यास मदत करतात.

1) कॉपीराइट केलेल्या सामग्रीचे व्यवस्थापन करणे:

ग्रंथालयामध्ये ग्रंथ, मासिके, ई –बुक्स, वर्तमानपत्रे इत्यादी प्रकारचे साहित्य असतात. जे सर्व कॉपीराइट संरक्षणाच्या आधीन आहेत. प्रत्येक

ग्रंथालयाने ही सामग्री कायदेशीर मार्गदर्शन तत्वाचे पालन करून खरेदी किंवा सदस्य कराराद्वारे प्राप्त केली पाहिजेत. वाचकांना संशोधन, शिक्षण इत्यादीसाठी आवश्यक संसाधने पुरवित असताना कॉपीराइट कायद्याचे पालन करण्याची जबाबदारीही ग्रंथालयाची आहे

2) वापर करत्यांना बौद्धिक संपदा कायदाबद्दल शिक्षित करणे:

बौद्धिक संपदा हक्काचे संरक्षण करण्यासाठी ग्रंथालय बजावत असलेली महत्वाची भूमिका म्हणजे त्यांच्या वापरकर्त्यांना या कायदाबद्दल शिक्षित करणे, जागृत करणे होय. विद्यार्थी, शिक्षक व संशोधक यांना या कायदाबद्दल व्यवस्थित मार्गदर्शन फक्त ग्रंथालयच करू शकतात. वाचकांना कॉपीराइट, ट्रेड मार्क इत्यादीचे नियम पूर्णपणे समजतीलच असे नाही. संदर्भ कसे द्यावे, साहित्यिक चोरी कशी टाळावी, याचे शिक्षण ग्रंथालय देत असतात.

3) परवाना आणि डिजिटल प्रवेश:

ई –बुक्स, ई-जर्नल्स, डेटाबेस हे आता ग्रंथालय संग्रहाच्या भाग झाला आहे. ग्रंथालयांनी डिजिटल सामग्रीसाठी परवाना करार काळजीपूर्वक नेविगेट करणे आवश्यक आहे. परवाना करारामध्ये कोण साहित्य एक्सेस करू शकेल, ही कशी वापरली किंवा डाऊनलोड केल्या जाऊ शकते या संबंधित कठोर अटी नियम समाविष्ट असतात.

4) मुक्त प्रवेश आणि बौद्धिक संपदा अधिकाराना चालना देणे:

ओपन एक्सेस, फ्रेमवर्क मध्ये लेखक त्यांचे साहित्य कसे वापरले जाते यावर काही नियंत्रण ठेवतात आणि ग्रंथालय ही प्रक्रिया सुलभ करण्यास मदत करतात. क्रिएटिव्ह कॉमन यासारख्या खुल्या प्रवेश परवण्याबाबत लेखकांना शिक्षित करून ग्रंथालय त्यांना बौद्धिक संपदा अधिकार आणि उद्दिष्टांशी सरेखित करणारे सर्वात योग्य परवाना मॉडेल निवडण्यास मदत करतात. प्राध्यापक, विद्यार्थी, संशोधक यांच्या कार्याचे जतन आणि प्रसार करून त्यांच्या कार्याचे संरक्षण केले

जाईल याची खात्री करून, ज्ञान प्रवेश कसा केला जाऊन वापरता येऊ शकतो याबद्दल मार्गदर्शन करून ज्ञानात प्रवेश कसं केला जाऊन वापरता येऊ शकतो याबद्दल मार्गदर्शन करून योगदान कर्त्याच्या भौतिक संपत्तीचे व्यवस्थापन ग्रंथालये करीत असतात.

5) ग्रंथालय आणि पुस्तकाच्या झेरॉक्स प्रति:

पूर्वी एखाद्या पुस्तकाची किंवा वाचन साहित्याचे झेरॉक्स प्रतिलिपी काढणे अवघड गोष्ट होती. त्यावेळेस संगणक, झेरॉक्स मशीन इत्यादी तंत्रज्ञान सर्वच ठिकाणी उपलब्ध नव्हते. त्यामुळे संशोधक किंवा वाचकांना ग्रंथालयामधून कुठलीही माहिती घ्यावयाची असल्यास ते ग्रंथालयात बसून लिहून घ्यावे लागत असे. त्यासाठी वेळ द्यावा लागत असे. परंतु आज प्रत्येक ठिकाणी झेरॉक्स मशीन, संगणक पेनड्राइव इत्यादी उपलब्ध असल्याने कुठल्याही वाचन साहित्याचे झेरॉक्स प्रतिलिपी करणे सोपे झाले आहे. त्यामुळेच आज स्वामी तो हक्क कायद्याची कठोरपणे अंमलबजावणी करणे आवश्यक झाले आहे अशा प्रतिलिपी तयार केलेल्या पुस्तकांच्या वापरामुळे प्रकाशकाकडून, ग्रंथ विक्रेत्याकडून ग्रंथ खरेदी केले जाणार नाही व पर्यायाने लेखक प्रकाशक व ग्रंथविक्रेते यांचा मूलभूत हक्क डावलला जाऊ शकतो. ग्रंथालयात शक्यतो प्रत्यक्ष ग्रंथ विक्रेता किंवा प्रकाशकाकडून योग्य तो मोबदला देऊनच ग्रंथांचे खरेदी करण्यात येते व तीच प्रत वाचकांना करण्यात येते त्यामुळे लेखक किंवा प्रकाशकांच्या मूलभूत स्वामित्व हक्कावर गदा येत नाही आणि म्हणूनच ग्रंथालय बौद्धिक संपत्ती या कायद्याचे संरक्षक आहेत.

ग्रंथालयातील वाचन साहित्य जतन व संरक्षण करण्याचे काम व जबाबदारी ग्रंथपाल आणि ग्रंथालयातील कर्मचारी यांची असते. वाचकांना कमीत कमी वेळेत व त्यांना हवी असणारी योग्य ती माहिती उपलब्ध करून देण्याचे काम हे ग्रंथपाल करीत असतात. हे सर्व करत असताना बौद्धिक संपदा कायद्यातील तरतुदींचे ज्ञान ग्रंथपाल व ग्रंथालयातील कर्मचारी यांना असायला हवे. ते जर नसेल तर संपूर्ण

कर्मचारी वर्गांना अडचणीचा सामना करायला लागू शकतो. मानवाच्या प्रगतीसाठी ज्ञानात सतत वाढ होणे आवश्यक आहे. त्यासोबतच ज्ञानाचा वापर वैधपणे व्हावा यासाठी कायदा व कायद्याची कठोर अंमलबजावणी होणे सुद्धा गरजेचे आहे. ग्रंथपाल आणि ग्रंथालईन कर्मचारी यांनी बौद्धिक संपत्ती या कायद्याचे संरक्षण करत असताना पुढील बाबी लक्षात ठेवणे गरजेचे आहे.

- 1) कोणत्याही साहित्यकृतीची झेरॉक्स प्रत ठेवणे किंवा विनापरवानगी तयार करणे व ती ग्रंथालयात ठेवणे हा कायद्याने गुन्हा आहे.
- 2) अप्रकाशित साहित्याची प्रत तयार करणे व यावर नफा कमविणे कायद्याचा भंग ठरतो.
- 3) वाजवी वापरासाठी प्रत तयार करावयाची झाल्यास स्वामीत्व धारकाकडून तशी परवानगी घेणे आवश्यक असते.
- 4) लेखकाच्या मृत्यूनंतर साठ वर्षांपर्यंत स्वामीत्व हक्क कायदा लागू असतो.
- 5) अभ्यासाकरिता खाजगी वापराकरिता प्रत तयार करता येईल, मात्र त्याचा वापर संशुल्क करता येणार नाही.
- 6) भारतात उपलब्ध नसलेल्या ग्रंथाच्या जास्तीत जास्त तीन प्रती अभ्यासाकरिता तयार करता येतील, मात्र तशी लेखी परवानगी स्वामीत्व धारकाकडून मिळणे आवश्यक आहे.
- 7) ग्रंथालयाद्वारे दिल्या जाणाऱ्या झेरॉक्स किंवा प्रतिलिपी सेवेचा वापर वरील तरतुदींचा विचार करूनच करावा.
- 8) ग्रंथालय वाचकांसाठी शुल्क आकारत असल्यास अशी सेवा संशुल्क सेवा म्हणून ग्राह्य धरले जाऊ शकते.

निष्कर्ष:

ग्रंथालय सेवा ही ग्राहक सेवा समजली जाते. ग्रंथालयात येणारा वाचक हा विशिष्ट शुल्क भरून ग्रंथालयाचा सभासद होत असतो. स्वामीत्व

कायद्यामध्ये वाचन साहित्याचा वाजवी वापर(fair Use) करण्याचे तत्व मान्य करण्यात आले आहे. त्यामुळे वाजवी वापर म्हणजे शिक्षणाच्या प्रसारासाठी, संशोधनासाठी नफा कमविण्याचा उद्देश नसलेला वापर असा होतो. ग्रंथालयात संपूर्ण पुस्तकाची झेऑक्स प्रत ठेवणे, तिची नोंद करून दाखलनोंद घेणे आणि वाचकांना संशुल्क सेवा उपलब्ध करून देणे हे स्वामीत्व कायद्याचा भंग ठरतो. स्वामीत्व कायद्यामध्ये अशी प्रत तयार करण्यापूर्वी स्वामीत्व धारकाकडून सदर साहित्य उपलब्ध नाही असे लेखी प्रत घेणे आवश्यक असते. बौद्धिक संपदा अधिकाराचे कॉपीराईट, ट्रेडमार्क, पेटंट, इंडस्ट्रियल डिझाईन, ट्रेड सेक्रेट, भौगोलिक मानांकन इत्यादी प्रकार असल्याचे दिसून येतात. बौद्धिक संपदा अधिकाराचे संरक्षक ग्रंथालयच असल्याचे दिसून येते.

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कॉपीराईट कायद्याच्या संरक्षणात ग्रंथालयाची भूमिका

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DOI - 10.5281/zenodo.14909897

प्रस्तावना :

भारत सरकारने लिखित साहित्याचे संरक्षण, लेखकाचे अधिकार व हक्क सुरक्षित ठेवण्याकरिता सन 1957 मध्ये कॉपीराईट कायदा पास केला. हा कायदा 1958 मध्ये अमलात आला. या कायद्यामध्ये स्थळ, काळ, परिस्थितीनुसार बदल करण्यात आले. यामध्ये 1976, 1983, 1984, 1992, 1994, 1999 आणि 2012 या प्रत्येक वर्षी कायद्याच्या नियमांमध्ये बदल करण्यात आले. या कायद्याची प्रभावी अंमलबजावणी व्हावी याकरिता ग्रंथालयाला विशेष अधिकार देण्यात आले आहेत. कॉपीराईट कायद्यामध्ये लिखित साहित्याची चोरी, अतिरिक्त वापर, विनापरवानगी हाताळणे, साहित्यामधील मजकूर घेऊन त्यावर मालकी हक्क दाखविणे इत्यादी स्वरूपाची तरतूद करण्यात आली आहे.

कॉपीराईट कायद्यामुळे लेखकाच्या साहित्याची चोरी रोखली जात आहे. तसेच लेखकाचा अधिकार कायम राहतो. लेखकाच्या साहित्यावर कोणाचाही अधिकार स्थापित होत नाही. तसेच लेखकाला आपले साहित्य कुठे प्रकाशित करावे, किती प्रमाणात प्रकाशित करावे, किती प्रति काढाव्यात हे सर्व अधिकार लेखकाला असतात. या कायदानुसार लेखक आपले अधिकार इतरांना देऊ शकतात. कॉपीराईट कायद्याचा उद्देश विज्ञान आणि साहित्याच्या प्रगतीला चालना देणे आहे. कॉपीराईट कायद्यामुळे मूळ

साहित्याच्या निर्मात्यांना त्यांच्या कामाचे पुनर उत्पादन प्रकाशित करणे, विक्री करणे, वितरण करणे, प्रदर्शन करणे यासारखे अधिकार मिळाले आहेत.

कॉपीराईट कायद्याची प्रभावी अंमलबजावणी ग्रंथालय करीत आहे. ग्रंथपाल वेगवेगळे नियोजन व व्यवस्थापनाच्या माध्यमातून कॉपीराईट कायद्याचे संगोपन करीत असल्यामुळे सदरील शोधनिबंधाच्या अध्ययनाची उद्दिष्टे खालील प्रमाणे नमूद करण्यात आली आहेत.

संशोधनाची उद्दिष्टे :

1. कॉपीराईट कायद्याचे स्वरूप समजून घेणे.
2. कॉपीराईट कायद्याचा दृष्टिकोन व नियमांचे अध्ययन करणे.
3. कॉपीराईट कायद्याच्या सुरक्षितते संबंधी ग्रंथालयाची भूमिका अभ्यासणे.

सदरील उद्दिष्टांच्या पूर्तते करिता खालील प्रमाणे गृहीतकांची मांडणी करण्यात आली आहे.

गृहीतके :

1. कॉपीराईट कायद्यामुळे साहित्य चोरीवर निर्बंध निर्माण झाली आहेत
2. कॉपीराईट कायद्याचा दृष्टिकोन नवसाहित्याची निर्मिती व कॉपीराईट व्यक्तीवर नियंत्रण घालणे आहे.

3. कॉपीराईट कायद्याची प्रभावी अंमलबजावणी ग्रंथालय करीत आहे.

सदरील गृहीतकांच्या पडताळणी करिता खालील प्रमाणे संशोधन पद्धतीचा अवलंब करण्यात आला आहे.

संशोधन पद्धती :

प्रस्तुत शोधनिबंधाच्या मांडणी करिता वर्णनात्मक व विश्लेषणात्मक संशोधन आराखड्याचा अवलंब करण्यात आला आहे. तर शोधनिबंधाच्या तथ्य संकलनाकरिता द्वितीय स्त्रोता मधील प्रकाशित व अप्रकाशित तथ्यांचा अवलंब करण्यात आला आहे. प्रकाशित तथ्याकरिता संदर्भ ग्रंथ, मासिके, वर्तमानपत्रे, साप्ताहिके, पाक्षिक, वार्षिक अंक शासनाचे अहवाल, शासकीय व निमशासकीय संस्थांचे अहवाल इत्यादीचा वापर करण्यात आला आहे. तर अप्रकाशित तथ्या मध्ये एम. फिल., पीएच.डी.चे प्रबंध, खाजगी संस्थांचे अहवाल, संगणकावरील सांकेतिक स्थळे इत्यादीचा अवलंब करण्यात आला आहे.

विषय प्रतिपादन :

भारत सरकारने साहित्याची चोरी होऊ नये. नवनवीन साहित्याची निर्मिती व्हावी. याकरिता कॉपीराईट कायद्याची स्थापना केली. या कायदानुसार लिखित साहित्याचे संरक्षण करणे आणि कॉपीराईट केलेल्या साहित्याचे संरक्षण, व्यवस्थापन व त्या साहित्याला प्रवेश प्रदान करणे ही ग्रंथालयाची महत्त्वपूर्ण भूमिका असल्याने ग्रंथालयावर कॉपीराईट कायद्याच्या संरक्षणाची जबाबदारी सोपविण्यात आली आहे. कॉपीराईट कायद्याचे उल्लंघन होऊ नये आणि बौद्धिक संपदा कायद्याचे पालन व्यवस्थित करण्याकरिता ग्रंथपाल, ग्रंथालय कर्मचारी यांना कॉपीराईट कायद्याची पूर्ण जाणीव असणे आवश्यक आहे.

कॉपीराईट कायद्यातील घटकांच्या माहितीची आवश्यकता :

1 लिखित साहित्याचा वाजवी वापर करू नये:

कॉपीराईट कायद्याने लिखित साहित्याचा वाजवी वापर मालकाच्या परवानगीशिवाय करू नये हे निश्चित करण्यात आले आहे. त्यामुळे ग्रंथालय कर्मचारी आणि ग्रंथपाल यांनी संशोधक, लेखक, अभ्यासक यांना साहित्याचा वाजवी वापर करू नये याची सूचना देणे आवश्यक आहे. तसेच एखाद्या लेखकाने साहित्याचा वाजवी वापर केला असेल तर त्याला ते बाद करण्याच्या सूचना देणे. तसेच ग्रंथालयाच्या सूचनांमध्ये कॉपीराईट कायद्याची नियमावली नमूद करणे आवश्यक आहे. या नियमावली मध्ये साहित्याच्या वापराचा उद्देश आणि स्वरूप स्पष्ट करणे कॉपीराईट केलेल्या नियमाचे उल्लंघन व त्यावरील दंड कॉपीराईट केलेल्या काम बाजारपेठ, वाचक यावर होणारा परिणाम इत्यादीची माहिती नमूद करावी. अर्थात ग्रंथालय कर्मचारी व ग्रंथपाल यांनी कॉपीराईट केलेल्या साहित्याचा वापर शैक्षणिक उद्देशासाठी केला जात आहे किंवा नाही याची खात्री करावी. तसेच शैक्षणिक साहित्याकरिता वापर होत असेल तर तो मर्यादित होतो किंवा नाही यावर लक्ष ठेवावे.

2 सार्वजनिक उपयुक्तता:

लिखित साहित्याचे कॉपीराईट होत असेल तर त्या साहित्याची उपयुक्तता सार्वजनिक कार्याकरिता होते काय? तसेच सार्वजनिक कार्यासाठी वापरले जात असलेले साहित्य कालबाह्य झाले आहे काय? साहित्य वापरत असताना साहित्याचा वापर, जनकल्याण, सामुदायिक विकास, शैक्षणिक पुनर्रचना यासंबंधी होत आहे काय? याची खात्री व पडताळणी करावी. कॉपीराईट साहित्य सार्वजनिक कार्यासाठी होत असेल तर त्यास वापर करू दिला पाहिजे.

3 परवाना देणे:

ग्रंथालय व्यवसायासाठी परवाना आणि सबस्क्राईब करा असे अनेक आवाहाने निर्माण करू शकतात. अनेक ग्रंथालय त्यांच्या ग्राहकांना ई-पुस्तके,

जर्नल्स आणि डेटाबेस सारख्या डिजिटल सामग्री मध्ये प्रवेश देण्यासाठी परवाने मिळवतात परंतु प्रकाशक आणि सामग्री लेखकामध्ये झालेले करार स्पष्ट व वस्तुनिष्ठ स्वरूपाचा असावा लागतो. त्यांचा करारामधील अटी आणि शर्तीचे योग्य पद्धतीने पालन करण्याचे कार्य ग्रंथपालांनी करावे. अर्थातच ग्रंथपालांना प्रकाशक आणि लेखक यांच्या कराराची माहिती असणे आवश्यक आहे.

4 आंतर ग्रंथालय फीस व सेवा नियमावली:

ग्रंथालय सेवांमध्ये संशोधक, अभ्यासक, वाचक इत्यादींचा समावेश असतो. संशोधकांना ग्रंथालय संशोधनामध्ये व्यापक स्वरूपात प्रवेश प्रदान करण्याकरिता निश्चित स्वरूपाची फीस आकारणे आवश्यक आहे. तसेच त्यांना किती वाचन साहित्याचे वितरण करणे, कोणत्या साहित्याचे वितरण केले जाणार यासंबंधीची नियमावली असावी लागते. तसेच साहित्य वापरासंबंधीची नियमावली स्पष्ट असावी, साहित्य वापरत असताना साहित्याची कॉपीराईट केली जाणार नाही यासंबंधी हमीपत्र घेतले जावे. त्यामुळे साहित्य लेखकांच्या साहित्याची चोरी होत नाही.

5 ग्रंथालय कॉपीराईट कायदा 1976 कलम 108 ची पूर्तता:

कॉपीराईट कायदा 1976 मध्ये पास झाला. त्यामध्ये कलम 108 नुसार ग्रंथालयातील ग्रंथपालाला संशोधक, वाचक, अभ्यासक यांनी कॉपीराईट केलेल्या साहित्यावर कार्यवाही करण्याचा अधिकार देण्यात आला आहे. या अधिकारानुसार संशोधक, अभ्यासक अथवा लेखक कॉपीराईट करीत असेल तर त्याकडून साहित्य परत घेता येते तसेच कॉपीराईट केलेल्या साहित्यावर दंडात्मक कार्यवाही करता येते. या कायद्याचा व कलमाची अंमलबजावणी ग्रंथपालांनी केली पाहिजे.

6 डिजिटल कॉपीराईट कायदा व नियमावली:

डिजिटल कॉपीराईट कायदा व त्याची नियमावली अमेरिकेने तयार केलेली आहे. हा कायदा व नियमावली डिजिटल क्षेत्रातील साहित्य सामग्रीशी

संबंधित आहे. या कायद्यानुसार डिजिटल साहित्याची कॉपीराईट चोरी करणे गुन्हा आहे. तसेच या कायद्याच्या नियमानुसार चोरी करणाऱ्या व्यक्तीच्या साहित्यावर कायमस्वरूपी बंदी घातली जाते. तसेच त्याच्या साहित्य निर्मितीचा परवाना रद्द केला जातो. याची जाणीव ग्रंथपालांना असणे आवश्यक आहे. तसेच ग्रंथपालांनी संशोधक, लेखक, वाचक, यांना डिजिटल कॉपीराईट कायद्याची व त्यांच्या नियमांची सूचना जाणीव करून देणे आवश्यक आहे.

7 मुलाखत सूचनांची माहिती:

कॉपीराईट कायदासंबंधी ग्रंथपाल आणि कर्मचारी यांना सर्वतोपरी माहिती असणे आवश्यक आहे. तसेच ग्रंथालयातील साधनसामग्री लिखित साहित्य, डिजिटल साहित्य या संबंधी कॉपीराईट होऊ नये याकरिता असलेल्या नियमावलीची माहिती असणे आवश्यक आहे. त्यामध्ये लेखकाचे हमीपत्र, प्रकाशकाची मान्यता, ग्रंथालयाची परवानगी आणि संशोधकाचे शपथपत्र असणे आवश्यक आहे. तेव्हाच संशोधनात काही प्रमाणात कॉपीराईटचा अवलंब करता येतो अन्यथा साहित्याची कॉपीराईट करता येत नाही.

कॉपीराईट समस्या वर उपाय :

1. कॉपीराईट कायद्याची तंतोतंत अंमलबजावणी करणे, अंमलबजावणी करण्याकरिता ग्रंथालयाला अधिकार देणे.
2. ग्रंथपाल आणि कर्मचारी यांनी कॉपीराईट झालेल्या साहित्याची सूचना प्रकाशक लेखक यांना तत्काळ देणे.
3. कॉपीराईट करणाऱ्या व्यक्तींचा ग्रंथालय परवाना रद्द करून त्यावर दंडात्मक कार्यवाही करणे.
4. कॉपीराईट झालेले साहित्य वाचन साहित्यातून बाद करणे.
5. कॉपीराईट करणाऱ्या संशोधक लेखक साहित्यिक यांचा परवाना रद्द करणे.

निष्कर्ष :

1. साहित्याची चोरी होऊ नये याकरिता स्थळ, काळ, परिस्थितीनुसार कॉपीराईट कायद्याची स्थापना करण्यात आली आहे.
2. साहित्याची चोरी पुनर आवृत्ती होण्यावर पाय बंद झाला आहे.
3. कॉपीराईट कायद्याने नवसाहित्य व नव विचारांना चालना दिली आहे.
4. कॉपीराईट कायद्याची प्रभावी अंमलबजावणी होत नाही.

अध्ययनाचे महत्त्व :

साहित्यासंबंधी असलेल्या कॉपीराईट कायदा हा साहित्याची चोरी रोखण्याकरिता करण्यात आला आहे. कॉपीराईट कायद्यामुळे नव साहित्याची निर्मिती प्रभावी होत आहे. या कायद्याची जाणीव, त्यांच्या नियमांची माहिती ग्रंथपाल, ग्रंथालय कर्मचारी यांना असणे आवश्यक आहे. या कायद्यासंबंधी अध्ययन करणारे संशोधक, वाचक, लेखक, अभ्यासक, ग्रंथालय कर्मचारी इत्यादींना कॉपीराईट कायदा व त्याचे महत्त्व समजून घेण्याकरिता उपयुक्त ठरेल.

सारांश :

आधुनिक काळात साहित्य चोरीचे प्रमाण सातत्याने वाढत आहे. या साहित्य चोरीवर निर्बंध

घालण्याकरिता भारत सरकारने कॉपीराईट कायद्याची स्थापना केली. या कायद्याने कॉपीराईट करणाऱ्या संशोधक, अभ्यासक, लेखक, साहित्यिक इत्यादीवर दंडात्मक कार्यवाही व त्यांच्या साहित्यावर बंदी घातली आहे. त्यामुळे कॉपीराईटचे प्रमाण कमी होऊन नव साहित्य निर्मितीला दिशा प्राप्त झाली आहे.

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देशाच्या सर्वांगीण विकासासंबंधीचा आराखडा, विकासाचे नियोजन, विकास कार्याला मान्यता व आर्थिक तरतूद इत्यादी प्रक्रिया मध्ये राजकीय घटकाची महत्त्वपूर्ण भूमिका आहे. राजकीय घटक, मानव, समाज, समुदाय, राष्ट्र इत्यादी घटकांच्या समस्यांची सोडवणूक करून आवश्यक असणाऱ्या सुख सुविधांच्या निर्मितीचे कार्य करते. तसेच राजकीय घटकाचे प्रशासन, दळणवळण, तंत्रज्ञान, औद्योगीकरण, अर्थव्यवस्था, व्यापार, उद्योगधंदे इत्यादी घटकावर नियंत्रण प्रस्थापित झालेले आहे. राजकीय घटकाच्या माध्यमातून शासन, प्रशासन आणि मानवी समुदाय यांच्यावर नियंत्रण प्रस्थापित झाले आहे. राजकीय घटकाने शिक्षण, ज्ञान, तंत्रज्ञान, यांत्रिकीकरण, संशोधन इत्यादी घटकांच्या विकास कार्यावर भर दिला आहे. यामध्ये राष्ट्रीय विकासाच्या दृष्टिकोनातून जागतिक व्यापार संघटनेवर अधिक भर दिला आहे.

जागतिक व्यापार संघटनेची स्थापना 1995 मध्ये झाली. या व्यापारी संघटनेत 123 देशांनी सभासद म्हणून स्वाक्षरी केली आहे. या जागतिक वार संघटनेचा भारत देश सभासद आहे. भारत सरकारने जागतिक पातळीवर आपले अस्तित्व निर्माण करून देशातील उत्पादित माल जागतिक बाजारपेठेत वितरित करून देशाचा औद्योगिक, व्यावसायिक, आर्थिक विकास करण्याचे धोरण आखले आहे. सन 1994-95 मध्ये

तत्कालीन पंतप्रधान पी. व्ही. नरसिंहराव आणि अर्थमंत्री डॉ. मनमोहन सिंग यांनी जागतिक व्यापार संघटनेमध्ये भारताचे सभासत्व असले पाहिजे. व्यापार संघटनेत भारताचे सभासत्व असेल तर भारतातील औद्योगिकरणाला चालना मिळेल. उत्पादित मालाला विशाल स्वरूपात बाजारपेठ उपलब्ध होईल. व्यापाराच्या माध्यमातून आंतरराष्ट्रीय स्तरावर भारताचे अस्तित्व निर्माण करता येईल. व्यापाराच्या माध्यमातून इतर राष्ट्रांबरोबर राजकीय, व्यावसायिक, आर्थिक संबंध प्रस्थापित होतील. या दृष्टिकोनातून भारत सरकारने जागतिक व्यापार संघटनेचे सभासत्व स्वीकारले. या जागतिक व्यापार संघटनेवर राजकीय घटकाचा प्रभाव आहे काय? असेल तर तो कोणत्या स्वरूपात आहे? राजकीय प्रभावामुळे जागतिक व्यापार संघटनेवर कोणत्या स्वरूपात परिणाम घडवून आला आहे? इत्यादी प्रश्नांची उकल करण्याच्या उद्देशाने "राजकीय घटकाचा जागतिक व्यापार संघटनेवर प्रभाव" या विषयाचे अध्ययनाकरिता निवड करण्यात आली आहे. सदरील अध्ययन विषयाच्या संशोधनाच्या उद्दिष्टांची मांडणी पुढील प्रमाणे करण्यात आली आहे.

संशोधनाची उद्दिष्टे :

1. भारत सरकारचा जागतिक व्यापार संघटनेसंबंधीचा दृष्टिकोन अभ्यासणे.

2. जागतिक व्यापार संघटनेचा उद्देश आणि वैशिष्ट्ये अभ्यासणे.
3. जागतिक व्यापार संघटनेच्या कार्याचा आढावा घेणे.
4. जागतिक व्यापार संघटनेवरील राजकीय घटकाचा प्रभाव अभ्यासणे.

सदरील उद्दिष्टांच्या पूर्तते करिता खालील प्रमाणे गृहीतकांची मांडणी करण्यात आली आहे.

गृहीतके :

1. भारत सरकारचा जागतिक व्यापार संघटने संबंधीचा दृष्टिकोन औद्योगिक व आर्थिक विकासात्मक आहे.
2. जागतिक व्यापार संघटनेचा उद्देश खुली बाजारपेठ करून उदारीकरणाला चालना देणे आहे.
3. जागतिक व्यापार संघटना मागास देशात औद्योगिक विकासाचे कार्य करते.
4. जागतिक व्यापार संघटनेवर राजकीय घटकाचा प्रभाव पडला आहे.

सदरील गृहीतकांच्या पडताळणी करिता खालील प्रमाणे संशोधन पद्धतीचा अवलंब करण्यात आला आहे.

संशोधन पद्धती :

सदरील शोध निबंधाच्या मांडणी करिता प्रामुख्याने वर्णनात्मक आराखड्याचा अवलंब करण्यात आला. तर तथ्य संकलनाकरिता द्वितीय स्त्रोतांमधील प्रकाशित व अप्रकाशित तथ्यांचा वापर करण्यात आला. प्रकाशित तथ्यांमध्ये संदर्भ ग्रंथ, मासिके, वार्षिक अंक, वर्तमानपत्रे, शासनाचे प्रकाशित अहवाल इत्यादींचा अवलंब करण्यात आला. तर अप्रकाशित तथ्य मध्ये एम.फिल., पीएच.डी. चे प्रबंध, खाजगी संस्थांचे अहवाल, इंटरनेट इत्यादी चा अवलंब करण्यात आला आहे.

विषय प्रतिपादन:

भारत सरकारने राष्ट्रीय विकासावर स्वातंत्र्योत्तर काळात सर्वस्वी भर दिला आहे. यामध्ये दळणवळण, औद्योगीकरण, तंत्रज्ञान, यांत्रिकीकरण यांच्या संशोधनावर विशेष लक्ष केंद्रित केले आहे. या औद्योगिक विकासाकरिता एम. आय. डी. सी. च्या स्थापनेवर लक्ष केंद्रित केले आहे. एम. आय. डी. सी. च्या विकासात वेगवेगळ्या उत्पादित मालाच्या कारखान्यांची उभारणी, कारखान्याकरिता आवश्यक त्या प्रमाणात जागेची उपलब्धता, पाण्याची सुविधा, विद्युतीकरण, आर्थिक मदत इत्यादी सुविधा देण्यावर भर दिला. तसेच उत्पादित मालाच्या वितरणाकरिता दळणवळणाच्या सुविधा, रस्ते, लोहमार्ग, जलवाहतूक, हवाई वाहतूक यांची सुविधा करण्यात आली. त्याचबरोबर भारतीय उत्पादित मालाला विशाल बाजारपेठ उपलब्ध व्हावी. याकरिता 1995 मध्ये स्थापन झालेल्या आंतरराष्ट्रीय जागतिक व्यापार संघटनेचे सभासदत्व स्वीकारले. त्यामुळे भारतीय उत्पादित मालाला जागतिक बाजारपेठ उपलब्ध झाली. भारतीय व्यापार राष्ट्रीय, आंतरराष्ट्रीय स्तरावर होऊ लागला. या जागतिक व्यापार संघटनेचे स्वरूप पुढीलप्रमाणे नमूद करता येते.

जागतिक व्यापार संघटना :

1 जागतिक व्यापार संघटनेचे स्वरूप:

जागतिक व्यापार संघटनेची निर्मिती विकसित व विकसनशील राष्ट्रांच्या राजकीय संबंधातून झाली आहे. या जागतिक व्यापार संघटनेमध्ये 123 देशांचा सहभाग आहे. या 123 देशांमध्ये कोणत्याही देशाला मुक्त स्वरूपात आपला माल विकता येतो. या विक्रीवर कोणत्याही स्वरूपाचे निर्बंध नाहीत. तसेच मालाची किंमत किती ठेवावी या संबंधी नियंत्रण नाही. त्यामुळे जागतिक व्यापार संघटना मुक्त व्यापाराचे धोरण आहे.

2 जागतिक व्यापार संघटनेचा उद्देश:

जागतिक व्यापार संघटनेचा उद्देश विकसनशील देशांच्या औद्योगीकरणाला चालना देणे, मागासलेल्या

देशांची अर्थव्यवस्था बळकट करणे, राष्ट्र राष्ट्रांमध्ये सल्लोख्याचे संबंध प्रस्थापित करणे, मागासलेल्या देशात रोजगाराची उपलब्धता निर्माण करून देशाचा सर्वांगीण विकास करणे आहे.

3 जागतिक व्यापार संघटनेची वैशिष्ट्ये:

जागतिक व्यापार संघटना ही खुली बाजारपेठ आहे. या बाजारपेठेवर कोणत्याही स्वरूपाचे बंधन अथवा नियम लागू नाहीत. कोणत्याही सभासद राष्ट्रांला इतर सभासद राष्ट्रांमध्ये उद्योग व्यवसाय करण्याची मान्यता आहे. तसेच सभासद राष्ट्रांनी आपल्या राष्ट्रांमध्ये उद्योग, व्यवसाय करणाऱ्या राष्ट्रांना सर्वतोपरी मदत करणे आवश्यक आहे.

4 जागतिक व्यापार संघटनेचे अनुकूल परिणाम:

जागतिक व्यापार संघटनेमुळे उद्योग, व्यवसाय, औद्योगीकरण, तंत्रज्ञान, यांत्रिकीकरण इत्यादीला गती प्राप्त झाली. तसेच मागास व विकसित राष्ट्रांमध्ये विकसित राष्ट्रांच्या कंपन्या, कारखाने स्थापन झाले. तेथे मजूर, सुशिक्षित, व्यापारी, उद्योजक इत्यादींना रोजगाराची उपलब्धता झाली. देशातील कच्चा मालाला बाजारपेठ, ग्राहक उपलब्ध झाले. मागास राष्ट्रांचा आर्थिक, भौतिक, तांत्रिक, यांत्रिक विकास घडवून आला. विकसित राष्ट्रांना हक्काची खुली विशाल बाजारपेठ उपलब्ध झाली. त्यांना आर्थिक गुंतवणूक करण्याची मोठी संधी उपलब्ध झाली. राष्ट्रांमध्ये व्यावसायिक, आर्थिक संबंध प्रस्थापित झाले. विश्वाचे माझे घर ही संकल्पना अस्तित्वात आली आहे.

5 जागतिक व्यापार संघटनेचे प्रतिकूल परिणाम:

जागतिक व्यापार संघटनेमुळे विकसित राष्ट्रांचे विकसित राष्ट्रांवर वर्चस्व निर्माण झाले. विकसनशील राष्ट्रांची अपूर्ण व मर्यादित वस्तू निर्मिती विशाल राष्ट्रांपुढे टिकू शकत नाही. त्यामुळे अनेक गरीब राष्ट्रांचे उद्योगधंदे, औद्योगीकरण बंद झाले. त्यामुळे राष्ट्रांचे आर्थिक उत्पन्न बंद होऊन बहुतांशी राष्ट्र दारिद्र्यात गेलेली दिसून येतात. तसेच विकसित राष्ट्रांनी आपले कारखाने निर्माण करून तेथे

स्वदेशातील मजूर, कारागीर, कामगार यांनाच कामे दिली. त्यामुळे विकसनशील राष्ट्र बेरोजगारीत झाले आहेत. व्यापारी स्पर्धेत विकसनशील राष्ट्र वस्तूच्या किमती कमी करून तोट्यावर विकू शकत नाहीत. त्यामुळे अनेक राष्ट्रांच्या वस्तू जागतिक व्यापार पडून राहत आहेत. त्यामुळे ते जागतिक व्यापार संघटनेचे सभासद होऊन आर्थिक दृष्टीने तोट्यात आहेत.

6 जागतिक व्यापार संघटनेवर राजकीय घटकाचा प्रभाव:

जागतिक व्यापार संघटना राजकीय नेतृत्वातून उदयास आलेली आहे. या व्यापार संघटनेवर सर्वस्वी नियंत्रण राजकीय घटकांचे आहे. राजकीय नेते संघटनेचे नियम, करार, कायदे यांचे नियोजन करतात. तसेच राजकीय घटक राष्ट्रीय, आंतरराष्ट्रीय, व्यापारी, उद्योगपती, कारखानदार यांच्याबरोबर विचार विनिमय करून आर्थिक नियोजन, वस्तू विनिमयाची तरतूद, आयात निर्यात, आयातावरील कर, निर्यातीवरील कर, खरेदी विक्रीकर, इत्यादीचे निर्णय घेतात. त्यामुळे प्रत्यक्ष अप्रत्यक्ष जागतिक व्यापार संघटनेवर राजकीय घटकाचा प्रभाव निर्माण झालेला आहे.

निष्कर्ष :

1. जागतिक व्यापार संघटना ही खुली बाजारपेठ आहे.
2. जागतिक व्यापार संघटनेचा प्रमुख उद्देश सर्वच राष्ट्रांचा यांत्रिक, तांत्रिक, व्यावसायिक, औद्योगिक, आर्थिक विकास करणे आहे.
3. जागतिक व्यापार संघटनेमुळे काही प्रमाणात अनुकूल परिवर्तन घडवून आले आहे तर विकसनशील राष्ट्रांवर प्रतिकूल परिणाम झाला आहे.
4. जागतिक व्यापार संघटना राजकीय घटकांद्वारे कार्य करीत आहे.

अध्ययनाचे महत्त्व :

जागतिक व्यापार संघटना आणि राजकीय घटक यांचा सहसंबंध कोणत्या स्वरूपात आहे या दृष्टीने सदरील विषयाचे अध्ययन आहे. हे अध्ययन जागतिक व्यापार संघटना संबंधी अध्ययन करणाऱ्या विद्यार्थी, संशोधक, अध्यापक, व्यापारी, उद्योजक, शासन इत्यादींना सहाय्यभूत ठरेल.

सारांश :

जागतिक व्यापारी संघटना, उद्योग, व्यवसाय, औद्योगीकरण, व्यापार इत्यादी घटकांशी संबंधित आहे. या व्यापारी संघटनेने उदारीकरण, जागतिकीकरण, औद्योगीकरण इत्यादी घटकांना चालना दिली आहे. तसेच अर्थव्यवस्थेचा विकास केला आहे. त्यामुळे या व्यापारी संघटनेला आधुनिक काळात अत्यंत महत्त्व

प्राप्त झाले आहे. परंतु या व्यापारी संघटनावर राजकीय घटकांचे प्रभुत्व आहे हे सत्य स्वीकारावे लागते.

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बौद्धिक संपदेचे समाजशास्त्र

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DOI - 10.5281/zenodo.14909909

प्रास्ताविक:

सामाजिक समाज जीवनाच्या व्यापक परिघाचा विचार करताना त्यात अनेक आंतर्बाह्य घटकांचा संबंध असलेला दिसून येतो. समाज ही एक व्यापक संकल्पना असून त्यात व्यक्ती, गट, समूह, कुटुंब अशा अंतर्संबंधात्मक बाबींचा समावेश आहे. समाज व समाज जीवन लक्षात घेताना त्या त्या भौगोलिक परिसरानुसार व प्रदेशानुसार लोकजीवनातील संस्कृती, धर्म, भाषा, पोशाख इत्यादी भिन्न असलेले दिसून येतात.

समाज ही मूलभूत बाब असून त्यात व्यक्ती हा मुख्य घटक व केंद्रबिंदू आहे. दिवसेंदिवस व्यक्ती, समूह, कुटुंब आणि लोक जीवनात परिवर्तने होत असतात. प्रगत काळात प्रगत लोक जीवन समूह व कुटुंबामुळे समाज जीवनातही वेगवेगळी स्थित्यंतरे होत आहेत. व्यक्तिला पूरक व प्रेरक अशी ज्ञान, विज्ञान व तंत्रज्ञानाची आवश्यकता भासली असल्यामुळे त्यांनी त्याची निर्मिती व वापरही सुरुवात केला आहे. या सर्व बाबींमुळेच, घटकांमुळेच व नवनिर्मितीमुळेच बौद्धिक संपदेच्या समाजशास्त्राची निर्मिती झाली आहे व त्याची आज आवश्यकताही भासत आहे. प्रस्तुत वरील विषयानुषंगाने लघुशोध निबंधाची मांडणी करण्यात येणार आहे.

विषयाची व्याप्ती, स्वरूप व महत्त्व:

बौद्धिक संपदेचे समाजशास्त्र या विषयानुषंगाने सादर करण्यात येणाऱ्या लघुशोध निबंधाची व्याप्ती

याच विषयाशी निगडित असून ती मर्यादितही आहे. या विषयाचे स्वरूप हे व्यापक व व्यक्ती आणि समाज जीवनाशी निगडित असून या विषयाचे महत्त्व हे समाजशास्त्रीय दृष्टीने संशोधन, लघुसंशोधन आणि लघुशोध निबंध लेखनाच्या दृष्टीनेही आहे.

उद्दिष्टे:

कोणत्याही संशोधनाच्या व लघु शोधनिबंधाच्या परिपूर्तीसाठी उद्दिष्टांची आवश्यकता असून उद्दिष्टे स्थिर ठेवून व निर्धारित करूनच विषयाची मांडणी करणे क्रमप्राप्त ठरते.

प्रस्तुत लघु शोधनिबंधाच्या परिपूर्तीसाठी पुढील काही उद्दिष्टे निर्धारित केलेली आहेत.

1. बौद्धिक संपदेच्या समाजशास्त्राचा शोध घेऊन त्यावर मांडणी करणे.
2. बौद्धिक संपदेच्या समाजशास्त्राचे स्वरूप व महत्त्व पटवून देणे.
3. बौद्धिक संपदेच्या समाजशास्त्रातील वैविध्य पटवून देणे.
4. समाजास पूरक असणाऱ्या बौद्धिक समाजशास्त्राची मांडणी करणे.

गृहीतके:

कोणत्याही संशोधन व लघुसंशोधन निबंधाच्या आकलनासाठी, संशोधनासाठी व परिपूर्तीसाठी विषयानुषंगिक अशी गृहीतके अत्यंत महत्त्वाची असतात. प्रस्तुत विषयानुषंगिक अशी काही गृहीतके ही पुढील प्रमाणे आहेत.

1. बौद्धिक संपदेच्या समाजशास्त्राचा शोध घेता येतो व घेतला पाहिजे.
2. बौद्धिक संपदेच्या समाजशास्त्राचे स्वरूप व महत्त्व पटवून देता येते.
3. बौद्धिक संपदेच्या समाजशास्त्राची काळानुरूप आवश्यकता असून त्याची विस्तार आणि मांडणी करता येते. आणि केली पाहिजे.

प्रस्तुत वरील पूर्व प्राथमिक संशोधनाच्या आकृतीबंधात्मक मांडणीनंतर प्रत्यक्षपणे आपणास पुढील प्रमाणे बौद्धिक संपदेच्या समाजशास्त्राबाबत लघू शोधनिबंधात्मक दृष्टीने मांडणी करता येईल. बौद्धिक संपदेच्या समाजशास्त्रात व्यक्ती विकासाचे समाजशास्त्र, आदिवासींच्या विकासाचे धोरण व त्याचे समाजशास्त्र, ज्ञानविज्ञान व तंत्रज्ञात्मक विकासाचे समाजशास्त्र, दुर्बल घटकांच्या विकास व शोधाचे समाजशास्त्र आणि दारिद्र्य निर्मूलनासाठीच्या उपाययोजना अशा अनेक महत्त्वपूर्ण विषय आणि संदर्भांचा समावेश होतो.

प्रस्तुत विषयाचा सखोलपणे विचार करता येतो. या विषयात एकूण चार शब्द आहेत ते म्हणजे बौद्धिक, संपदेचे, समाज, शास्त्र हे ते शब्द आहेत. वास्तविकतः मानवी जीवनास पूरक असणारी अनेक शास्त्रे आहेत. आणि ती सर्व शास्त्रे ही बौद्धिकच आहेत. बुद्धीशी निगडित आहेत. असे असतानाही बुद्धी संपदा म्हणजे बुद्धीची संपत्ती ही समाजशास्त्राशी कशी व किती निगडित आहे, असते, असली पाहिजे आणि असावी. याबाबतीतील हा विषय असून व्यक्ती व समाज पूरक आणि समाजसापेक्ष असा हा विषय आहे.

समाज व समाजशास्त्राचा परीघ हा व्यापक आणि विस्तृत असल्यामुळे समाज विकासासाठी वेगवेगळ्या अभ्यासू, संशोधक आणि चिकित्सक अशा व्यक्तिकडून म्हणजेच बुद्धीवंतांकडून समाजशास्त्रास पूरक, योग्य आणि प्रेरक असणाऱ्या बाबींविषयी मांडणी करणे अत्यंत आवश्यक आहे. शास्त्र म्हटले की पद्धतशीर व वस्तुनिष्ठ, प्रायोगिक, सार्वत्रिक आणि सत्यनिष्ठ अशा पातळीवरून त्याचा अभ्यास करणे अभिप्रेत असते.

अलीकडेच आता नवीन शैक्षणिक धोरण आलेले असून या धोरणानुसार अभ्यासक्रम,

कालावधी, अध्ययन, अध्यापन, पात्रता, गुणवत्ता, निकष, मापन व मूल्यमापन आणि मूल्यनिर्धारण अशा बऱ्याच संदर्भात परिवर्तने व फेरबदल झालेले आहेत. काळानुरूप व्यक्ती हितसापेक्ष दृष्टीने आणि समाजहितसापेक्ष दृष्टीनेही विचार करताना बहुतेक सामाजिक शास्त्रातून बौद्धिक संपदा, बुद्धिनिष्ठ अशी संपत्ती लक्षात घेता येतेच. व त्यात ती समाजनिष्ठही झालेली असतेच. कारण शास्त्र हे अनेक वस्तुनिष्ठ मूल्यांवर आधारलेले असल्यामुळे व्यक्तिनिष्ठता येण्याचा प्रश्नच येत नाही. समाजाला पूरक व प्रेरक असणाऱ्या अशा अनेक सार्थ संदर्भांचा विवेचक व डोळस असणारा अभ्यास व शोध आणि बोध हा समाजशास्त्रात केलेला असतो. खरे तर मी आज पर्यंत समाजशास्त्र विषयाच्या पुस्तकांची व त्यास पूरक असणाऱ्या अनेक विषयांची नावे ऐकली, वाचली आणि पाहिली पण बौद्धिक संपदेचे समाजशास्त्र हा विषय प्रस्तुत लघू शोधनिबंधाच्या संदर्भाने मी पहिल्यांदाच वाचत आहे. ही माझ्या दृष्टीने नवीन व वेगळी बाब आहे. बौद्धिक संपदेच्या समाजशास्त्रात अनेक विषय व संदर्भ हे पूरक आहेत. या विषयावर वैविध्यिक पातळीवरून समाज विकासासाठी लिहिणे अत्यंत महत्त्वाचे आहे.

संशोधन पद्धती:

प्रस्तुत लघू शोधनिबंधाच्या परिपूर्तीसाठी येथे वर्णनात्मक संशोधन पद्धतीचा अवलंब करण्यात आलेला आहे .

सारांश:

बौद्धिक संपदेचे समाजशास्त्र हा विषय संशोधनासाठी व लघुशोधनिबंधाच्या परिपूर्तीसाठीही अत्यंत महत्त्वाचा असून समाज विकासासाठी व व्यक्ती हितासाठीही वेगवेगळ्या संदर्भाने शोध घेणे अत्यंत महत्त्वाचे आहे.

संदर्भ ग्रंथ:

1. सामाजिक व शैक्षणिक समाजशास्त्र - प्रा.डॉ.रुदेवाड बी.पी.



ग्रामीण उद्योजकता आणि बौद्धिक संपदा हक्क: संधी आणि आव्हाने,
पारंपारिक ज्ञान आणि स्थानिक उत्पादने

राधेश्याम नामदेव मानकर

कला व वाणिज्य पदवी महाविद्यालय, पेट्रोल पंप जवाहरनगर भंडारा

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DOI - 10.5281/zenodo.14909915

सारांश:

ग्रामीण उद्योजकता आर्थिक विकासासाठी चालना देण्यासाठी, पारंपारिक ज्ञान जतन करण्यासाठी आणि स्थानिक उत्पादनांना प्रोत्साहन देण्यासाठी महत्त्वपूर्ण भूमिका बजावते. तथापि, मर्यादित जागरूकता, कायदेशीर गुंतागुंत आणि पायाभूत सुविधांच्या अडचणींमुळे ग्रामीण उद्योगांमध्ये बौद्धिक संपदा अधिकारांचा (IPRs) प्रभावी वापर करणे हे एक आव्हान आहे. हा पेपर ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकारच्या छेदनबिंदूचा शोध घेतो, संधी आणि आव्हाने या दोन्हीवर प्रकाश टाकतो. हे पारंपारिक ज्ञान आणि स्थानिक उत्पादने, जसे की हस्तकला, सेंद्रिय उत्पादने आणि स्वदेशी औषधी पद्धती, भौगोलिक संकेत (GI), पेटंट आणि ट्रेडमार्क यांसारख्या बौद्धिक संपदा हक्क यंत्रणेद्वारे कसे संरक्षित केले जाऊ शकतात याचे परीक्षण करते. हा अध्ययन धोरण चौकट आणि सर्वोत्तम पद्धतींचे विश्लेषण करतो ज्यामुळे ग्रामीण उद्योजकांची व्यवसाय वाढ आणि टिकावासाठी बौद्धिक संपदा अधिकारांचा लाभ घेण्याची क्षमता वाढू शकते. परिस्थिती अध्ययन आणि धोरण शिफारशींद्वारे, अध्ययनामध्ये सांस्कृतिक अखंडता आणि पर्यावरणीय टिकाऊपणा राखून ग्रामीण उद्योगांना बौद्धिक संपदा संरक्षणाचा फायदा होईल याची खात्री करण्यासाठी क्षमता निर्माण, कायदेशीर समर्थन आणि बाजारपेठेतील प्रवेशाची आवश्यकता अधोरेखित केली आहे.

मुख्य शब्द : ग्रामीण उद्योजकता, बौद्धिक संपदा हक्क, पारंपारिक ज्ञान, स्थानिक उत्पादने, भौगोलिक संकेत, शाश्वत विकास

परिचय:

ग्रामीण उद्योजकता हा आर्थिक विकासाचा प्रमुख चालक म्हणून उदयास आला आहे, ग्रामीण समुदायांमध्ये नवकल्पना, रोजगार निर्मिती आणि सांस्कृतिक संरक्षणाला चालना दिली आहे. शहरी उद्योगांच्या विपरीत, ग्रामीण व्यवसायांची मुळे अनेकदा पारंपारिक ज्ञान आणि स्थानिक उत्पादनांमध्ये खोलवर रुजलेली असतात, जे स्वदेशी आणि स्थानिक लोकसंख्येच्या अद्वितीय वारसा, कौशल्ये आणि पद्धतींचे प्रतिनिधित्व करतात. ही उत्पादने, हस्तकला आणि पारंपारिक कापडापासून ते सेंद्रिय अन्न आणि हर्बल औषधांपर्यंत, प्रादेशिक अर्थव्यवस्था आणि

शाश्वत उपजीविकेसाठी महत्त्वपूर्ण योगदान देतात. तथापि, त्यांचे आर्थिक आणि सांस्कृतिक महत्त्व असूनही, बौद्धिक संपदा अधिकार बदल जागरूकता आणि सुलभतेच्या अभावामुळे अनेक ग्रामीण उद्योजक त्यांच्या बौद्धिक मालमत्तेचे संरक्षण करण्यासाठी संघर्ष करतात.

पेटंट, ट्रेडमार्क, कॉपीराइट आणि भौगोलिक संकेत (GIs) सह बौद्धिक संपदा हक्क, पारंपारिक ज्ञान आणि स्थानिक उत्पादनांचे गैरवापरापासून संरक्षण करण्यात महत्त्वपूर्ण भूमिका बजावतात. या कायदेशीर यंत्रणा केवळ ग्रामीण उद्योजकांना त्यांच्या नवकल्पनांवर विशेष अधिकार प्रदान करत नाहीत तर

सत्यता आणि मूळ स्थापित करून त्यांच्या उत्पादनांचे बाजार मूल्य देखील वाढवतात. भौगोलिक संकेत, उदाहरणार्थ, त्यांच्या प्रादेशिक ओळखीवर आधारित उत्पादनांचे ब्रँडिंग आणि फरक करण्यासाठी एक महत्वाचे साधन म्हणून काम करतात, ज्यामुळे निष्पक्ष व्यापाराला चालना मिळते आणि शोषण रोखता येते. तथापि, हे फायदे असूनही, ग्रामीण उद्योजकतेमध्ये बौद्धिक संपदा अधिकारच्या प्रभावी अंमलबजावणीमध्ये अनेक आव्हाने अडथळा आणतात. यामध्ये नोकरशाहीतील अडथळे, उच्च नोंदणी खर्च, अपुरे कायदेशीर ज्ञान आणि पारंपारिक आणि समुदाय-चालित पद्धतींवर छाया टाकणाऱ्या व्यापारीकरणाचा धोका यांचा समावेश होतो.

हा अध्ययन ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकारांच्या छेदनबिंदूचा शोध घेतो, पारंपारिक ज्ञान आणि स्थानिक उत्पादनांचे संरक्षण करण्याच्या संधी आणि आव्हानांचे विश्लेषण करतो. हे विद्यमान धोरण फ्रेमवर्क, सर्वोत्तम पद्धती आणि यशस्वी ग्रामीण उपक्रमांच्या परिस्थिती अध्ययनाचे परीक्षण करते ज्यांनी आर्थिक आणि सामाजिक सक्षमीकरणासाठी बौद्धिक संपदा अधिकारचा लाभ घेतला आहे. शिवाय, हा अभ्यास ग्रामीण भागात बौद्धिक संपदा अधिकारांना दत्तक घेण्यातील अडथळ्यांवर मात करण्याच्या धोरणांवर प्रकाश टाकतो, क्षमता बांधणी, संस्थात्मक समर्थन आणि सांस्कृतिक टिकाऊपणासह नवकल्पना संतुलित करणाऱ्या सर्वसमावेशक धोरणांच्या गरजेवर भर देतो. या गंभीर समस्यांचे निराकरण करून, स्थानिक समुदायांच्या समृद्ध पारंपारिक वारशाचे जतन करून ग्रामीण उद्योजकतेला चालना देण्यासाठी बौद्धिक संपदा अधिकारांचा प्रभावीपणे कसा वापर केला जाऊ शकतो याबद्दल अंतर्दृष्टी प्रदान करणे हे अध्ययनाचे उद्दिष्ट आहे.

संशोधनाचे उद्दिष्ट:

- १) ग्रामीण उद्योजकतेमध्ये बौद्धिक संपदा अधिकाराच्या भूमिकेचे अन्वेषण करणे
- २) पारंपारिक ज्ञान आणि स्थानिक उत्पादनांचे संरक्षण आणि व्यापारीकरण यावर विशेष लक्ष केंद्रित करणे. 1. ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकार यांच्यातील संबंधांचे परीक्षण करणे.
- ३) भौगोलिक संकेत (GI), पेटंट, ट्रेडमार्क आणि कॉपीराइट यांसारख्या विविध बौद्धिक संपदा अधिकार यंत्रणांचा बाजार मूल्य आणि स्थानिक उत्पादनांची सत्यता वाढवण्यासाठी कसा उपयोग केला जाऊ शकतो याचे विश्लेषण करणे.
- ४) बौद्धिक संपदा अधिकार अंमलबजावणीमधील आव्हानांचे मूल्यांकन करणे.
- ५) ग्रामीण उद्योग स्वदेशी ज्ञान, हस्तकला तंत्र आणि स्थानिक पातळीवर मिळणाऱ्या सामग्रीवर कसे अवलंबून असतात याचा अध्ययन करणे आणि त्यांचे शोषण आणि गैरवापरापासून संरक्षण करण्यासाठी धोरणे शोधणे.

साहित्य समीक्षा:

अनेक संशोधकांनी ग्रामीण उद्योजकता, बौद्धिक संपदा अधिकार (IPRs) आणि पारंपारिक ज्ञान यांचा छेदनबिंदू शोधून काढला आहे, ज्याने संधी आणि आव्हाने या दोन्हीवर प्रकाश टाकला आहे. स्मिथ आणि विल्यम्स (२०१५) यांनी जोर दिला की ग्रामीण उद्योजकता आर्थिक विकासात महत्वाची भूमिका बजावते परंतु मोठ्या प्रमाणात उत्पादित पर्यायामधून तीव्र स्पर्धेचा सामना करावा लागतो. गुप्ता (२०१८) यांनी मर्यादित बाजारपेठेतील प्रवेश आणि आर्थिक अडचणींमुळे स्वदेशी ज्ञान प्रणालींचे अवमूल्यन अधोरेखित केले. दास आणि शर्मा (२०१७)

यांनी पारंपारिक उत्पादनांचे बाजार मूल्य वाढविण्यासाठी भौगोलिक संकेतांच्या (GIs) फायद्यांचे विश्लेषण केले, तर चक्रवर्ती आणि मिश्रा (२०१९) यांनी ग्रामीण उद्योजकांमध्ये जागरूकता आणि कायदेशीर कौशल्याचा अभाव निदर्शनास आणला, ज्यामुळे IPR स्वीकारणे कठीण होते. पटेल (2016) यांनी पारंपारिक ज्ञानाच्या शोषणाच्या आसपासच्या नैतिक चिंतांवर चर्चा केली, ज्यांनी कॉर्पोरेशन्सद्वारे गैरवापर रोखण्यासाठी मजबूत कायदेशीर संरक्षणाची वकिली केली. दार्जिलिंग टी (इंडिया) आणि टकीला (मेक्सिको) सारख्या यशस्वी भौगोलिक संकेत नोंदणीवरील केस स्टडीजचे ग्रामीण अर्थव्यवस्थेवर सकारात्मक प्रभाव राव आणि बॅनर्जी (२०२०) यांनी तपासले. तथापि, कुमार आणि सिंग (२०२१) यांनी उच्च नोंदणी खर्च आणि नोकरशाहीचे अडथळे हे बौद्धिक संपदा अधिकार प्रवेशयोग्यतेतील प्रमुख अडथळे म्हणून ओळखले, तर अग्रवाल आणि इतर. (२०२२) ने निदर्शनास आणले की डिजिटल विभाजनाने ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार संरक्षणाचा लाभ घेण्यापासून अधिक मर्यादा येतात. धोरण शिफारशी मेहता (२०२३) यांनी दिल्या होत्या, ज्यांनी सुलभता सुधारण्यासाठी सरकारी अनुदाने, शैक्षणिक कार्यक्रम आणि स्थानिक बौद्धिक संपदा अधिकार सुविधा केंद्रे सुचवली. हे अध्ययन एकत्रितपणे ग्रामीण उद्योजकांना त्यांच्या पारंपारिक ज्ञानाचे आणि स्थानिक उत्पादनांचे संरक्षण आणि व्यावसायिकीकरण करण्यासाठी मजबूत कायदेशीर चौकट, वाढीव जागरूकता आणि धोरणात्मक हस्तक्षेपांची आवश्यकता अधोरेखित करतात.

संशोधन पद्धती:

हा अध्ययन ग्रामीण उद्योजकता, बौद्धिक संपदा अधिकार (IPR), पारंपारिक ज्ञान आणि स्थानिक उत्पादने यांच्यातील संबंध तपासण्यासाठी मिश्र पद्धतीचा वापर करतो. हे माहिती संकलित करण्यासाठी सर्वेक्षणे, मुलाखती, लक्षित गट चर्चा, शैक्षणिक

जर्नल्स, सरकारी अहवाल आणि परिस्थिती अध्ययन वापरते. कल आणि आव्हानांचे विश्लेषण करण्यासाठी अध्ययन उद्देशपूर्ण नमुना आणि परिमाणवाचक विश्लेषण वापरतो. तथापि, मर्यादांमध्ये मर्यादित जागरूकता, भौगोलिक मर्यादा आणि कायदेशीर गुंतागुंत यांचा समावेश होतो. संशोधन पारंपारिक ज्ञान आणि स्थानिक उत्पादनांच्या प्रभावी संरक्षण व व्यापारीकरणासाठी मौल्यवान अंतर्दृष्टी प्रदान करते.

ग्रामीण उद्योजकता आणि बौद्धिक संपदा हक्क: संधी आणि आव्हाने, पारंपारिक ज्ञान आणि स्थानिक उत्पादने:

ग्रामीण भागातील आर्थिक विकास, गरिबी निवारण आणि शाश्वत उपजीविकेसाठी ग्रामीण उद्योजकता महत्त्वपूर्ण आहे. तथापि, बौद्धिक संपदा अधिकार (IPR), पारंपारिक ज्ञान आणि स्थानिक उत्पादनांसह ग्रामीण उद्योजकतेचा छेदनबिंदू संधी आणि आव्हाने दोन्ही सादर करतो.

संधींमध्ये पारंपारिक ज्ञानाचे जतन आणि व्यापारीकरण, अनन्य स्थानिक उत्पादनांसाठी विशिष्ट बाजारपेठ निर्माण करणे, पेटंट व प्रमाणपत्रांद्वारे नवकल्पना प्रोत्साहित करणे आणि नागोया प्रोटोकॉल अंतर्गत लाभ-सामायिकरण कराराद्वारे शाश्वत विकास आणि जैवविविधता संवर्धनाला प्रोत्साहन देणे समाविष्ट आहे. तथापि, अनेक ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार आणि त्यांच्या नवकल्पनांचे व उत्पादनांचे संरक्षण करण्यासाठी ते कसे वापरावे याबद्दल माहिती नसते, ज्यामुळे त्यांची व्यापक बाजारपेठांमध्ये स्पर्धा करण्याची क्षमता मर्यादित होते. ग्रामीण समुदायांना बौद्धिक संपदा अधिकारा बद्दल शिक्षित करण्यासाठी आणि पेटंट, ट्रेडमार्क किंवा भौगोलिक संकेत दाखल करण्यासाठी समर्थन प्रदान करण्यासाठी क्षमता-निर्माण उपक्रमांची आवश्यकता आहे.

मर्यादित संसाधने असलेल्या ग्रामीण उद्योजकांसाठी उच्च खर्च आणि जटिल प्रक्रिया

महत्त्वपूर्ण अडथळा ठरू शकतात. बौद्धिक संपदा अधिकार प्रक्रिया सुलभ करणे आणि आर्थिक सहाय्य प्रदान करणे या आव्हानावर मात करण्यास मदत करू शकते. पारंपारिक ज्ञानाचा गैरवापर हा अनेकदा चिंतेचा विषय असतो, कारण यामुळे बायोपायरसी आणि सांस्कृतिक विनियोगाबद्दल नैतिक आणि कायदेशीर चिंता निर्माण होते. या समस्यांचे निराकरण करण्यासाठी जागतिक बौद्धिक संपदा संघटनेची बौद्धिक संपदा आणि अनुवांशिक संसाधने, पारंपारिक ज्ञान आणि लोककथा यासारख्या कायदेशीर चौकटी मजबूत करणे आवश्यक आहे.

संरक्षण आणि खुल्या प्रवेशाचा समतोल राखणे महत्त्वाचे आहे, कारण बौद्धिक संपदा अधिकार पारंपारिक ज्ञान आणि स्थानिक उत्पादनांचे संरक्षण करू शकतात परंतु ग्रामीण समुदायांच्या उपजीविकेसाठी आवश्यक असलेल्या संसाधनांवर प्रवेश देखील प्रतिबंधित करू शकतात. पर्यायी मॉडेल्स, जसे की मुक्त-स्रोत परवाना किंवा समुदाय-आधारित बौद्धिक संपदा अधिकार प्रणाली, अधिक लवचिक उपाय देऊ शकतात.

बाजारपेठेतील प्रवेश आणि स्पर्धा ही ग्रामीण उद्योजकांसाठी आव्हानेही ठरू शकतात. पुरवठा साखळी बळकट करणे, डिजिटल कनेक्टिव्हिटी सुधारणे आणि ई-कॉमर्स प्लॅटफॉर्मला प्रोत्साहन देणे यामुळे व्यापक प्रेक्षकांपर्यंत पोहोचण्यास मदत होऊ शकते.

यशस्वी होण्यासाठी, यशाच्या धोरणांमध्ये क्षमता निर्माण आणि जागरूकता मोहिमा, कायदेशीर चौकट मजबूत करणे, सार्वजनिक-खाजगी भागीदारी, डिजिटल प्लॅटफॉर्मला प्रोत्साहन देणे आणि समुदाय-आधारित बौद्धिक संपदा अधिकार मॉडेल यांचा समावेश आहे. जागरूकता, खर्च, गैरवापर आणि बाजारपेठेतील प्रवेश या आव्हानांना तोंड देऊन, ग्रामीण उद्योजकता आर्थिक वाढ, सांस्कृतिक संरक्षण आणि शाश्वत विकासासाठी महत्त्वपूर्ण संधी उघडू शकते. पारंपारिक ज्ञान आणि स्थानिक उत्पादनांचा आदर

करणारे सक्षम वातावरण निर्माण करून, भागधारक ग्रामीण उद्योजकांसाठी अधिक न्याय्य आणि समृद्ध भविष्य निर्माण करू शकतात.

ग्रामीण उद्योजकता: व्याख्या आणि महत्त्व:

ग्रामीण उद्योजकता ही ग्रामीण भागातील व्यावसायिक उपक्रम ओळखणे, तयार करणे आणि त्यांचे व्यवस्थापन करणे, स्थानिक पातळीवर उपलब्ध संसाधने, कौशल्ये आणि पारंपारिक ज्ञान यांचा वापर करून आर्थिक मूल्य निर्माण करण्याची प्रक्रिया आहे. हा सामाजिक-आर्थिक विकासाचा एक शक्तिशाली चालक आहे, विशेषतः अशा प्रदेशांमध्ये जेथे वाढत्या लोकसंख्येला टिकवून ठेवण्यासाठी पारंपारिक उद्योग यापुढे पुरेसे नाहीत. मुख्य योगदानांमध्ये ग्रामीण बेरोजगारी आणि स्थलांतर कमी करणे, स्थानिक आर्थिक विकासाला चालना देणे, पारंपारिक कलाकुसर आणि सांस्कृतिक वारसा जतन करणे, नवकल्पना आणि शाश्वत पद्धतींना प्रोत्साहन देणे, ग्रामीण भागातील जीवनमान सुधारणे, शहरी-ग्रामीण विभागणी दूर करणे, अन्न सुरक्षा आणि कृषी समुदाय विकासाला समर्थन देणे, आणि सामाजिक विकासासाठी मदत करणे समाविष्ट आहे.

ग्रामीण उद्योजकतेच्या उदाहरणांमध्ये कृषी, हस्तकला, ग्रामीण पर्यटन, अक्षय ऊर्जा उपक्रम आणि डिजिटल आणि ई-कॉमर्स प्लॅटफॉर्म यांचा समावेश आहे. तथापि, ग्रामीण उद्योजकांसमोरील आव्हानांमध्ये वित्त आणि पत सुविधांपर्यंत मर्यादित प्रवेश, पायाभूत सुविधांचा अभाव, मर्यादित बाजारपेठेतील प्रवेश आणि विपणन कौशल्ये, कुशल कामगार आणि तांत्रिक कौशल्याची कमतरता, नियामक अडथळे आणि नोकरशाहीची अकार्यक्षमता आणि हवामान बदल आणि पर्यावरणाचा ऱ्हास होण्याची असुरक्षा यांचा समावेश आहे.

शेवटी, ग्रामीण उद्योजकता हे ग्रामीण अर्थव्यवस्था बदलण्यासाठी, सांस्कृतिक वारसा जतन करण्यासाठी आणि शाश्वत विकासाला चालना

देण्यासाठी एक महत्त्वपूर्ण साधन आहे. या आव्हानांना संबोधित करून आणि आवश्यक सहाय्य प्रदान करून, धोरणकर्ते, व्यवसाय आणि समुदाय ग्रामीण उद्योजकतेची पूर्ण क्षमता वाढवू शकतात, ज्यामुळे ग्रामीण आणि शहरी लोकसंख्येला फायदा होणारी अधिक समावेशक आणि न्याय्य वाढ होऊ शकते.

बौद्धिक संपदा हक्क आणि ग्रामीण उद्योजकतेशी त्यांची प्रासंगिकता:

बौद्धिक संपदा अधिकार (IPR) हे पेटंट, ट्रेडमार्क, कॉपीराइट, भौगोलिक संकेत (GI) आणि पारंपारिक ज्ञान यांसारख्या अमूर्त मालमत्तेचे रक्षण करण्यासाठी निर्माण केलेले कायदेशीर संरक्षण आहेत. हे अधिकार ग्रामीण उद्योजकांसाठी महत्त्वपूर्ण आहेत, जे त्यांच्या नवकल्पना आणि उत्पादनांचे अनधिकृत वापरापासून संरक्षण करू शकतात, त्यांच्या बौद्धिक मालमत्तेवर त्यांचे नियंत्रण ठेवू शकतात. भौगोलिक संकेतांचा वापर दार्जिलिंग चहा किंवा शॅम्पेन सारख्या अद्वितीय स्थानिक उत्पादनांना प्रोत्साहन देण्यासाठी, त्यांचे बाजार मूल्य वाढवण्यासाठी आणि ग्राहकांचा विश्वास निर्माण करण्यासाठी केला जाऊ शकतो.

बौद्धिक संपदा अधिकार ब्रँडिंग आणि बाजारपेठेतील भिन्नतेसाठी संधी देखील देते, ज्यामुळे ग्रामीण उत्पादनांना स्पर्धात्मक बाजारपेठांमध्ये, विशेषतः हस्तकला, सेंद्रिय खाद्यपदार्थ आणि पारंपारिक औषधांसाठी वेगळे उभे राहता येते. बौद्धिक संपदा अधिकार आर्थिक सहाय्य आणि गुंतवणुकीसाठी प्रवेश देखील सुलभ करू शकते, कारण बौद्धिक संपत्ती मालमत्तेचा कर्जासाठी संपार्श्विक म्हणून वापर केला जाऊ शकतो किंवा अद्वितीय नवकल्पनांमध्ये स्वारस्य असलेल्या गुंतवणूकदारांना आकर्षित करू शकतो.

बौद्धिक संपदा अधिकार नवीन कल्पना आणि उत्पादनांना कायदेशीर संरक्षण देऊन ग्रामीण उद्योजकांमध्ये नवकल्पना आणि कौशल्य विकासाला प्रोत्साहन देते. उदाहरणार्थ, पेटंट कृषी नवकल्पनांचे संरक्षण करू शकतात, तर कॉपीराइट पारंपरिक कला

आणि संगीताचे रक्षण करू शकतात. हे केवळ सर्जनशीलतेला चालना देत नाही तर पारंपारिक ज्ञानाचे जतन आणि आधुनिकीकरण देखील करते, समकालीन बाजारपेठांमध्ये त्याची प्रासंगिकता सुनिश्चित करते.

बौद्धिक संपदा अधिकार स्वदेशी ज्ञान आणि संसाधनांच्या गैरवापराचा मुकाबला करण्यास मदत करते, योग्य भरपाई आणि योगदानासाठी मान्यता सुनिश्चित करते. एकूणच, बौद्धिक संपदा अधिकार ग्रामीण उद्योजकांना त्यांच्या बौद्धिक मालमत्तेचे संरक्षण करण्यास, त्यांच्या उत्पादनांमध्ये फरक करण्यास, आर्थिक संसाधनांमध्ये प्रवेश करण्यास आणि नवकल्पना चालविण्यास सक्षम बनवून, ग्रामीण अर्थव्यवस्थेच्या शाश्वत विकासामध्ये योगदान देते.

पारंपारिक ज्ञान आणि स्थानिक उत्पादने:

पारंपारिक ज्ञान (TK) हे स्थानिक आणि स्थानिक समुदायांमध्ये पिढ्यान्पिढ्या दिलेले सामूहिक शहाणपण, पद्धती, कौशल्ये आणि नवकल्पना आहे. हे अनेक ग्रामीण उत्पादनांचा आधार बनवते, जसे की हस्तनिर्मित कापड, पारंपारिक हस्तकला, हर्बल औषधे, सेंद्रिय कृषी पद्धती आणि अद्वितीय अन्न उत्पादने. ही उत्पादने ग्रामीण उद्योजकांसाठी केवळ उपजीविकेचे साधन नसून त्यांची सांस्कृतिक ओळख आणि वारसा देखील दर्शवतात. तथापि, या उत्पादनांचे व्यापारीकरण अनेकदा ओळख, वाजवी भरपाई आणि शोषणापासून संरक्षणाच्या दृष्टीने आव्हानांना सामोरे जाते.

स्थानिक समुदायांना त्यांच्या योगदानासाठी ओळखण्यात आणि भरपाई देण्यात बौद्धिक संपदा अधिकार संरक्षण महत्त्वपूर्ण भूमिका बजावते. पारंपारिक ज्ञानाचे कायदेशीर संरक्षण करून, हे सुनिश्चित करते की ज्या समुदायांनी शतकानुशतके या ज्ञानाचे पालनपोषण आणि जतन केले आहे त्यांना त्यांचे हक्काचे मालक म्हणून मान्यता दिली जाईल. भौगोलिक संकेत (GI) चा वापर दार्जिलिंग चहा किंवा शॅम्पेन सारख्या उत्पादनांचे संरक्षण करण्यासाठी, त्यांना त्यांच्या मूळ स्थानाशी जोडण्यासाठी आणि केवळ त्या

प्रदेशातील उत्पादकच नाव वापरू शकतील याची खात्री करण्यासाठी केला जाऊ शकतो. हे केवळ उत्पादनाचे मूल्यच वाढवत नाही तर आर्थिक फायदे समाजात राहतील याची देखील खात्री करते.

बौद्धिक संपदा अधिकार संरक्षणामुळे बायो-पायरसी आणि कॉर्पोरेशनद्वारे होणारे शोषण देखील रोखले जाते. बायो-पायरसी म्हणजे बाह्य संस्थांद्वारे पारंपारिक ज्ञानाचा किंवा जैविक संसाधनांचा अनधिकृत वापर, अनेकदा व्यावसायिक फायद्यासाठी, मूळ समुदायांच्या संमतीशिवाय किंवा नुकसानभरपाईशिवाय. बौद्धिक संपदा अधिकार यंत्रणा, जसे की पेटंट आणि पारंपारिक ज्ञान डेटाबेस, कायदेशीर सुरक्षा प्रदान करून अशा प्रकारचे शोषण रोखण्यास मदत करू शकतात.

बौद्धिक संपदा अधिकार संरक्षण पारंपारिक उत्पादनांसाठी जागतिक बाजारपेठेतील प्रवेश देखील वाढवते. भौगोलिक संकेत, ट्रेडमार्क आणि प्रमाणपत्रे पारंपारिक उत्पादनांचे अद्वितीय गुण आणि सांस्कृतिक महत्त्व अधोरेखित करू शकतात, ज्यामुळे ते ग्राहकांना अधिक आकर्षक बनतात. हे केवळ ग्रामीण उद्योजकांना प्रीमियम बाजारामध्ये प्रवेश करण्यास मदत करत नाही तर ग्राहकांचा विश्वास आणि निष्ठा देखील निर्माण करते.

शिवाय, बौद्धिक संपदा अधिकार संरक्षण पारंपारिक ज्ञान आणि स्थानिक संसाधनांचे संरक्षण आणि शाश्वत वापर करण्यास प्रोत्साहित करते. आर्थिक प्रोत्साहन देऊन, बौद्धिक संपदा अधिकार समुदायांना त्यांची पारंपारिक कौशल्ये आणि ज्ञानाचा सराव आणि जतन करणे सुरू ठेवण्यास प्रवृत्त करते, विशेषतः जागतिकीकरणाच्या काळात जेथे पारंपारिक पद्धती नष्ट होण्याचा धोका असतो.

बौद्धिक संपदा अधिकाराद्वारे ग्रामीण उद्योजकांना संधी:

भौगोलिक संकेत (GI) हा संरक्षणाचा एक संच आहे जो विशिष्ट प्रदेशांसाठी अद्वितीय उत्पादनांचे

संरक्षण आणि प्रचार करतो, त्यांची विश्वासार्हता आणि विक्रीयोग्यता वाढवतो. दार्जिलिंग टी, पश्मिना वूल आणि मधुबनी पेंटिंग यांसारख्या या वस्तूंचे सांस्कृतिक आणि पर्यावरणीय महत्त्व GI संप्रेषण करतात. पेटंट आणि कॉपीराइट नाविन्यपूर्ण ग्रामीण तंत्रज्ञान आणि कलात्मक अभिव्यक्तींचे संरक्षण करतात, सर्जनशीलता आणि आर्थिक वाढीस चालना देतात. हे ग्रामीण कलाकार, संगीतकार आणि कारागीर यांच्या बौद्धिक मालमत्तेचे संरक्षण करतात, त्यांच्या निर्मितीचे अनधिकृत वापर आणि पुनरुत्पादनापासून संरक्षण होते याची खात्री करतात.

ट्रेडमार्क ग्रामीण उद्योगांना त्यांची ब्रँड ओळख स्थापित करण्यास, त्यांच्या उत्पादनांमध्ये फरक करण्यास आणि ग्राहकांची ओळख आणि निष्ठा निर्माण करण्यास अनुमती देतात. एक मजबूत ट्रेडमार्क स्थानिक उत्पादनांवर विश्वास वाढवू शकतो, ग्राहकांना प्रामाणिक, उच्च-गुणवत्तेच्या वस्तू मिळतील याची खात्री करून. उदाहरणार्थ, हाताने बनवलेल्या हस्तकलेची एक ओळ तयार करणारा ग्रामीण उद्योजक त्यांच्या अद्वितीय लोगो आणि पॅकेजिंगचे संरक्षण करण्यासाठी ट्रेडमार्क नोंदणी करू शकतो.

बौद्धिक संपदा अधिकार केवळ उत्पादनांचे संरक्षण करत नाही तर मोठ्या उद्योगांसह सहयोग आणि आंतरराष्ट्रीय बाजारपेठांमध्ये प्रवेशाचे दरवाजे देखील उघडते. बौद्धिक संपदा हक्क सुरक्षित करून, ग्रामीण उद्योजक मोठ्या ब्रँड किंवा बहुराष्ट्रीय कंपन्यांशी भागीदारी करू शकतात, परिणामी संसाधने, तंत्रज्ञान हस्तांतरण आणि विस्तारित बाजारपेठेत पोहोचू शकतात. संरक्षण आणि संधीचे हे संयोजन ग्रामीण उद्योजकांना नवनवीन शोध, परंपरा जपण्यासाठी आणि स्थानिक बाजारपेठांच्या पलीकडे त्यांचे व्यवसाय विस्तारित करण्यासाठी प्रोत्साहित करते, त्यांच्या समुदायाच्या शाश्वत आर्थिक विकासात योगदान देते.

ग्रामीण उद्योजकतेमध्ये बौद्धिक संपदा अधिकार लागू करण्यात आव्हाने:

ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार (IPR) च्या फायद्यांबद्दल आणि ते सुरक्षित करण्याच्या प्रक्रियेबद्दल माहिती नसते, ज्यामुळे ओळख आणि बाजार विस्ताराच्या संधी गमावल्या जाऊ शकतात. शैक्षणिक अंतरांमुळे बौद्धिक संपदा अधिकार मिळवण्याच्या किचकटपणाबद्दल किंवा खर्चाबद्दल गैरसमज देखील होऊ शकतात, ग्रामीण उद्योजकांना या संरक्षणांचा पाठपुरावा करण्यापासून परावृत्त करतात.

उच्च नोंदणी आणि कायदेशीर खर्च हा ग्रामीण उद्योजकांसाठी आणखी एक महत्वाचा अडथळा आहे, कारण या प्रक्रियेमध्ये अनेकदा महत्त्वपूर्ण आर्थिक आणि प्रशासकीय भार पडतो. कायदेशीर शुल्क, दस्तऐवजीकरण खर्च आणि तांत्रिक कौशल्याची गरज यामुळे लहान-मोठ्या ग्रामीण व्यवसायांना त्यांचे हक्क सुरक्षित करणे आणि त्यांची अंमलबजावणी करणे कठीण होऊ शकते. याव्यतिरिक्त, निर्यातीच्या संभाव्यतेसाठी एकाधिक अधिकारक्षेत्रांमध्ये संरक्षण मिळविणे खर्च वाढवते, आणि सहभागास आणखी निराश करते.

अनेक ग्रामीण भागात अपुरा सरकारी पाठिंबा आणि पायाभूत सुविधा ही देखील एक महत्वाची समस्या आहे. उद्योजकांना बौद्धिक संपदा अधिकार संरक्षण समजून घेण्यास आणि त्यामध्ये प्रवेश करण्यात मदत करू शकणाऱ्या स्थानिक कायदेशीर सहाय्य किंवा सरकारी उपक्रमांची अनेकदा कमतरता असते. बौद्धिक संपदा अधिकार वरील शिक्षण आणि प्रशिक्षणासाठी मर्यादित समर्थन म्हणजे अनेक उद्योजकांना या संरक्षणांचे भांडवल कसे करायचे हे पूर्णपणे समजू शकत नाही, ज्यामुळे संभाव्य फायदे कमी होतात.

गैरवापराच्या कलामुळे ग्रामीण उद्योजकांनाही धोका निर्माण होतो, कारण ते असमान कायदेशीर शक्ती आणि संसाधनांमुळे मालकी सिद्ध करण्यासाठी किंवा न्याय मिळवण्यासाठी संघर्ष करू

शकतात. अनेक ग्रामीण समुदायांमध्ये बहुराष्ट्रीय कंपन्यांविरुद्ध लांब आणि महागड्या कायदेशीर लढाया लढण्यासाठी आर्थिक साधनांची कमतरता असते, ज्यामुळे त्यांच्या पारंपारिक ज्ञानाचा योग्य मोबदला न घेता शोषण होतो.

या आव्हानांना तोंड देण्यासाठी, जागरूकता वाढवण्यासाठी, खर्च कमी करण्यासाठी आणि ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार प्रक्रियेत वावरण्यासाठी समर्थन देण्यासाठी सरकारी संस्था आणि गैर सरकारी संस्था या दोन्हीकडून एकत्रित प्रयत्नांची गरज आहे.

निष्कर्ष:

पारंपारिक ज्ञान आणि स्थानिक उत्पादनांमध्ये रुजलेल्या ग्रामीण उद्योजकतेमध्ये आर्थिक वाढ आणि सांस्कृतिक संरक्षणाची महत्त्वपूर्ण क्षमता आहे. बौद्धिक संपदा अधिकार (IPR) या मालमतेचे संरक्षण करण्यासाठी, उद्योजकांना त्यांच्या नवकल्पनांचे संरक्षण करण्यास, मान्यता मिळविण्यासाठी आणि जागतिक बाजारपेठांमध्ये प्रवेश करण्यास अनुमती देण्यासाठी महत्त्वपूर्ण आहेत. तथापि, ग्रामीण भागात बौद्धिक संपदा अधिकार प्रभावीपणे लागू करण्यात आव्हाने कायम आहेत, जसे की जागरूकतेचा अभाव, उच्च नोंदणी खर्च, अपुरा सरकारी पाठिंबा आणि गैरव्यवहाराच्या धमक्या. हे अडथळे ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार फायद्यांचा पूर्णपणे लाभ घेण्यास अडथळा आणतात, ज्यामुळे ते शोषण आणि जैव-चोरीगिरीला बळी पडतात. ग्रामीण उद्योजकतेची पूर्ण क्षमता उघडण्यासाठी, शिक्षणामध्ये गुंतवणूक करणे, पायाभूत सुविधांना समर्थन देणे आणि अधिक सुलभ कायदेशीर चौकट तयार करणे आवश्यक आहे. सरकार, एनजीओ आणि आंतरराष्ट्रीय संस्था यांच्या सहकार्याने ग्रामीण उद्योजकांना बौद्धिक संपदा अधिकार गुंतागुंती हाताळण्यात, त्यांच्या सांस्कृतिक वारशाचे रक्षण करण्यात, शाश्वतपणे नवनवीन शोध आणि जागतिक बाजारपेठेत भरभराट करण्यात मदत

होऊ शकते. ग्रामीण उद्योजकतेसह बौद्धिक संपदा अधिकार एकत्रित केल्याने अधिक समावेशक, न्याय्य जागतिक अर्थव्यवस्था होऊ शकते, जिथे स्थानिक समुदाय त्यांच्या बौद्धिक संपत्तीचे निर्मिती आणि लाभार्थी दोन्ही आहेत.

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ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकार: संधी आणि आव्हाने

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DOI - 10.5281/zenodo.14909926

सारांश:

ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकार (Intellectual Property Rights - IPR) यांचा परस्परसंबंध हा आर्थिक विकासासाठी अत्यंत महत्वाचा आहे. पारंपरिक ज्ञान, स्थानिक संसाधने आणि तंत्रज्ञानाच्या आधारे ग्रामीण भागात उद्योजकता विकसित करता येते. मात्र, या प्रवासात विविध संधी आणि आव्हाने असतात. या संशोधन पत्रामध्ये ग्रामीण उद्योजकतेच्या विकासात बौद्धिक संपदा अधिकारांचे महत्त्व, त्यांचे फायदे, अंमलबजावणीतील अडचणी आणि त्यावर उपाययोजना यांचा सखोल अभ्यास करण्यात आला आहे.

प्रस्तावना:

ग्रामीण भागातील उद्योजकता ही भारताच्या अर्थव्यवस्थेचा कणा आहे. देशातील एक मोठा लोकसंख्यावर्ग ग्रामीण भागात राहतो आणि कृषी व पारंपरिक उद्योगांवर अवलंबून असतो. आधुनिक काळात औद्योगिकीकरण आणि जागतिकीकरणामुळे ग्रामीण अर्थव्यवस्थेमध्ये मोठे बदल होत आहेत. नवकल्पना आणि तंत्रज्ञानाच्या मदतीने ग्रामीण उद्योजक आपल्या व्यवसायाला नवीन दिशा देऊ शकतात. यामध्ये बौद्धिक संपदा अधिकार (IPR) महत्वाची भूमिका बजावतात.

बौद्धिक संपदा अधिकारांचा उपयोग करून ग्रामीण उद्योजक त्यांच्या उत्पादनांची ओळख निर्माण करू शकतात आणि त्यांचे संरक्षण करू शकतात. उदाहरणार्थ, भौगोलिक संकेत (GI) टॅग असलेल्या उत्पादनांना जागतिक बाजारपेठेत विशेष स्थान मिळते. तसेच, पेटंट आणि ट्रेडमार्कच्या सहाय्याने नवोपक्रमांना सुरक्षा मिळते. परंतु, ग्रामीण भागात याबाबत जागरूकतेचा अभाव आहे. यामुळे स्थानिक उत्पादने

आणि पारंपरिक ज्ञान इतर उद्योगद्वारे सहज हस्तगत केले जाते आणि मूळ निर्मात्यांना योग्य लाभ मिळत नाही. या संशोधनात ग्रामीण उद्योजकतेसाठी बौद्धिक संपदा अधिकारांचे महत्त्व, त्यांचे फायदे, अंमलबजावणीतील अडचणी आणि उपाययोजना यांचा सखोल अभ्यास केला आहे. यामुळे ग्रामीण उद्योजकांना आपल्या उत्पादनांचे संरक्षण आणि मूल्यवर्धन करता येईल, तसेच भारतीय ग्रामीण अर्थव्यवस्थेला बळकटी मिळेल.

ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकार:

ग्रामीण उद्योजकता म्हणजे ग्रामीण भागातील व्यक्तींनी आपल्या कौशल्यांचा आणि स्थानिक संसाधनांचा वापर करून नवीन उत्पादने किंवा सेवा निर्माण करणे आणि त्याद्वारे आर्थिक प्रगती साधणे. हे क्षेत्र प्रामुख्याने लघु आणि मध्यम उद्योग (MSMEs), कृषी आधारित उद्योग, हस्तकला, सेवा उद्योग आणि स्थानिक संसाधनांवर आधारित विविध उद्योगांमध्ये

विभागले जाते. पारंपरिक ज्ञान, स्थानिक संसाधनांचा उपयोग आणि नवोन्मेषाच्या माध्यमातून ग्रामीण उद्योजक आपली उत्पादने बाजारात आणतात.

बौद्धिक संपदा अधिकार (IPR) म्हणजे सर्जनशीलतेतून निर्माण झालेल्या संकल्पनांचे कायदेशीर संरक्षण. यात पेटंट, ट्रेडमार्क, कॉपीराइट, भौगोलिक संकेत (GI), औद्योगिक डिझाइन आणि पारंपरिक ज्ञान संरक्षण समाविष्ट आहे. ग्रामीण उद्योजकता आणि बौद्धिक संपदा अधिकार यांचा जवळचा संबंध आहे कारण:

1. **पारंपरिक ज्ञानाचे संरक्षण:** अनेक ग्रामीण भागांत विशिष्ट उत्पादनांचे पारंपरिक ज्ञान असते. उदा. पैठणी साडी, वारली चित्रकला, कोल्हापुरी चप्पल यांसारख्या उत्पादनांना GI टॅग दिल्याने त्यांचे संरक्षण होते.
2. **नवोपक्रम आणि पेटंट:** कृषी आधारित तंत्रज्ञान, औषधी वनस्पतींवरील संशोधन, आणि स्थानिक संसाधनांवर आधारित उत्पादनांना पेटंट मिळू शकते.
3. **ब्रँड मूल्य निर्माण करणे:** ट्रेडमार्क आणि कॉपीराइटच्या माध्यमातून स्थानिक ब्रँडला ओळख मिळू शकते, ज्यामुळे बाजारपेठेतील विश्वासार्हता वाढते.
4. **स्पर्धात्मकता वाढविणे:** बौद्धिक संपदा संरक्षणामुळे ग्रामीण उत्पादकांना मोठ्या कंपन्यांशी स्पर्धा करण्यास मदत मिळते.

मात्र, ग्रामीण भागात बौद्धिक संपदा अधिकारांची जाणीव आणि अंमलबजावणी अजूनही मर्यादित आहे. त्यामुळे या क्षेत्राला अधिक धोरणात्मक पाठबळ आणि प्रशिक्षणाची आवश्यकता आहे.

बौद्धिक संपदा अधिकार आणि ग्रामीण उद्योजकता संधी:

1. **स्थानिक उत्पादने आणि GI टॅग:** भारतातील विविध पारंपरिक उत्पादने जसे की कोल्हापुरी चप्पल, चंदेरी साडी, आणि

दार्जिलिंग चहा यांना भौगोलिक संकेत (GI) टॅग मिळाल्यामुळे त्यांच्या बाजारपेठेतील किंमत वाढली आहे. त्यामुळे इतर ग्रामीण उत्पादने देखील GI टॅग मिळवून जागतिक स्तरावर स्थान निर्माण करू शकतात. महात्मा गांधी ग्रामीण औद्योगिकरण योजना (MGIRI) आणि इतर सरकारी योजना यामध्ये सहकार्य करू शकतात.

2. **नवीन संशोधन आणि नवोपक्रम:** जैविक शेती, सेंद्रिय उत्पादने आणि पारंपरिक औषधनिर्मिती यामध्ये पेटंट मिळवून स्थानिक शेतकऱ्यांना आर्थिक लाभ मिळू शकतो. उदाहरणार्थ, भारतातील काही ग्रामीण भागांमध्ये स्थानिक औषधी वनस्पतींवर संशोधन करून त्यांचे पेटंट घेतले गेले आहे, ज्यामुळे शेतकऱ्यांना त्याचा फायदा होतो.
3. **डिजिटल तंत्रज्ञान आणि ई-कॉमर्स:** डिजिटल प्लॅटफॉर्मच्या मदतीने ग्रामीण उत्पादकांना जागतिक बाजारपेठेत प्रवेश मिळू शकतो. उदा. Amazon, Flipkart, आणि सरकारी GeM (Government e-Marketplace) सारख्या ई-कॉमर्स प्लॅटफॉर्मद्वारे स्थानिक उत्पादने विक्रीस उपलब्ध होऊ शकतात. स्थानिक ब्रँड विकसित करून ग्रामीण उद्योजक आपली उत्पादने देशभरात तसेच आंतरराष्ट्रीय स्तरावर विकू शकतात.
4. **कौशल्य विकास आणि प्रशिक्षण:** ग्रामीण उद्योजकांसाठी बौद्धिक संपदा अधिकारांविषयी प्रशिक्षण कार्यक्रम हाती घेता येऊ शकतात. सरकार आणि स्वयंसेवी संस्था यांच्या माध्यमातून ग्रामीण भागात बौद्धिक संपदा अधिकारांबाबत जनजागृती केली जाऊ शकते.
5. **पर्यटन आणि सांस्कृतिक वारसा:** वारली चित्रकला, मधुबनी पेंटिंग, आणि इतर ग्रामीण

कला प्रकारांना ब्रँडिंग करून त्यांच्या मूल्यात वाढ केली जाऊ शकते. ग्रामीण पर्यटनाच्या माध्यमातून स्थानिक हस्तकला आणि परंपरागत उत्पादने जागतिक स्तरावर प्रसिद्ध करता येऊ शकतात.

बौद्धिक संपदा अधिकार आणि ग्रामीण उद्योजकता: मुख्य आव्हाने

ग्रामीण उद्योजकता ही स्थानिक संसाधनांवर आधारित असते, परंतु बौद्धिक संपदा अधिकार (IPR) नोंदणी आणि संरक्षणाच्या अभावामुळे ग्रामीण उद्योजक अनेक समस्यांना सामोरे जातात. खालील काही महत्वाची आव्हाने आणि त्यांची उदाहरणे दिली आहेत.

1. **जागरूकतेचा अभाव:** ग्रामीण भागातील उद्योजकांना BIPR म्हणजे काय आणि त्याचा व्यवसायावर कसा परिणाम होतो, याची पुरेशी माहिती नसते. उदाहरणार्थ, महाराष्ट्रातील काही शेतीपूरक उद्योग (जसे की मधमाशी पालन, सुगंधी तेलनिर्मिती) स्वतःचे ब्रँड नोंदवू शकत नाहीत आणि मोठ्या कंपन्या त्यांचे उत्पादन नोंदणी करून आपल्याच नावाने विकू शकतात.
2. **कठीण आणि खर्चिक नोंदणी प्रक्रिया:** पेटंट, ट्रेडमार्क, आणि GI टॅग मिळवण्यासाठी मोठा खर्च आणि वेळ लागतो. उदाहरणार्थ, कोल्हापुरी चप्पलला भौगोलिक निर्देश (GI) मिळवण्यासाठी वर्षानुवर्षे प्रयत्न करावे लागले. छोटे उद्योजक अशा गुंतागुंतीच्या प्रक्रियेत सहभागी होण्यास असमर्थ ठरतात.
3. **पारंपरिक ज्ञानाचे संरक्षण करण्याची अडचण:** ग्रामीण भागातील पारंपरिक हस्तकला, औषधी वनस्पतींवर आधारित उपचार पद्धती आणि लोककला ह्या मौलिक असूनही त्यांचे संरक्षण होत नाही. उदाहरणार्थ, आदिवासींच्या पारंपरिक

औषधोपचार पद्धती मोठ्या फार्मा कंपन्या पेटंट करून स्वतःच्या नावाने विकतात.

4. **अर्थसहाय्याचा अभाव:** बौद्धिक संपदा नोंदणी आणि संरक्षणासाठी मोठे आर्थिक भांडवल आवश्यक असते. उदाहरणार्थ, एखाद्या छोट्या शेतकऱ्याने नाविन्यपूर्ण शेती तंत्रज्ञान शोधले तरी पेटंटसाठी लागणाऱ्या खर्चांमुळे त्याला ते नोंदवता येत नाही.
5. **अनुकरणाचा धोका:** मोठ्या कंपन्या किंवा अन्य व्यवसायिक लहान उद्योजकांची उत्पादने कॉपी करतात. उदाहरणार्थ, वाराणसीतील बुनकरांनी विणलेल्या बनारसी साड्या मशीनवर मोठ्या प्रमाणात उत्पादित केल्या जातात, त्यामुळे पारंपरिक विणकरांचे नुकसान होते.

निष्कर्ष आणि शिफारसी:

निष्कर्ष:

ग्रामीण उद्योजकता ही भारताच्या आर्थिक विकासाचा महत्वाचा भाग आहे. मात्र, बौद्धिक संपदा अधिकार (BIPR) नोंदणी आणि अंमलबजावणीच्या अभावामुळे ग्रामीण उद्योजक आपल्या मौलिक कल्पनांचे आणि पारंपरिक ज्ञानाचे संरक्षण करू शकत नाहीत. BIPR संदर्भातील जागरूकतेचा अभाव, कठीण आणि खर्चिक नोंदणी प्रक्रिया, अर्थसहाय्याचा अभाव, आणि मोठ्या उद्योगांकडून अनुकरणाचा धोका ही मोठी आव्हाने आहेत. योग्य उपाययोजना केल्यास ग्रामीण उद्योजकांना त्यांच्या उत्पादनांना राष्ट्रीय आणि आंतरराष्ट्रीय स्तरावर ओळख मिळवता येईल.

शिफारसी:

1. **BIPR जागरूकता वाढविणे:** ग्रामीण भागात BIPR बाबत माहिती देणारे प्रशिक्षण कार्यक्रम आणि कार्यशाळा आयोजित कराव्यात.
2. **सरकारी पाठबळ:** बौद्धिक संपदा नोंदणीसाठी ग्रामीण उद्योजकांना आर्थिक मदत आणि सबसिडी द्यावी.

3. **सुलभ नोंदणी प्रक्रिया:** पेटंट, ट्रेडमार्क आणि GI टॅगसाठी ऑनलाइन आणि स्थानिक स्तरावर सोपी प्रक्रिया सुरू करावी.
 4. **स्थानीय कौशल्यांचे संरक्षण:** पारंपरिक उत्पादनांसाठी GI टॅग आणि विशेष संरक्षण धोरणे राबवावीत.
 5. **संशोधन आणि विकासाला चालना:** स्थानिक उद्योजकांना संशोधनासाठी सहकार्य करणाऱ्या संस्थांशी जोडले जावे.
 6. **कायदेशीर मदत केंद्रे:** ग्रामीण भागात BIPR संरक्षणासाठी मोफत किंवा स्वस्त कायदेशीर मदत उपलब्ध करून द्यावी.
- बौद्धिक संपदा हक्कांचा योग्य वापर केल्यास ग्रामीण उद्योजकता अधिक सक्षम होईल, स्थानिक उत्पादनांना जागतिक ओळख मिळेल आणि ग्रामीण अर्थव्यवस्थेला नवी चालना मिळेल.

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नव्वदोत्तरी ग्रामीण जीवनाचे बदलते स्वरूप

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DOI - 10.5281/zenodo.14909930

सारांश:

भारत हा शेतीप्रधान देश आहे. शेतकरी हा शेतीप्रधान देशाच्या केंद्रस्थानी आहे. भारतातील बहुतांश लोक खेड्यात राहतात. शेती करणारा शेतकरी हा ग्रामीण भागाचा केंद्रबिंदू आहे. शेतकऱ्यांच्या व्यथा, वेदना, त्यांच्या समस्या हे आपल्याला ग्रामीण जीवनातील वास्तवातून अनुभवयास मिळते.

१९९० हे दशक भारतीय अर्थव्यवस्थेमधला महत्वाचा दशक मानल्या जातो कारण याच दशकात भारत जागतिकीकरणाच्या प्रक्रियेत सहभागी झाला होता. जागतिकीकरणानेच अवघा देश ढवळून निघाला. याचे परिणाम भारतासारख्या दारिद्र्य आणि विषमता असणाऱ्या देशात तीव्रतेने जाणवू लागले. ग्रामीण जीवनावर शेतकऱ्यांच्या आत्महत्येचे सावट याच दशकात जाणवू लागले. बेकारी व जातव्यवस्था यातही भर पडली. ग्रामीण समाजाचे चित्र बदलू लागले. ग्रामीण भाग आणि त्यात वास्तव्यास असणारे लोक त्यांचा व्यवसाय, उपजिविकेची साधने यात बदल होत गेले. लहान लहान खेड्यांचे छोट्या छोट्या शहरात रूपांतर होऊ लागले. जमिनीला महत्व प्राप्त झाले आणि सुखसुविधांतही वाढ झाल्याने ग्रामीण भागातील लोकांची जीवन शैली झपाट्याने बदलत गेली. स्त्रिया शिक्षण घेऊ लागल्या परंतु त्यांचे दुय्यम स्थान कायम असून अन्याय, अत्याचार यात कुठलाही बदल झालेला दिसून येत नाही.

बीजशब्द – जागतिकीकरण, ग्रामीण, जीवन, शेतकरी, संस्कृती, उद्योग

प्रस्तावना:

१९९० दशक बदलाचे दशक ठरले या दशकात ग्रामीण वास्तव झपाट्याने बदलले. विदर्भातील ग्रामीण जीवनही या बदलापासून फार काळ दूर राहू शकले नाही. चंद्रपूर, भंडारा, गोंदिया, गडचिरोली यासारख्या जिल्ह्यातील ग्रामीण भागात वास्तव्यास असणारा शेतकरी देखिल अल्पभूधारक बनला शेतीवर उदरनिर्वाह करणे कठीण झाले. नोकऱ्या संपल्या, ग्रामीण भागात राजकीय पक्ष निर्माण झाले आणि जाती-धर्माचे राजकारण सुरू झाले. ग्रामीण जीवनाचे संस्काराचे वातावरण यामुळे नासले लोकांमधील स्नेहभाव संपुष्टात येऊन वैर वाढले. गट निर्माण झाले.

शहरातील संस्कृतीचा प्रभाव ग्रामीण संस्कृतीवर पडू लागला. औद्योगीकरण, शिक्षणाचे वाढते, समाजात नवीन सोयी-सुविधा, दळणवळणाची साधने यामुळे ग्रामीण जीवनाचा चेहरामोहरा बदलला. शहराशी ग्रामस्थांचा संपर्क वाढला. बारा बलुतेदारांचे जीवन कमाकमाने दुःख व दारिद्र्याकडे वाटचाल करू लागले.

देवाणघेवाण पद्धती बंद झाली. देशाचे लक्ष शेतीवर न राहता उद्योगांवर केंद्रीत झाले त्यामुळे भारतीय शेती संकटात आली व ग्रामीण भागातील लोक आपोआपच शहराकडे वळली गेली व खेडी ओस पडू लागली.

संशोधनाची उद्दिष्टे:

1. ग्रामीण जीवनाचे बदलते स्वरूप लक्षात घेणे.
2. जागतिकीकरणाच्या परिणामांचा अभ्यास करणे.
3. शहरी संस्कृतीचा ग्रामीण संस्कृतीवर पडलेला प्रभाव अभ्यासणे.

संशोधनाची गृहीतके:

1. १९९० नंतर ग्रामीण जीवनात सर्वच क्षेत्रात बदल होतांना दिसतात.
2. ग्रामव्यवस्थेत यंत्राच्या आगमणाने बलुतेदारी मोडीत निघालेली आहे.

ग्रामीण जीवनाचे वास्तव:

भारत देश कृषिप्रधान देश म्हणून ओळखला जातो. जवळजवळ ग्रामीण भागामध्येच ९०% शेती केली जाते शेतकरी शेती करतात त्यामुळे संपूर्ण देशाला धान्य पुरविले जाते.

२०२० च्या जणगणनेनुसार भारताची ग्रामीण लोकसंख्या ९०८,६८४,९५९ होती तर त्यामध्ये वाढ होउन २०२२ मध्ये ती ९०८,८०४,८११ इतकी झाली.

भारताच्या दोन तृतीयांश पेक्षा जास्त लोक हे खेड्यात राहतात. ग्रामीण भागातील वातावरण निसर्ग हा विविधांगी नटलेला होता. ग्रामीण माणसाचे निसर्गाशी एक धनिष्ठ नाते होते. माणसामधील नातेसंबंध देखिल जीवाभाचे असल्याचे चित्र १९९० पूर्वी दिसून येते.

पाटील, कुलकर्णी, देशमुख यांचे राजवाडे होते हे सर्व नाहीसे होउन पंच पद्धती देखिल अस्तित्वात होती. जातीप्रमाणे व्यवसाय केले जात असत. ग्रामीण भागात सर्वत्र 'गावगाडा' पद्धती अवलंबली जात असे. संपूर्ण जीवनव्यवस्थेत जीवनमूल्यांना महत्व होते. ग्रामीण भागात फुले, गांधी यांच्या विचारांचे प्रतिबिंब दिसत होते. एकंदरीतच संपूर्ण ग्रामीण भागाचे स्वरूप अधिक समृद्ध आणि सुरक्षित होते.

१९९० नंतर ग्रामीण जीवनात झालेले बदल:**सामाजिक व सांस्कृतिक बदल:**

ग्रामीण माणसाची जीवनशैली झपाट्याने बदलल्याचे चित्र १९९० नंतर दिसायला लागले. शहरी वातावरणाचा तेथील संस्कृतीचा प्रभाव ग्रामीण माणसावर पडायला लागला. यांत्रिकीकरण, औद्योगिकरणामुळे वाहतूक, दळणवळण, अनेक जीवनपयोगी वस्तू खेड्यापर्यंत पोहोचल्या प्रत्येक घरामध्ये इलेक्ट्रॉनिक वस्तू दिसायला लागल्या. घरासमोर दोनचाकी, चारचाकी वाहने उभी राहिली. अनेकांकडे टी.व्ही, फ्रीज, मोबाईल पोहचले. आता ग्रामीण स्त्रीया जात्यावर दळत नाही, उतरंदड्या लावत नाही, यात्रांना बैलगाड्यांचा प्रवास नाही. अर्थातच संपूर्ण ग्रामीण माणसाची जीवनशैली बदलल्याचे दिसून येते.

इतकेच नव्हे तर खेड्यातील पारंपारिक सण-उत्सव तितक्याश्या जाणीवेणी साजरे होतांना दिसत नाही. शिक्षणामुळे धार्मिक रूढी, परंपरा यांना आळा बसल्याचे दिसून येते. ग्रामीण भागातील वैशिष्ट्य म्हणजे एकल कुटुंब पद्धती ती देखिल शहराकडे होणाऱ्या प्रस्थानामुळे विघटीत होऊन विभक्त कुटुंबाचे चित्र गावात दिसू लागले.

असे असले तरी बलुदेवार-अलुतेदार शोषणाची साखळी मात्र मागे पडून माणसाच्या कर्तृत्वाला संधी मिळाली हे देखिल वास्तवता नाकारता येणार नाही.

कृषीसंबंधीत बदल:

नव्वदोतरी कालखंडामध्ये तंत्रज्ञान आणि माध्यमाची साधने यांची भरमसाठ वाढ झाली. जसजसे तंत्रज्ञान वाढू लागले बी-बियाणे, खतपद्धती यामध्ये बदल होत गेले. शेती व्यवसाय महत्वाचा असूनही औद्योगिकरणामुळे भारतीय शेती संकटात आली. व्यवसायाच्या आणि देशाच्या नियोजनामध्येही शेतीचा क्रम हा शेवटी ठेवण्यात आला. तंत्रज्ञानाच्या विकासांमुळे शेतकरी परावलंबी होत गेला. शेती व्यवसाय धोक्यात आले नव्या संशोधनामुळे उत्पादन

तर वाढले परंतु खर्च मात्र वाजवीपेक्षा जास्त वाढला. शेतकऱ्यांना फायदा मिळण्याऐवजी दुकानदार, व्यापारी, कारखानदार, कंपन्या यांनाच फायदा होऊ लागला.

जागतिकीकरणामुळे खुल्या बाजारपेठांना महत्व आले. शेतकरी मालक असूनही त्याला आपल्या मालाची किंमत ठरवण्याचा अधिकार नाही. शेतमालाला हवा तसा भाव मिळणासां झाला. आणि अर्थातच या सर्वांचा परिणाम बघता तरुण पीढी शेतीला नाकारून शहरांकडे वळली आणि शेतीचे महत्व कमी झाले.

राजकीय बदल:

ग्रामीण भागात राजकारणाचा शिरकाव झाला आणि ग्रामीण जीवनाच्या उद्भवस्तीकरणाला सुरवात झाली असं म्हणणे वावरां ठरणार नाही. सर्वच पक्षाचे नेते गावोगावी तयार झाले त्यामुळे गट निर्माण झाली. विचारांची विभागणी झाली. गावातील गट प्रामुख्याने धर्म, जात यावर आधारित असल्याने गावाचे एकीकरण न होता विघटनास सुरवात झाली.

अनेक शेतकरी संघटना स्थापन झाल्या शेतकऱ्यांच्या हक्कासाठी लढण्याचा दिखावा करून स्वार्थीपणाला धारा दिला गेला. जागतिकीरणामुळे, औद्योगिकीकरणामुळे खुल्या बाजारपेठा निर्माण झाल्या. शेतकरी स्वतः मालाचा पोशिंदा असूनही किंमत ठरविण्याचा अधिकार त्यांच्याकडून हिसकावून घेण्यात आला. अनेक आंदोलने झाली परंतु सत्तेचे राजकारण चालत असल्यामुळे शेतकरी संघ कायम उपाशीच राहिल्याचे दिसून येते.

शेतकऱ्याकरिता विविध शासनाच्या योजना अमलात आल्या असल्या तरी राजकारणी व शासकीय यंत्रणा आणि वरिष्ठ अधिकाऱ्यांची युती मात्र ग्रामीण जीवनाचे समृद्ध जीवन उजाड करायला कारणीभूत ठरतांना दिसते.

शैक्षणिक बदल:

नव्वदोत्तरी कालखंडामध्ये शिक्षणाचा प्रसार झाला खेडोपाडी अनेक शाळा अस्तित्वात आल्या शिक्षणाचे महत्व लोकांना कळू लागले अनेक

प्रसारमाध्यमे खेड्यात पोहचली. त्यामुळे ग्रामीण समाज सर्वांगाने बदलू लागला. शिक्षणाचा वाढता प्रभावाने गावातील जातीव्यवस्था काहीशी बाजूला सारली गेली. शेतकऱ्यांची मुले शिक्षण होऊ लागली. विविध शैक्षणिक संस्था उदयास येऊ लागल्या त्यामुळे शिक्षण महाग झाले. शिक्षणाने समाजात बदल घडवू पाहणारा तरुण मात्र मानसिक विवंचनेत अडकला. नोकरीकरिता त्याला डोनेशनची मागणी होऊ लागली. शेतकरी कुटुंबातील मुलांची गडपेयी होऊ लागली. कितीतरी शेतकऱ्यांनी मुलांच्या नोकरीकरिता शेती विकली परंतु भ्रष्टाचारास बळी गेल्याचे चित्र देखिल त्या काळात दिसू लागले. शिक्षणाच्या नावावर होणारी लुट आणि पिळवणूक यामुळे नवी पिढी मात्र अनेक शैक्षणिक बदलांचे बळी ठरले.

स्त्री जीवनातील बदल:

भारतामध्ये पितृसत्ताक कुटुंबपद्धती अस्तित्वात आहे त्यामुळे स्त्री ला आपसूकच दुय्यम स्थान मिळालेले आहे. भारतीय कुटुंबव्यवस्थेत स्त्रियांना महत्व असले तरी स्त्री कायम कुटुंबाला बांधलेली दिसते. स्व-अस्तित्वाचे भान तिला नाही ग्रामीण स्त्रीची शेती आणि माती यामुळे तीची वेगळी ओळख ठरते. आधुनिकीकरणाचा प्रभाव ग्रामीण भागावर पडायला सुरवात झाली आणि एकल कुटुंब पद्धती लयास जाऊन विभक्त कुटुंब पद्धती अस्तित्वात आल्याचे चित्र पहावयास मिळते असे असले तरी स्त्री जीवन हे परंपरानिष्ठ आणि शोषिक स्वरूपाचे जाणवते. ग्रामीण स्त्रीची संस्कृती ही अन्य भारतीय स्त्रियांच्या संस्कृतीपेक्षा वेगळी ठरते.

नव्वदोत्तर कालखंडामध्ये स्त्रिया शिक्षित झाल्या असल्या तरी देखिल समाजात पुरुषाच्या तुलनेत तिचे वर्चस्व निष्फळ ठरतांना दिसते. कित्येक स्त्रियांना शिक्षणासाठी संघर्ष करावा लागतो. खेड्यातील स्त्रिया राजकारणात येऊ पाहतांना तिची होणारी घुसमट आणि गलिच्छ राजकारण यांच्याशी तिचे नाते जोडत पुरुषी वर्चस्व तिच्या शोषणाचे प्रारूप अधोरेखित करते.

निष्कर्ष:

1. नव्वदोत्तरी कालखंडामध्ये कृषीसंस्कृती धोक्यात येऊन गावगाडा उद्धस्त होत आहे.
2. शहरी संस्कृतीचा प्रभाव ग्रामीण संस्कृतीवर पडल्याने काही सकारात्मक तर काही नकारात्मक बदल जाणवतांना दिसतात.
3. यांत्रिकीकरणाने शेतीमध्ये अमुलाग्र बदल झाले असले तरी शेतीचे महत्व कमी होतांना दिसून येते.
4. ग्रामीण स्त्रिचे नाते अन्याय, अत्याचार, शोषणाशी कायमच जोडल्याचे दिसते.

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लघु आणि मध्यम उद्योगांमध्ये बौद्धिक संपदा हक्कांचे महत्त्व

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DOI - 10.5281/zenodo.14909936

सारांश (Abstract):

लघु आणि मध्यम उद्योग (SMEs) हे आर्थिक प्रगतीसाठी महत्वाचे असून, रोजगार निर्मिती आणि नवकल्पनांमध्ये त्यांचा मोठा वाटा असतो. बौद्धिक संपदा हक्क (IPR) SMEs साठी उत्पादन, सेवा आणि नाविन्यपूर्ण संकल्पनांचे संरक्षण करण्याचे प्रभावी साधन आहे. या संशोधनात SMEs साठी IPR चे महत्त्व, त्याच्या अंमलबजावणीतील अडचणी आणि सरकारी धोरणांचा आढावा घेतला आहे. माहितीचा अभाव, उच्च खर्च आणि कायदेशीर गुंतागुंत यामुळे अनेक SMEs IPR नोंदणीसाठी पुढे येत नाहीत. तथापि, 2016 च्या राष्ट्रीय बौद्धिक संपदा धोरणाने आणि MSME मंत्रालयाच्या विविध योजनांनी प्रक्रियेस काही प्रमाणात सुलभ केले आहे. संशोधनानुसार, SMEs साठी IPR जागरूकता वाढवणे, नोंदणी प्रक्रिया सुलभ करणे आणि सरकारी प्रोत्साहन योजनांची प्रभावी अंमलबजावणी आवश्यक आहे. भविष्यात IPR चा SMEs च्या वाढीवरील परिणाम अधिक सखोल अभ्यासता येईल.

बीज शब्द (Keywords): बौद्धिक संपदा हक्क (IPR), लघु आणि मध्यम उद्योग (SMEs), नाविन्य, पेटंट, ट्रेडमार्क.

प्रस्तावना:

लघु आणि मध्यम उद्योग (Small and Medium Enterprises - SMEs) हे कोणत्याही देशाच्या आर्थिक प्रगतीचा महत्वाचा घटक आहेत. भारतासारख्या विकसनशील राष्ट्रांमध्ये हे उद्योग रोजगार निर्मिती, नवसंशोधन आणि आर्थिक वृद्धीला चालना देतात. औद्योगिकीकरणाच्या प्रक्रियेत SMEs च्या प्रगतीसाठी बौद्धिक संपदा हक्क (Intellectual Property Rights - IPR) महत्त्वपूर्ण भूमिका बजावतात. IPR चा प्रभावी वापर केल्यास SMEs ना त्यांच्या उत्पादनांचे, सेवांचे आणि नाविन्यपूर्ण कल्पनांचे संरक्षण मिळते. तसेच, आंतरराष्ट्रीय स्पर्धेत टिकून राहण्यासाठी आणि गुंतवणूकदारांना आकर्षित करण्यासाठीही बौद्धिक संपदा हक्क आवश्यक ठरतात.

पेटंट, कॉपीराइट, ट्रेडमार्क आणि व्यापार गुपिते यांसारख्या हक्कांमुळे SMEs त्यांच्या उत्पादनांचे आणि सेवांचे संरक्षण करू शकतात. तथापि, IPR च्या अंमलबजावणीत SMEs समोर काही गंभीर अडचणी येतात. मर्यादित वित्तीय स्रोत, आवश्यक माहितीचा अभाव, कायदेशीर प्रक्रियेतील गुंतागुंत आणि जागरूकतेचा अभाव ही प्रमुख आव्हाने आहेत. परिणामी, अनेक उद्योग आपल्या नवकल्पनांचे संरक्षण करण्यात अपयशी ठरतात आणि त्यांची उत्पादने मोठ्या कंपन्यांकडून अनुकरण केली जाण्याचा धोका निर्माण होतो. भारत सरकारने SMEs साठी IPR विषयी जागरूकता वाढवण्यासाठी आणि त्यांचे संरक्षण बळकट करण्यासाठी विविध उपक्रम राबवले आहेत. राष्ट्रीय बौद्धिक संपदा धोरण (National IPR

Policy), स्टार्टअप इंडिया योजना आणि MSME मंत्रालयाच्या विविध प्रोत्साहनपर योजना यामुळे SMEs ना IPR चा लाभ घेण्यासाठी अनुकूल वातावरण निर्माण झाले आहे. या अभ्यासात SMEs साठी IPR चे महत्त्व, त्याचे फायदे, अंमलबजावणीतील अडथळे आणि सरकारच्या धोरणांचा सखोल आढावा घेण्यात आला आहे. यासोबतच, IPR विम्याचे महत्त्व आणि त्याच्या प्रभावी अंमलबजावणीसाठी आवश्यक उपायांवरही चर्चा करण्यात आली आहे.

संशोधन उद्दिष्टे (Research Objectives):

या संशोधन पत्राच्या माध्यमातून खालील उद्दिष्टे पूर्ण करण्याचा प्रयत्न केला आहे –

1. SMEs च्या वाढी आणि स्थिरतेसाठी IPR चे महत्त्व समजून घेणे.
2. SMEs साठी IPR स्वीकारताना येणाऱ्या अडचणींचे विश्लेषण करणे.
3. भारत सरकारच्या IPR धोरणे आणि योजनांचा आढावा घेणे.

साहित्य समीक्षा (Literature Review):

बौद्धिक संपदा हक्कांचे महत्त्व स्पष्ट करणारे अनेक अभ्यास पूर्वी झाले आहेत. जागतिक बौद्धिक संपदा संस्थेच्या (World Intellectual Property Organization - WIPO) अहवालानुसार, IPR नाविन्यपूर्ण संशोधनाला चालना देते आणि बाजारातील स्पर्धात्मकता वाढवते. Hall आणि Harhoff (2012) यांच्या संशोधनानुसार, बौद्धिक संपदा हक्क असलेल्या SMEs चा वाढीचा दर तुलनेने अधिक असतो आणि त्यांच्याकडे गुंतवणूकदारांचा कल जास्त असतो.

संशोधन पद्धती (Methodology):

या संशोधनात द्वितीयक स्रोतांवर आधारित विश्लेषण करण्यात आले आहे. खालील संशोधन पद्धतींचा वापर करण्यात आला –

1. द्वितीयक डेटा विश्लेषण:

1. संशोधन पत्रे, शासकीय अहवाल आणि उद्योग क्षेत्रातील अभ्यासांचा आढावा.
2. MSME मंत्रालय, वाणिज्य व उद्योग मंत्रालय आणि WIPO यांचे डेटा संकलन.

2. प्रकरण अभ्यास (Case Studies):

1. काही निवडक भारतीय SMEs वर आधारित IPR च्या प्रभावाचा अभ्यास.
2. IPR स्वीकारणाऱ्या आणि न स्वीकारणाऱ्या कंपन्यांच्या तुलनेत फरक.

बौद्धिक संपदा हक्कांची संकल्पना:

१. बौद्धिक संपदा हक्क म्हणजे काय?

बौद्धिक संपदा हक्क (Intellectual Property Rights - IPR) म्हणजे एखाद्या व्यक्ती किंवा संस्थेच्या सृजनशीलतेवर आणि नाविन्यपूर्ण संशोधनावर असलेले कायदेशीर अधिकार. हे हक्क संबंधित व्यक्ती किंवा उद्योगाला त्यांच्या संकल्पनांचे, उत्पादनांचे आणि नवकल्पनांचे संरक्षण देतात, तसेच त्यावर आर्थिक नियंत्रण ठेवण्याची संधी उपलब्ध करतात.

२. बौद्धिक संपदा हक्कांचे प्रमुख प्रकार:

लघु आणि मध्यम उद्योगांसाठी बौद्धिक संपदा हक्कांचे खालीलप्रमाणे विविध प्रकार महत्त्वाचे आहेत –

- **पेटंट (Patent):** एखाद्या नवीन उत्पादन, प्रक्रिया किंवा तंत्रज्ञानाच्या संरक्षणासाठी पेटंट घेतले जाते. पेटंट मिळाल्याने संबंधित उत्पादन किंवा तंत्रज्ञानाचे अनुकरण इतर कोणीही परवानगीशिवाय करू शकत नाही. **उदाहरण:** औषधनिर्मितीतील नवीन तंत्रज्ञान, औद्योगिक प्रक्रियांचे नवे तंत्र, सौरऊर्जेवर आधारित नवीन उपकरणे.

- **ट्रेडमार्क (Trademark):** व्यवसायाची विशिष्ट ओळख, ब्रँड, लोगो किंवा प्रतीक यांचे संरक्षण करणारा हक्क. हा हक्क कंपनीच्या ब्रँड ओळखीचे संरक्षण करतो आणि बनावट उत्पादनांच्या विक्रीस प्रतिबंध घालतो. **उदाहरण:** टाटा, अमूल, पतंजली, रिलायन्स यांचे ट्रेडमार्क.
- **कॉपीराइट (Copyright):** साहित्यिक, संगीत, सॉफ्टवेअर आणि कलात्मक निर्मितीच्या संरक्षणासाठी कॉपीराइट घेतले जाते. कॉपीराइट असलेल्या कलाकृतींच्या बेकायदेशीर वापरास प्रतिबंध घालता येतो. **उदाहरण:** पुस्तके, चित्रपट, संगीत रचना, सॉफ्टवेअर कोड.
- **डिझाईन हक्क (Design Rights):** उत्पादनाच्या विशिष्ट रचनात्मक आणि सौंदर्यात्मक वैशिष्ट्यांचे संरक्षण करणारा हक्क. **उदाहरण:** ऑटोमोबाईल उद्योगातील नवीन डिझाईन्स, फर्निचरचे आधुनिक डिझाईन.
- **भौगोलिक संकेत (Geographical Indications - GI):** विशिष्ट भौगोलिक प्रदेशाशी संबंधित उत्पादनांचे संरक्षण करणारा हक्क. **उदाहरण:** दार्जिलिंग चहा, महाबळेश्वर स्ट्रॉबेरी, पुणेरी पागोटे.

SMEs साठी बौद्धिक संपदा हक्कांचे फायदे:

लघु आणि मध्यम उद्योगांसाठी (SMEs) बौद्धिक संपदा हक्क (IPR) अत्यंत महत्वाचे आहेत. हे हक्क कंपन्यांना त्यांच्या नाविन्यपूर्ण संकल्पनांचे संरक्षण करण्यास मदत करतात आणि त्यांना बाजारात टिकून राहण्याची संधी देतात. खालीलप्रमाणे, SMEs साठी बौद्धिक संपदा हक्कांचे मुख्य फायदे आहेत:

स्पर्धात्मकता वाढवते:

SMEs जेव्हा पेटंट, ट्रेडमार्क किंवा डिझाईन हक्क प्राप्त करतात, तेव्हा त्यांना अधिक सुरक्षित

व्यावसायिक वातावरण मिळते. हे हक्क उद्योगांना त्यांच्या नाविन्यपूर्ण उत्पादनांचे अनुकरण होण्यापासून वाचवतात, ज्यामुळे त्यांची बाजारातील स्थिरता वाढते. मोठ्या कंपन्यांशी स्पर्धा करताना हे विशेषतः उपयुक्त ठरते, कारण बौद्धिक संपदा हक्क SMEs ला वेगळी ओळख निर्माण करण्यास मदत करतात.

नाविन्यपूर्ण संशोधनाचे संरक्षण:

संशोधन आणि विकास (R&D) करणाऱ्या उद्योगांसाठी पेटंट मिळवणे अत्यंत महत्वाचे असते. पेटंटमुळे एखाद्या नवीन तंत्रज्ञानावर किंवा प्रक्रियेवर विशिष्ट कालावधीसाठी हक्क मिळतो, ज्यामुळे इतर कंपन्या त्याचा बेकायदेशीर वापर करू शकत नाहीत. हे SMEs साठी आर्थिक स्थिरतेचे एक साधन ठरू शकते, कारण त्यांना त्यांच्या नाविन्यपूर्ण उत्पादनांवर अधिक गुंतवणूक करण्याची संधी मिळते.

ब्रँडची ओळख निर्माण होते:

ट्रेडमार्क आणि डिझाईन हक्कांमुळे उद्योगांना विशिष्ट ओळख मिळते. ग्राहक उत्पादन किंवा सेवेच्या गुणवत्तेवर विश्वास ठेवतात आणि ते दीर्घकालीन ग्राहक संबंध निर्माण करण्यास मदत करते. उदाहरणार्थ, **अमूल, बिसलेरी आणि पतंजली** यांसारख्या ब्रँड्सनी आपली वेगळी ओळख निर्माण केली आहे आणि त्यांच्या नावाखाली उत्पादने अधिक लोकप्रिय झाली आहेत.

गुंतवणूक आकर्षित करणे सोपे होते:

बौद्धिक संपदा हक्क असलेल्या कंपन्यांकडे गुंतवणूकदार अधिक आकर्षित होतात. पेटंट, ट्रेडमार्क आणि कॉपीराइटसह असलेल्या कंपन्या आर्थिकदृष्ट्या अधिक सुरक्षित मानल्या जातात, कारण त्यांचे नाविन्यपूर्ण उत्पादन किंवा सेवा इतर कंपन्यांद्वारे सहज नक्कल केली जाऊ शकत नाही. यामुळे SMEs ला निधी उभारण्यासाठी आणि उद्योग विस्तारासाठी मदत मिळते.

तांत्रिक हस्तांतरण आणि उत्पन्न वाढ:

SMEs त्यांचे पेटंट, कॉपीराइट किंवा ट्रेडमार्क परवाना (Licensing) स्वरूपात इतर कंपन्यांना देऊ

शकतात. यामुळे उद्योगांना अतिरिक्त उत्पन्न मिळते आणि त्यांचे नाविन्यपूर्ण संशोधन अधिक मोठ्या प्रमाणावर उपयोगात आणले जाऊ शकते. हे मॉडेल मोठ्या कंपन्यांशी भागीदारी करण्यासाठी आणि नवीन बाजारपेठांमध्ये प्रवेश मिळवण्यासाठी उपयुक्त ठरते.

SMEs साठी बौद्धिक संपदा हक्कांचे प्रमुख आव्हाने:

बौद्धिक संपदा हक्क SMEs साठी फायदेशीर असले तरी, त्यांना अनेक अडचणींचा सामना करावा लागतो.

माहितीचा अभाव:

अनेक SMEs ना बौद्धिक संपदा हक्कांविषयी पुरेशी माहिती नसते. त्यांना पेटंट, ट्रेडमार्क किंवा कॉपीराइट नोंदणी करण्याच्या प्रक्रियेची संपूर्ण समज नसल्याने, ते त्यांचे अधिकार सुरक्षित ठेवण्यास अपयशी ठरतात.

नोंदणी प्रक्रियेतील गुंतागुंत आणि खर्च:

पेटंट, ट्रेडमार्क आणि डिझाईन हक्कांची नोंदणी प्रक्रिया वेळखाऊ आणि खर्चिक असते. SMEs साठी ही प्रक्रिया पूर्ण करणे कठीण ठरते, कारण त्यांच्याकडे तांत्रिक आणि कायदेशीर तज्ञांची कमतरता असते.

कायदेशीर अडचणी आणि उल्लंघन:

मोठ्या कंपन्या लघु उद्योगांच्या नाविन्यपूर्ण संशोधनाचे उल्लंघन करू शकतात, आणि SMEs ना त्याविरुद्ध कायदेशीर लढाई लढण्यासाठी आवश्यक वित्तीय संसाधने नसतात.

SMEs साठी भारत सरकारच्या IPR धोरणे आणि सहाय्य:

लघु आणि मध्यम उद्योग (SMEs) हे देशाच्या आर्थिक विकासात महत्वाची भूमिका बजावतात. उद्योगांच्या वाढीसाठी नाविन्यपूर्ण संशोधन आवश्यक असते, आणि त्याचे संरक्षण करण्यासाठी बौद्धिक संपदा हक्क (IPR) आवश्यक ठरतात. बौद्धिक संपदा नोंदणी केल्याने कंपन्यांना त्यांच्या

उत्पादनांवर हक्क मिळतो, स्पर्धेत टिकून राहण्यास मदत होते आणि गुंतवणुकीस चालना मिळते. भारत सरकारने SMEs साठी विविध धोरणे आणि योजनांची अंमलबजावणी केली आहे, जेणेकरून त्यांना IPR संरक्षण मिळू शकेल आणि जागतिक बाजारात संधी उपलब्ध होतील.

राष्ट्रीय बौद्धिक संपदा धोरण (2016):

भारत सरकारने 2016 मध्ये राष्ट्रीय बौद्धिक संपदा धोरण लागू केले, जे देशात IPR चे महत्त्व वाढवण्यासाठी आणि नाविन्यपूर्ण संशोधनाला प्रोत्साहन देण्यासाठी तयार करण्यात आले. या धोरणाच्या अंतर्गत पेटंट, ट्रेडमार्क, कॉपीराइट, डिझाईन आणि भौगोलिक निर्देशांक (GI) यासारख्या बौद्धिक संपदा हक्कांच्या नोंदणी प्रक्रियेत सुधारणा करण्यात आली. उद्योगांना IPR संरक्षण मिळावे यासाठी पेटंट आणि ट्रेडमार्क कार्यालयांच्या कार्यक्षमतेत वाढ करण्यात आली आहे. यामुळे SMEs आणि स्टार्टअप्सना वेगवान नोंदणी प्रक्रियेचा लाभ मिळू शकतो.

MSME मंत्रालय अंतर्गत IPR सहाय्य योजना:

लघु आणि मध्यम उद्योग मंत्रालयाने (MSME) IPR नोंदणीसाठी आर्थिक सहाय्य योजना सुरू केली आहे. या योजनेतर्गत SMEs ना पेटंट, ट्रेडमार्क आणि डिझाईन नोंदणीसाठी अनुदान दिले जाते. अनेक लघु उद्योग उच्च खर्चामुळे पेटंट किंवा ट्रेडमार्क नोंदणी करू शकत नाहीत. यावर उपाय म्हणून सरकार अर्ज शुल्क, वकिलांचा खर्च आणि इतर तांत्रिक शुल्कांवर आर्थिक सहाय्य देते. याशिवाय, देशभरात प्रशिक्षण कार्यक्रम आणि कार्यशाळांचे आयोजन करून SMEs ना IPR बदल जागरूक केले जाते.

SIP-EIT योजना (Support for International Patent Protection in Electronics & IT Sector):

इलेक्ट्रॉनिक्स आणि माहिती तंत्रज्ञान क्षेत्रातील उद्योगांना आंतरराष्ट्रीय पेटंट नोंदणीसाठी प्रोत्साहन

देण्यासाठी भारत सरकारने SIP-EIT योजना सुरू केली आहे. अनेक वेळा भारतीय कंपन्यांना त्यांच्या संशोधनावर जागतिक स्तरावर पेटंट मिळवण्याची आवश्यकता असते, परंतु त्याचा खर्च मोठा असल्यामुळे त्यांना अडचणी येतात. ही योजना इलेक्ट्रॉनिक्स आणि IT कंपन्यांना आंतरराष्ट्रीय पेटंट अर्जासाठी खर्चाच्या 50% पर्यंत अनुदान देते. तसेच, कंपन्यांना अर्ज प्रक्रियेसाठी तांत्रिक आणि कायदेशीर सल्ला दिला जातो, ज्यामुळे त्यांना पेटंट नोंदणी सोपी आणि कमी खर्चिक होते.

स्टार्टअप इंडिया आणि मेक इन इंडिया उपक्रम:

नवीन उद्योगांना आणि स्थानिक उत्पादन क्षेत्राला चालना देण्यासाठी सरकारने स्टार्टअप इंडिया आणि मेक इन इंडिया हे उपक्रम सुरू केले आहेत. स्टार्टअप इंडिया कार्यक्रमांतर्गत नवीन स्टार्टअप्ससाठी वेगवान पेटंट नोंदणी प्रक्रिया लागू करण्यात आली आहे, ज्यामुळे त्यांना कमी वेळात आणि कमी खर्चात बौद्धिक संपदा संरक्षण मिळते. याशिवाय, सरकारकडून स्टार्टअप्सना मोफत बौद्धिक संपदा सल्लागार सेवा दिली जाते, जेणेकरून त्यांना पेटंट, ट्रेडमार्क किंवा कॉपीराइट अर्ज दाखल करताना तांत्रिक अडचणी येऊ नयेत.

मेक इन इंडिया उपक्रमाचा उद्देश हा देशांतर्गत उत्पादन वाढवणे आणि भारतीय उत्पादनांना जागतिक बाजारात प्रस्थापित करणे आहे. या योजनेद्वारे सरकार पेटंट आणि ट्रेडमार्क नोंदणीसाठी अनुदान देत आहे. उत्पादन क्षेत्रातील संशोधन आणि विकासाला प्रोत्साहन देण्यासाठी कर सवलती आणि वित्तीय सहाय्य उपलब्ध करून दिले जात आहे.

निष्कर्ष:

बौद्धिक संपदा हक्क (IPR) हे लघु आणि मध्यम उद्योगांसाठी (SMEs) अत्यंत महत्वाचे साधन आहे, जे त्यांना नाविन्यपूर्ण संशोधन, ब्रँड मूल्य आणि बाजारातील स्पर्धात्मकता वाढवण्यास मदत करते. पेटंट, ट्रेडमार्क आणि डिझाईन नोंदणीमुळे SMEs

त्यांची उत्पादने आणि तंत्रज्ञान संरक्षित करू शकतात, ज्यामुळे नवनिर्मितीवर आधारित व्यवसायाला चालना मिळते आणि जागतिक स्तरावर आपली ओळख निर्माण करता येते. मात्र, भारतातील अनेक SMEs अजूनही IPR च्या महत्वाबाबत पूर्णपणे जागरूक नाहीत. नोंदणी प्रक्रियेतील गुंतागुंत, उच्च खर्च आणि कायदेशीर अडथळे यामुळे अनेक उद्योग पेटंट किंवा ट्रेडमार्क नोंदणी करण्यास टाळाटाळ करतात. यामुळे अनेक नाविन्यपूर्ण संकल्पना आणि ब्रँड संरक्षणाशिवाय राहतात, जे स्पर्धेत टिकण्यासाठी अडथळा ठरू शकतात. या अडचणींवर मात करण्यासाठी SMEs नी IPR विषयी अधिक साक्षरता मिळवणे, सरकारी योजनांचा लाभ घेणे आणि त्यांच्या नाविन्यपूर्ण संशोधनाचे योग्य प्रकारे संरक्षण करणे गरजेचे आहे. सरकारच्या विविध योजनांमुळे आर्थिक मदत आणि तांत्रिक सहाय्य मिळू शकते, ज्याचा फायदा घेत SMEs त्यांचा व्यवसाय अधिक स्थिर आणि सुरक्षित करू शकतात.

शिफारसी आणि उपाय (Recommendations):

1. **IPR साक्षरता मोहीम**– SMEs साठी बौद्धिक संपदा हक्कांविषयी अधिक जागरूकता निर्माण करण्यासाठी देशभरात प्रशिक्षण कार्यक्रम आणि कार्यशाळांचे आयोजन करणे आवश्यक आहे. यामुळे उद्योगांना पेटंट, ट्रेडमार्क आणि डिझाईन नोंदणी प्रक्रियेची संपूर्ण माहिती मिळेल आणि ते त्याचा लाभ घेऊ शकतील.
2. **सरलीकृत नोंदणी प्रक्रिया**– IPR अर्ज प्रक्रिया अधिक सुलभ आणि वेगवान करण्यासाठी सरकारने नवीन तंत्रज्ञान आणि डिजिटल प्रणालींचा अधिकाधिक वापर करावा. ऑनलाइन नोंदणी प्रक्रियेला गती देऊन SMEs साठी ती अधिक सोपी आणि सहज करता येईल.
3. **आर्थिक सहाय्य आणि सवलती**– SMEs साठी पेटंट आणि ट्रेडमार्क नोंदणीसाठी लागणारा खर्च हा मोठा अडथळा असतो. त्यामुळे सरकारने

अधिक अनुदान, सबसिडी आणि करसवलतीच्या माध्यमातून SMEs ला IPR संरक्षणासाठी आर्थिक मदत करावी.

4. **कायदेशीर संरक्षण आणि अंमलबजावणी**— SMEs च्या बौद्धिक संपदेचे उल्लंघन टाळण्यासाठी विशेष कायदेशीर यंत्रणा निर्माण करणे गरजेचे आहे. पेटंट आणि ट्रेडमार्क उल्लंघनाच्या प्रकरणांवर जलदगतीने निर्णय होण्यासाठी स्वतंत्र न्यायिक प्रक्रिया आणि मदत केंद्र सुरू करावीत.
5. **सहयोग आणि भागीदारी**— मोठ्या कंपन्या, संशोधन संस्था आणि शैक्षणिक संस्थांनी SMEs सोबत सहयोग करून त्यांना नाविन्यपूर्ण संशोधनात आणि IPR प्रक्रियेत मदत करावी. यामुळे SMEs ना तांत्रिक आणि व्यावसायिक मार्गदर्शन मिळू शकते.

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बौद्धिक संपदा अधिकार

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DOI - 10.5281/zenodo.14909940

‘‘कॉपीराइट और भाषाई सृजनशीलता, अंग्रेजी, मराठी और हिन्दी में मौलिक साहित्यिक कृतियों का कॉपीराइट संरक्षण। साहित्यिक क्षेत्र में साहित्यिक चोरी और कानूनी विवादों का अध्ययन। कविता, उपन्यास और शोध प्रकाशनों पर कॉपीराइट कानूनों का प्रभाव।’’

सार:

विशिष्ट कानूनी अधिकार उस व्यक्ति को दिया जाता है जो किसी विशेष क्षेत्र में रचनात्मक कार्य या आविष्कार करता है। ये कानूनी अधिकार लेखक को अपनी रचना या आविष्कार का दुरुपयोग होने से रोकता है। ये अधिकार लेखक की रचना का दोहराव या वितरण करने से भी रोकता है। इन अधिकारों के मिलने से लेखक को अपने उत्पादन के फलस्वरूप प्रोत्साहन मिलता है। ये अधिकार न मिलने से आविष्कार का दुरुपयोग संभव है। हमारे समाज में कुछ असामाजिक तत्व हैं, जो इन आविष्कारों का गलत उपयोग करते हैं। इनसे बचाव के लिए ही ये अधिकार मिलना काफी महत्वपूर्ण हो जाता है। इन अधिकारों के रहते कोई इन्हें चुरा नहीं सकता और ना ही अपने नाम से प्रकाशित कर सकता है। कॉपीराइट कानून का उद्देश्य ही इन लेखकों की पसंद की मौलिकता की रक्षा करना होता है। इन अधिकारों का प्रयोग करके लेखक दूसरों को उनकी सहमति के बिना अपने आविष्कार को बनाने और उपयोग करने से रोकने में सक्षम है। आज की तकनीकी में नवाचार लाने और उसमें रचनात्मकता व निवेश को बढ़ावा देने के लिए इन बौद्धिक संपदा का अधिकार महत्वपूर्ण है। ये अधिकार उपभोक्ताओं को नकली उत्पादों से बचाने में भी सहायता करते हैं। ये अधिकार लेखक को या आविष्कारक को अपनी रचना के स्वामित्व का एकाधिकार प्रदान करता है।

कीवर्ड – ट्रेडमार्क, पेटेंट, कॉपीराइट, भौगोलिक संकेत, एकीकृत सर्किट, औद्योगिक डिजाइन

प्रस्तावना:

देश में निवास करने वाली जनता के लिए सरकार द्वारा कई प्रकार के उत्पाद निर्मित किए जाते हैं। इन उत्पादों को निर्मित करने व उनमें रचनात्मकता लाने के लिए कई आविष्कारकों के द्वारा नए-नए आविष्कार किए जाते हैं। इन आविष्कारों के द्वारा बनाने गए उत्पादों को सुरक्षित रखा जाना भी सरकार का काम होता है। इन उत्पादों का गलत उपयोग ना हो और ये उत्पाद गलत तरीके से वितरित ना हो इसलिए सरकार ने उन्हें एक अधिकार दिया है जिसे बौद्धिक संपदा का अधिकार भी कहा जाता है। इन अधिकारों का प्रयोग बौद्धिक

संपदा का संरक्षण करने के लिए किया जाता है। सन् 1994 में व्यापार वार्ता के उरुग्वे दौर के एक भाग के रूप में विश्व व्यापार संगठन के सदस्य देशों ने बौद्धिक संपदा अधिकारों के व्यापार संबंधित पहलू समझौते की स्थापना की। बौद्धिक संपदा अधिकारों के व्यापार-संबंधित पहलू ट्रिप्स एक समझौता है जो बौद्धिक संपदा के सात रूपों यानी ट्रेडमार्क, कॉपीराइट, भौगोलिक संकेत, पेटेंट, औद्योगिक डिजाइन की उपलब्धता दायरे और उपयोग के लिए न्यूनतम मानक स्थापित करता है।

पेटेंट, कॉपीराइट, ट्रेडमार्क, और व्यापार रहस्य बौद्धिक संपदा के 4 प्रकार हैं जिन्हें ट्रिप्स

समझौता संबोधितकरता है। ट्रिप्स समझौता यह सुनिश्चित करता है कि सभी हस्ताक्षरकर्ता देशों में बौद्धिक संपदा अधिकारों का सम्मान किया जाता है और बरकरार रखा जाता है। ट्रिप्स समझौता निष्पक्ष और न्यायसंगत अंतर्राष्ट्रीय व्यापार को बढ़ावा देता है और बौद्धिक संपदा संरक्षण के लिए समान अवसर प्रदान करने का प्रयास करता है। ट्रिप्स समझौते की मुख्य रूप से सार्वजनिक स्वास्थ्य और दवाओं की उपलब्धता पर बौद्धिक संपदा मालिकों के हितों को प्राथमिकता देने के लिए आलोचना की जाती है। साथ ही आर्थिक विकास का समर्थन करने वाली प्रमुख प्रौद्योगिकियों तक विकासशील देशों की पहुँच को संभावित रूप से सीमित करने के लिए भी।

- **ट्रेडमार्क:** यह एक चिन्ह होता है जो ट्रिप्स समझौते के तहत सुरक्षित होता है। कोई भी चिन्ह या संकेत जो एक उद्यम के सामान को दूसरे उद्यम के सामान से अलग करता है, को ट्रेडमार्क के रूप में संदर्भित किया जाता है। ट्रिप्स समझौता प्रसिद्ध ट्रेडमार्क को उल्लंघन से बचाने के लिए उनके पंजीकरण की अनुमति देता है और यह सुनिश्चित करता है कि कोई भी ट्रेडमार्क सुरक्षा कम से कम सात साल तक चलनी चाहिए। ट्रेडमार्क अधिकारों के उपयोग के लिए दिशा निर्देश भी दिए जाते हैं। यह नकली ट्रेडमार्क के उपयोग को रोकता है। ट्रिप्स समझौता ट्रेडमार्क अधिकारों के नागरिक और आपराधिक प्रवर्तन के लिए प्रक्रियाओं की रूपरेखा तैयार करता है। ट्रिप्स समझौता ट्रेडमार्क की सुरक्षा और उनके उचित उपयोग की गारंटी भी देता है।
- **पेटेंट:** यह एक प्रकार बौद्धिक संपदा अधिकार है जिसे पेटेंट के रूप में जाना जाता है। यह एक आविष्कारक को अपने आविष्कार के उपयोग करने पर एकमात्र नियंत्रण प्रदान करता है। ट्रिप्स समझौता पेटेंट संरक्षण के लिए न्यूनतम आवश्यकताओं को रेखांकित करता है, जैसे पेटेंट आविष्कार के

अनधिकृत उत्पादन उपयोग या बिक्री को प्रतिबंधित करने का अधिकार। यह समझौता पेटेंट आवेदन जमा करने पेटेंट पंजीकृत करने और पेटेंट अधिकारों को लागू करने की प्रक्रियाओं को भी निर्दिष्ट करता है। ट्रिप्स समझौता कुछ अधिकारों को पेटेंट संरक्षण से बाहर करने की भी अनुमति देता है, जिनमें वे आविष्कार भी शामिल हैं जो पौधों और जानवरों से जुड़े हैं और जो नैतिकता या सार्वजनिक व्यवस्था का उल्लंघन करते हैं। यह समझौता पेटेंट की सुरक्षा और उनके उचित उपयोग की गारंटी के लिए दिशानिर्देशों का एक पूरा सेट प्रदान करता है।

- **कॉपीराइट:** कॉपीराइट अधिकार ट्रिप्स समझौते के तहत सुरक्षित हैं। किसी रचनात्मक कार्य को पुनरुत्पादित करने, प्रकाशित करने, अनुकूलित करने और वितरित करने के विशेष अधिकार को समझौते के तहत कॉपीराइट कहा जाता है। ट्रिप्स समझौता सुरक्षा के लिए न्यूनतम आवश्यकताओं को निर्धारित करता है जैसे किसी कार्य के बिना अनुमति वितरण अनुकूलन और पुनरुत्पादन को प्रतिबंधित करने का अधिकार। यह कॉपीराइट कार्यों के उपयोग के लिए दिशानिर्देश स्थापित करता है और उनके अनधिकृत उपयोग को रोकता है। यह यह समझौता कॉपीराइट अधिकारों को लागू करने के लिए नागरिक और आपराधिक कार्यवाही का उपयोग करने की भी अनुमति देता है। ट्रिप्स समझौता कॉपीराइट की सुरक्षा और इसके उचित उपयोग की गारंटी के लिए दिशानिर्देश का एक व्यापक सेट प्रदान करता है। भौगोलिक संकेत -यह उत्पादों पर लगाए गए संकेत हैं जो यह दर्शाते हैं कि वे किसी विशेष क्षेत्र से आते हैं उनमें कुछ विशेषताएँ हैं या उस क्षेत्र से संबंधित उनकी कुछ विशेष प्रतिष्ठा।

ट्रिप्स समझौता भौगोलिक संकेतों की सुरक्षा के लिए न्यूनतम आवश्यकताओं को भी पूरा करता है।

ट्रिप्स समझौता भौगोलिक संकेत पंजीकरण और भौगोलिक संकेत अधिकार प्रवर्तन के लिए दिशानिर्देश भी निर्दिष्ट करता है। कुल मिलाकर ट्रिप्स समझौता जीआई की सुरक्षा और उनके उचित उपयोग की गारंटी के लिए दिशा निर्देशों का एक पूरा सेट प्रदान करता है। एकीकृत सर्किट - यह भी ट्रिप्स समझौते के तहत अधिकारों की एक महत्वपूर्ण श्रेणी है। ये एक जटिल इलेक्ट्रॉनिक सर्किट है जो सिलिकॉन की चिप पर बनाए जाते हैं और अक्सर कम्प्यूटर और स्मार्ट फोन में प्रयोग किए जाते हैं। इसका प्रयोग भी किसी तीसरे पक्ष के द्वारा अनधिकृत उपयोग से संरक्षित करने के लिए किया जाता है। इंटीग्रेटेड सर्किट को 20 वर्षों तक सुरक्षित रखा जा सकता है। औद्योगिक डिजाइन - अधिकारों का एक महत्वपूर्ण वर्ग औद्योगिक डिजाइन भी है। यह एक सजावटी तत्व है जो किसी उत्पाद को विशिष्ट रूप देता है, जैसे आकार पैटर्न या अलंकरण। औद्योगिक डिजाइनों को कम से कम पंद्रह वर्षों तक संरक्षित किया जाना आवश्यक है और अनुमति के संरक्षित डिजाइन का उपयोग करना मना है। औद्योगिक डिजाइन को कानूनी कार्यवाही में प्रकटीकरण से बचाया जाना चाहिए।

साहित्य समीक्षा:

बौद्धिक संपदा अधिकारों का विस्तृत विश्लेषण करने पर ज्ञात हुआ कि विश्व व्यापारसंगठन द्वारा बौद्धिक संपदा अधिकारों के अंतर्राष्ट्रीय व्यापार को विनियमित करने के लिए एक ट्रिप्स समझौता स्थापित किया गया। यह समझौता विभिन्न देशों में बौद्धिक संपदा अधिकारों की सुरक्षा और उन्हें लागू करने के लिए न्यूनतम मानक निर्धारित करता है। सभी छात्रों को ट्रिप्स समझौते की जानकारी होनी चाहिए। उन्हें बौद्धिक संपदा अधिकारों के व्यापार-संबंधित पहलू के आसपास की आलोचना और विवादों के बारे में भी पता होना चाहिए, विशेष रूप से आवश्यक दवाओं तक पहुंच पर प्रभाव और समझौते की आवश्यकताओं के अनुपालन में विकासशील देशों के सामने आने वाली

कठिनाइयों के बारे में। बौद्धिक संपदा अधिकार के व्यापार-संबंधित पहलू या ट्रिप्स समझौता यूपीएसी और आईएस परीक्षा के लिए सबसे महत्वपूर्ण विषयों में से एक है क्योंकि यह भारतीय अर्थव्यवस्था के एक महत्वपूर्ण हिस्से और राष्ट्रीय महत्व की वर्तमान घटनाओं को शामिल करता है। विधि - किसी शोध को पूरा करने के लिए किसी न किसी शोध प्रविधि का प्रयोग किया जाता है। शोध की यद्यपि बहुत सी प्रविधि होती है परन्तु प्रत्येक शोध अलग-अलग प्रकार का होता है। अतः शोध कार्य के लिए शोध प्रविधि भी अलग-अलग होती है। शोध को पूरा करने के लिए मात्रात्मक अनुसंधान विधि गुणात्मक अनुसंधान विधि, विवरणात्मक अनुसंधान विधि, विश्लेषणात्मक अनुसंधान विधि, अनुप्रयुक्त अनुसंधान विधि, आधारभूत अनुसंधान विधि, अवधारणात्मक अनुसंधान विधि, नैदानिक अनुसंधान विधि, ऐतिहासिक अनुसंधान विधि आदि का प्रयोग किया जाता है।

प्रस्तुत शोध हेतु शोधार्थी द्वारा शोध की विश्लेषणात्मक विधि का प्रयोग किया गया है। विश्लेषणात्मक अनुसंधान में शोधकर्ता को सर्वप्रथम संबंधित विषय अथवा घटना के बारे में जानकारी संकलित करनी होती है। इसके बाद जानकारी के आधार पर ही संकलित की गई सामग्री का आलोचनात्मक विश्लेषण प्रस्तुत किया जाता है। पूर्व में एकत्रित किए गए तथ्यों, आंकड़ों, विचारों आदि से परे अंतर्दृष्टि रखते हुए एक समाज-विश्लेषक का मानना होता है कि संचित तथ्यों व आंकड़ों के पीछे की कहानी कुछ और ही होती है। अतः उस छिपे हुए संदर्भों को तलाने में एक शोध विश्लेषक की अधिक रुचि होती है। इसके पीछे तर्क यह है कि संग्रहित तथ्यों व आंकड़ों को जब सामग्री से संबंधित अन्य चरों के साथ जोड़ा जाता है तो एक व्यापक और परिष्कृत अर्थ उभरकर सामने आता है तथा इस प्रस्तुत अर्थ की सहायता से एक वैध सामान्यीकरण प्रस्तुत करना सरल हो जाता है। प्रस्तुत शोध - प्रबंध के लिखने में अनेक शोध विधियाँ प्रयुक्त

हुई है। प्रस्तुत शोध कार्य के लिए उपन्यासों, शोध ग्रन्थों, पुस्तकों और विभिन्न पत्र-पत्रिकाओं के अध्ययन अनुशीलन द्वारा तथ्य संकलन विवेचन एवं निष्कर्ष निरूपण की प्रविष्टियां प्रयुक्त हैं। सामग्री के संकलन में विभिन्न संग्रहालयों और ग्रन्थालयों की यात्राएं भी हुई हैं। शोध की सामग्री एकत्रित करने हेतु विभिन्न जानकार महापुरुषों से भी संपर्क हुआ है। शोध क्रिया पर आधारित सामाजिक विश्लेषण की प्रक्रिया एक निरंतर क्रियाशील रहने वाली प्रक्रिया होती है। यह क्रमबद्ध विश्लेषण एक ऐसा बौद्धिक फलक तैयार करता है जहाँ छूटे हुए तथ्यों और आंकड़ों को व्यवस्थित रूप से रखा जाता है ताकि शोधकर्ता उनकी मदद से एक वैध अनुमान तक पहुँच सके। तथ्य स्वयं अपनी अभिव्यक्ति प्रकट करने हेतु योग्य बनाया जाता है। सामाजिक विश्लेषण हेतु संकलित की गई सामग्री की व्यापक और सटीक जानकारी की आवश्यकता होती है।

निष्कर्ष:

एक कुशल और निष्पक्ष बौद्धिक संपदा प्रणाली सभी देशों को आर्थिक विकास और सामाजिक और सांस्कृतिक कल्याण के लिए एक उत्प्रेरक के रूप में बौद्धिक संपदा की क्षमता का एहसास करने में सहायता कर सकती है। पिछले कुछ वर्षों में ग्लोबल इनोवेशन इंडेक्स में इसकी बढ़ी हुई रैंकिंग में स्पष्ट हुआ है। आई.पी.आर नीति अपीलिय न्यायाधिकरण ई-गवर्नेंस और डब्ल्यूटीओं के ट्रिप्स समझौते का अक्षरक्षः पालन करने के लिए सरकार के प्रयासों से विश्व स्तर पर भारत की धारणा को बेहतर बनाने में मदद मिलेगी। भारत अनुसंधान और विकास पर ध्यान केन्द्रित करने के लिए अच्छी तरह से तैयार है। नवोन्मेष की संस्कृति देश में

मुख्य स्थान ले रही है। भारत ने दक्षता बढ़ाने के लिए अपनी आई.पी.आर व्यवस्था में कई बदलाव किए हैं और पेटेंट देने के लिए आवश्यक समय में कटौती की है।

भारतीय उद्योग को न केवल नवाचार करने के लिए बल्कि उनके नवाचारों को सुरक्षित और लागू करने के लिए बढ़ावा देने के लिए आई.पी.आर के निर्माण संरक्षण और निष्पादन के लिए अधिक जागरूकता की आवश्यकता है। भारत की प्रमुख योजनाओं की सफलता में इन इंडिया और स्टार्ट अप इंडिया योजनाएं बेहतर आई.पी.आर सुरक्षित सुरक्षा के साथ नवाचार पारिस्थितिकी तंत्र को बढ़ावा देने पर निर्भर करती हैं। भारत एक मजबूत आई.पी.आर प्रणाली के परिवर्तन लाभों का पूरा लाभ तब तक नहीं ले पाएगा जब तक कि वह अपने आईपी कानूनों और प्रावधानों में कमियों को दूर नहीं करता। शैक्षणिक पाठ्यक्रम को फिर से शुरू किया जाना चाहिए और स्कूलों में नवाचार के माहौल को फिर से प्रोत्साहित किया जाना चाहिए। आई.पी.आर से संबंधित मुद्दों के समाधान के लिए एक उपयुक्त समाधान तंत्र की आवश्यकता है।

संदर्भ ग्रन्थ सूची:

1. बौद्धिक संपदा अधिकार विधि - डॉ. एस. के सिंह
2. बौद्धिक संपदा अधिकार - मारियो सिमोली
3. भारत में बौद्धिक संपदा अधिकार - डॉ. राजीव बाबेल



ग्रामीण उद्योजक आणि बौद्धिक संपदा अधिकार: संधी आणि आव्हाने पारंपरिक ज्ञान आणि स्थानिक उत्पादने

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DOI - 10.5281/zenodo.14909950

सारांश (Abstract):

या संशोधन पत्रात ग्रामीण उद्योजक आणि बौद्धिक संपदा अधिकार (IPR) यांच्यातील संबंधांचा अभ्यास करण्यात आला आहे. पारंपरिक ज्ञान आणि स्थानिक उत्पादने जतन करण्यासाठी IPR कसे उपयुक्त ठरू शकतात याचा सखोल आढावा घेतला आहे. संधी आणि आव्हाने यांचा तौलनिक अभ्यास करून ग्रामीण उद्योजकतेला चालना देण्यासाठी उपाय सुचविण्यात आले आहेत.

महत्वाची कीवर्ड्स (Keywords): ग्रामीण उद्योजकता (Rural Entrepreneurship), बौद्धिक संपदा अधिकार (Intellectual Property Rights - IPR), पारंपरिक ज्ञान (Traditional Knowledge), स्थानिक उत्पादने (Local Products) भौगोलिक संकेत (Geographical Indication - GI Tag), पेटंट (Patent)

परिचय (Introduction):

ग्रामीण उद्योजकता ही भारताच्या आर्थिक विकासाचा एक महत्वाचा घटक आहे. पारंपरिक ज्ञान व स्थानिक उत्पादने यामुळे भारताच्या ग्रामीण भागातील अर्थव्यवस्थेला विशेष महत्त्व प्राप्त होते. परंतु, जागतिकीकरणामुळे आणि स्पर्धेमुळे ही उत्पादने व ज्ञान संरक्षित करण्याची गरज निर्माण झाली आहे. बौद्धिक संपदा अधिकार हे ग्रामीण उद्योजकांना त्यांची उत्पादने आणि नाविन्यता संरक्षित करण्यासाठी एक प्रभावी साधन ठरू शकते. या संशोधनात बौद्धिक संपदा हक्कांची संकल्पना, त्यांची गरज आणि ग्रामीण उद्योजकांसाठी असलेल्या संधी व अडचणी यांचा सखोल अभ्यास करण्यात आला आहे.

साहित्य समीक्षा (Literature Review):

या विभागात बौद्धिक संपदा हक्कांचे महत्त्व, भारतातील बौद्धिक संपदा धोरणे आणि ग्रामीण उद्योजकतेसंबंधी आधीच्या संशोधनाचा आढावा घेतला आहे. बौद्धिक संपदा हक्कांमध्ये पेटंट, ट्रेडमार्क, कॉपीराइट, GI टॅग आणि औद्योगिक डिझाइन यांचा समावेश होतो. ग्रामीण उद्योजकांसाठी त्यांचा उपयोग कसा होतो, यावरील विविध संशोधन नोंदींचा अभ्यास या भागात करण्यात आला आहे.

संशोधन पद्धती (Research Methodology):

या संशोधनात प्राथमिक आणि द्वितीयक माहिती संकलित करून विश्लेषण करण्यात आले आहे. विविध अहवाल, सरकारी धोरणे आणि ग्रामीण उद्योजकांच्या मुलाखतींचा अभ्यास केला आहे. तसेच विविध संशोधन नोंदी, जर्नल्स आणि अभ्यास

अहवालांचा समावेश केला आहे. या संशोधनासाठी गुणात्मक आणि परिमाणात्मक पद्धतींचा वापर करण्यात आला आहे.

ग्रामीण उद्योजकता आणि IPR:

- पारंपरिक ज्ञानाचे महत्त्व आणि त्याचे संरक्षण
- स्थानिक उत्पादनांचे महत्त्व आणि त्यांचे संरक्षण
- GI टॅग, पेटंट, ट्रेडमार्क आणि कॉपीराइट यांचे फायदे आणि मर्यादा
- विविध देशांमध्ये IPR च्या अंमलबजावणीच्या पद्धती आणि भारतातील धोरणे
- ग्रामीण क्षेत्रातील यशस्वी IPR प्रकरणे आणि त्यांचे परिणाम

संधी (Opportunities):

- GI (Geographical Indication) टॅगद्वारे स्थानिक उत्पादनांचे संरक्षण
- बौद्धिक संपदा अधिकारामुळे निर्यात क्षमता वाढण्याची संधी
- स्थानिक उत्पादनांचे ब्रँडिंग आणि बाजारपेठेतील ओळख
- बौद्धिक संपदा हक्कांमुळे स्थानिक उत्पादनांना जागतिक मान्यता मिळण्याची संधी
- सरकारी अनुदान आणि मदतीच्या योजनांचा लाभ
- ई-कॉमर्स आणि डिजिटल मार्केटिंगद्वारे ग्रामीण उत्पादने जागतिक स्तरावर पोहोचवण्याची संधी

आव्हाने (Challenges):

- ग्रामीण उद्योजकांमध्ये जागरूकतेचा अभाव
- कायदेशीर प्रक्रिया आणि नोंदणीसाठी असलेले अडथळे

- वित्तपुरवठा आणि तांत्रिक साहाय्याची आवश्यकता
- जागतिक बाजारपेठेत प्रवेश मिळवण्यास असलेल्या अडचणी
- बौद्धिक संपदा संरक्षणासाठी असलेल्या उच्च खर्चांमुळे अडथळे
- स्थानिक पातळीवर IPR संदर्भात सक्षम मार्गदर्शन आणि प्रशिक्षणाची कमतरता

यशस्वी उदाहरणे (Case Studies):

1. **दार्जिलिंग चहा (Darjeeling Tea)** - भारतातील पहिला GI टॅग मिळवलेला उत्पादन, ज्यामुळे त्याच्या वैशिष्ट्यपूर्ण गुणवत्तेचे संरक्षण करण्यात आले.
2. **महाराष्ट्रातील पैठणी साडी** - GI टॅगमुळे तिच्या प्रामाणिकतेचे आणि स्थानिक विणकरांच्या हक्कांचे संरक्षण झाले.
3. **कोल्हापुरी चप्पल** - स्थानिक शिल्पकलेला GI टॅगमुळे जागतिक बाजारपेठेत स्थान मिळाले.

निष्कर्ष आणि शिफारसी (Conclusion and Recommendations):

ग्रामीण उद्योजकांनी IPR चा अधिकाधिक लाभ घ्यावा यासाठी प्रशिक्षण आणि मार्गदर्शन कार्यक्रम राबविण्याची आवश्यकता आहे. सरकार आणि स्थानिक संस्था यांनी GI टॅगसारख्या संकल्पनांचा प्रसार करावा आणि बौद्धिक संपदा संरक्षणासाठी सहज प्रक्रिया उपलब्ध करून द्यावी. ग्रामीण भागातील उद्योजकांना कायदेशीर सहाय्य, आर्थिक पाठबळ आणि तांत्रिक मदत देण्यासाठी धोरणे सुधारण्याची गरज आहे. स्थानिक पातळीवर विशेष केंद्रे स्थापन करून IPR संदर्भात मार्गदर्शन आणि सहाय्य उपलब्ध करून द्यावे.

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बौद्धिक संपदा हक्क आणि विमा: एक सखोल अभ्यास

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DOI - 10.5281/zenodo.14909954

सारांश (Abstract):

बौद्धिक संपदा हक्क (Intellectual Property Rights - IPR) हे कोणत्याही देशाच्या आर्थिक विकासासाठी आणि नवसंशोधनासाठी महत्त्वपूर्ण असतात. पेटंट, कॉपीराइट, ट्रेडमार्क आणि व्यापार गुपिते यांचा समावेश असलेल्या IPR प्रणालीमुळे कंपन्यांना त्यांच्या नवकल्पनांचे संरक्षण करता येते. मात्र, वाढत्या डिजिटल युगात बौद्धिक संपदा उल्लंघनाच्या घटनांमध्ये वाढ झाल्याने, व्यवसायांसाठी कायदेशीर आणि आर्थिक जोखमी निर्माण झाल्या आहेत.

या जोखमींना सामोरे जाण्यासाठी बौद्धिक संपदा विमा (Intellectual Property Insurance) हे एक प्रभावी साधन ठरते. हा विमा व्यवसायांना बौद्धिक संपदा हक्कांचे उल्लंघन, न्यायालयीन खटले, आणि आर्थिक नुकसान यांपासून संरक्षण देतो.

या संशोधनात बौद्धिक संपदा विम्याचे प्रकार, फायदे, अडचणी आणि जागतिक स्तरावर त्याच्या अंमलबजावणीचे धोरण यांचा सखोल अभ्यास केला आहे. साहित्य समीक्षा, प्रकरण अभ्यास (Case Studies), तुलनात्मक विश्लेषण (Comparative Analysis), आणि सर्वेक्षण पद्धतींचा वापर करून संशोधन करण्यात आले आहे.

संशोधनातून असे दिसून आले की बौद्धिक संपदा विमा घेतलेल्या कंपन्यांचे आर्थिक नुकसान कमी होते आणि व्यवसाय अधिक सुरक्षित राहतो. मात्र, भारतासारख्या देशांमध्ये बौद्धिक संपदा विम्याची जागरूकता कमी आहे, विमा प्रीमियम जास्त आहेत, आणि कायदेशीर प्रक्रिया गुंतागुंतीच्या आहेत. बौद्धिक संपदा विम्याच्या प्रभावी अंमलबजावणीसाठी धोरणात्मक सुधारणा, अधिक जागरूकता मोहिमा आणि सरकारच्या मदतीने आर्थिक सवलती देणे आवश्यक आहे.

बीज शब्द (Keywords): बौद्धिक संपदा हक्क, विमा धोरण, जोखीम व्यवस्थापन, नवोपक्रम, धोरणात्मक उपाय

परिचय (Introduction) :

बौद्धिक संपदा (Intellectual Property - IP) ही आधुनिक अर्थव्यवस्थेतील एक महत्त्वपूर्ण बाब आहे. नवकल्पना, संशोधन आणि औद्योगिक प्रगतीस चालना देण्यासाठी बौद्धिक संपदा चे संरक्षण करणे आवश्यक आहे. तंत्रज्ञान आणि डिजिटल क्षेत्राच्या झपाट्याने होणाऱ्या वाढीमुळे बौद्धिक संपदेच्या

उल्लंघनाचे प्रमाणही वाढले आहे. अनेक उद्योगांना पेटंट, कॉपीराइट आणि ट्रेडमार्कच्या उल्लंघनामुळे आर्थिक नुकसान, कायदेशीर अडचणी आणि ब्रँड प्रतिमेच्या हानीस सामोरे जावे लागत आहे.

बौद्धिक संपदा उल्लंघनामुळे अनेक मोठ्या कंपन्यांना मोठ्या न्यायालयीन प्रक्रियांना सामोरे जावे

लागते, ज्यामुळे वेळ आणि आर्थिक संसाधनांचा मोठा खर्च होतो. हे नुकसान टाळण्यासाठी आणि बौद्धिक संपदेचे संरक्षण करण्यासाठी बौद्धिक संपदा विमा (Intellectual Property Insurance) हा एक प्रभावी पर्याय बनला आहे.

बौद्धिक संपदा विमा व्यवसायांना त्यांच्या बौद्धिक संपत्तीवर होणाऱ्या उल्लंघनांपासून कायदेशीर आणि आर्थिक संरक्षण प्रदान करतो. हे विमा संरक्षण कंपन्यांना पेटंट विवाद, ट्रेडमार्क संघर्ष आणि कॉपीराइट उल्लंघनांमध्ये मदत करते. स्पर्धात्मक बाजारात टिकण्यासाठी आणि दीर्घकालीन यशासाठी कंपन्यांनी त्यांच्या बौद्धिक संपदेचे संरक्षण करणे अनिवार्य आहे.

या निबंधात बौद्धिक संपदेचे महत्त्व, बौद्धिक संपदा उल्लंघनाच्या वाढत्या समस्या आणि बौद्धिक संपदा विम्याच्या मदतीने व्यवसायांना मिळणारे सुरक्षित भविष्य यांचा सविस्तर आढावा घेण्यात आला आहे.

संशोधन उद्दीष्टे (Research Objectives):

हे संशोधन बौद्धिक संपदा विम्याचे महत्त्व, त्याचा व्यवसायांवर होणारा परिणाम आणि भारतातील विमा धोरणांमध्ये सुधारणा करण्याची आवश्यकता समजून घेण्याचा प्रयत्न करते. या संशोधनाचे प्रमुख उद्दीष्टे पुढीलप्रमाणे आहेत—

1. बौद्धिक संपदा विम्याचे विविध प्रकार आणि त्याचा व्यवसायांवर होणारा प्रभाव समजून घेणे.
2. आंतरराष्ट्रीय स्तरावर IPR विम्याच्या धोरणांची तुलना करणे.
3. भारतात IP विम्याच्या स्वीकारास अडथळा आणणाऱ्या अडचणी शोधणे.
4. IPR विमा अधिक प्रभावी करण्यासाठी धोरणात्मक शिफारसी देणे.

साहित्य समीक्षा (Literature Review):

१. बौद्धिक संपदा हक्क आणि जोखीम व्यवस्थापन:

संशोधन साहित्य दर्शवते की बौद्धिक संपदा संरक्षित केल्याने कंपन्यांचे आर्थिक मूल्य वाढते. [World Intellectual Property Organization (WIPO), 2019] नुसार, बौद्धिक संपदा उल्लंघनामुळे जागतिक अर्थव्यवस्थेला दरवर्षी ४०० अब्ज डॉलर्सचे नुकसान होते.

२. बौद्धिक संपदा विम्याचा इतिहास आणि प्रगती:

1. १९९०: पहिल्यांदा अमेरिकेत बौद्धिक संपदा विमा बाजारात उपलब्ध झाला.
2. २०००: युरोपियन आणि आशियाई देशांनी बौद्धिक संपदा विमा स्वीकारायला सुरुवात केली.
3. २०२०: कोविड-१९ महामारीनंतर डिजिटल व्यापार वाढल्याने बौद्धिक संपदा उल्लंघनाचे प्रमाण वाढले, आणि बौद्धिक संपदा विमा गरजेचा ठरला.

संशोधन पद्धती (Methodology):

१. संशोधन दृष्टिकोन (Research Approach):

1. साहित्य समीक्षा: शैक्षणिक लेख, औद्योगिक अहवाल आणि कायदेशीर दस्तऐवजांचे विश्लेषण.
2. प्रकरण अभ्यास (Case Studies): भारत, अमेरिका आणि युरोपमधील कंपन्यांचे बौद्धिक संपदा विम्याच्या वापरावरील विश्लेषण.
3. तुलनात्मक विश्लेषण: बौद्धिक संपदा विमा धोरणांची तुलना विविध देशांमधील कायद्यांसोबत करणे.

२. डेटा संकलन आणि विश्लेषण (Data Collection & Analysis):

1. गुणात्मक (Qualitative): कायद्यांचे दस्तऐवज आणि कंपन्यांच्या बौद्धिक संपदा धोरणांचे विश्लेषण.
2. परिमाणात्मक (Quantitative): बौद्धिक संपदा उल्लंघनामुळे झालेल्या आर्थिक नुकसानीवर डेटा संकलन.

चर्चा (Discussion) :

बौद्धिक संपदा विमा (Intellectual Property Insurance) हा आधुनिक व्यवसायांमध्ये वाढत्या महत्वाचा ठरत आहे. डिजिटल युगात कंपन्यांना त्यांच्या पेटंट, कॉपीराइट, ट्रेडमार्क आणि इतर बौद्धिक संपदेच्या हक्कांचे उल्लंघन होण्याचा धोका वाढला आहे. यामुळे कायदेशीर अडचणी, मोठ्या प्रमाणावर आर्थिक नुकसान आणि व्यवसायाच्या विश्वासाहतेला हानी पोहोचण्याचा धोका निर्माण होतो. या जोखमीचा सामना करण्यासाठी आणि व्यवसायाला आर्थिक सुरक्षितता प्रदान करण्यासाठी बौद्धिक संपदा विमा एक प्रभावी उपाय म्हणून उदयास आला आहे.

१. बौद्धिक संपदा विम्याचे प्रकार (Types of IP Insurance):

बौद्धिक संपदा विमा मुख्यतः तीन प्रमुख प्रकारांत विभागला जातो. प्रत्येक प्रकार वेगवेगळ्या धोरणांनुसार संरक्षण प्रदान करतो आणि व्यवसायाच्या गरजांनुसार त्याचा उपयोग केला जातो.

उल्लंघन संरक्षण विमा (Infringement Defence Insurance):

1. हा विमा कंपन्यांना त्यांच्या बौद्धिक संपत्तीच्या उल्लंघनाच्या दाव्यांपासून संरक्षण देतो.
2. एखाद्या तृतीय पक्षाने दावा दाखल केल्यास, या विम्याद्वारे कायदेशीर खर्च, वकीलांची फी आणि कोर्टाची प्रक्रिया खर्च भागवली जाते.

3. विशेषतः नवउद्योजक (Start-ups) आणि लहान-मध्यम उद्योगांसाठी (SMEs) हा विमा अत्यंत महत्वाचा ठरतो, कारण बौद्धिक संपदेवरील खटले अनेकदा खर्चिक आणि दीर्घकालीन असतात.

अंमलबजावणी विमा (Enforcement Insurance):

1. बौद्धिक संपत्तीचे उल्लंघन झाल्यास, कंपनीला आपल्या हक्कांचे संरक्षण करण्यासाठी कायदेशीर कारवाई करावी लागते.
2. हा विमा कंपनीला स्वतःच्या बौद्धिक संपदेचे उल्लंघन करणाऱ्यांविरुद्ध न्यायालयात खटला दाखल करण्यासाठी मदत करतो.
3. यात वकीलांचा खर्च, कोर्ट केसशी संबंधित इतर खर्च आणि कायदेशीर प्रक्रिया सुलभ करण्यासाठी आवश्यक असलेल्या आर्थिक मदतीचा समावेश होतो.

व्यवसाय-विरहितता विमा (Business Interruption Insurance):

1. बौद्धिक संपदेवरील वादामुळे व्यवसायावर होणाऱ्या नकारात्मक परिणामांपासून संरक्षण करण्यासाठी हा विमा दिला जातो.
2. एखाद्या बौद्धिक संपत्तीच्या दाव्यामुळे कंपनीचे उत्पादन थांबवावे लागल्यास किंवा व्यवसायात मोठ्या प्रमाणावर नुकसान झाले असल्यास, हा विमा व्यवसायाच्या पुनर्बांधणीसाठी आर्थिक मदत करतो.
3. अनेक उद्योगांमध्ये उत्पादन प्रक्रिया, विपणन आणि व्यापार थांबल्यास मोठे नुकसान होते, त्यामुळे हा विमा व्यवसायाच्या सातत्यासाठी महत्वाचा ठरतो.

२. बौद्धिक संपदा विम्याच्या अडचणी (Challenges in IP Insurance):

बौद्धिक संपदा विमा उद्योगांसाठी अनेक फायदे देत असला, तरी त्याच्या अंमलबजावणीत काही

महत्त्वाच्या अडचणी आहेत. या अडचणींमुळे अनेक कंपन्या, विशेषतः लघु आणि मध्यम उद्योग (SMEs), बौद्धिक संपदा विमा घेण्यात संकोच करतात.

विमा प्रीमियमचा जास्त खर्च:

- ❖ बौद्धिक संपदा विम्याचे प्रीमियम तुलनेने जास्त असतात, त्यामुळे अनेक लघु आणि मध्यम उद्योगांसाठी (SMEs) तो परवडणारा नसतो.
- ❖ पेटंट किंवा ट्रेडमार्क उल्लंघनाशी संबंधित खटल्यांचे खर्च मोठे असल्याने विमा कंपन्या अधिक प्रीमियम आकारतात.
- ❖ परिणामी, केवळ मोठ्या उद्योगांनाच हा विमा घेणे सोपे जाते, तर नवउद्योजक आणि लहान कंपन्या त्यापासून दूर राहतात.

बौद्धिक संपदेचे मूल्यांकन करणे कठीण:

- ❖ बौद्धिक संपदा विमा घेण्यासाठी कंपन्यांना त्यांच्या बौद्धिक संपत्तीचे मूल्यांकन करावे लागते, परंतु याची अचूक किंमत ठरवणे कठीण ठरते.
- ❖ पेटंट, ट्रेडमार्क किंवा कॉपीराइट यांची बाजारातील किंमत अनेक घटकांवर अवलंबून असते, ज्यामध्ये नाविन्याचा दर्जा, औद्योगिक वापर आणि भविष्यातील व्यावसायिक शक्यता यांचा समावेश होतो.
- ❖ यामुळे विमा कंपन्या आणि व्यवसाय यांच्यात किंमत ठरवताना मतभेद निर्माण होऊ शकतात.

भारतासह अनेक देशांमध्ये बौद्धिक संपदा विम्याबद्दल जागरूकतेचा अभाव:

- ❖ भारतासह अनेक विकसनशील देशांमध्ये बौद्धिक संपदा विम्यासंदर्भात पुरेशी जागरूकता नाही.
- ❖ अनेक लघु आणि मध्यम उद्योग (SMEs) आणि नवउद्योजकांना त्यांच्या बौद्धिक संपदेचे संरक्षण करण्याच्या गरजेची जाणीव नाही.

❖ परिणामी, अनेक कंपन्या त्यांचा बौद्धिक वारसा संरक्षित करण्यासाठी योग्य पावले उचलत नाहीत आणि भविष्यात त्यांना मोठ्या अडचणींना सामोरे जावे लागते.

❖ सरकार आणि उद्योग संघटनांनी IP विम्याच्या महत्त्वाबद्दल अधिकाधिक जागरूकता निर्माण करणे आवश्यक आहे.

३. बौद्धिक संपदा विम्याचे फायदे (Benefits of IP Insurance):

कायदेशीर खर्च कमी करतो (Reduces Legal Expenses):

1. बौद्धिक संपदेच्या उल्लंघनाशी संबंधित खटले अनेकदा महागडे आणि वेळखाऊ असतात.
2. बौद्धिक संपदा विम्यामुळे कंपन्यांना वकील शुल्क, न्यायालयीन खर्च आणि खटल्याशी संबंधित इतर आर्थिक भार कमी करण्यास मदत होते.
3. विशेषतः नवउद्योजक (Start-ups) आणि लघु-मध्यम उद्योग (SMEs) यांच्यासाठी बौद्धिक संपदा विमा अत्यंत उपयुक्त आहे, कारण मोठ्या बहुराष्ट्रीय कंपन्यांशी स्पर्धा करताना त्यांना न्यायालयीन खर्च पेलणे कठीण जाते.
4. कंपन्यांनी योग्य विमा योजना निवडल्यास, त्यांच्या बौद्धिक संपदा हक्कांचे उल्लंघन झाल्यास किंवा त्यांच्या विरोधात खटला दाखल झाल्यास कायदेशीर खर्चाची चिंता कमी होते.

कंपनीच्या ब्रँडला संरक्षण देतो (Protects the Company's Brand):

1. कंपनीचा ब्रँड, त्याचे ट्रेडमार्क, पेटंट आणि कॉपीराइट ही त्याच्या ओळखीचा आणि विश्वासाहतेचा मुख्य भाग असतो.

2. IP विम्याद्वारे, ब्रँडच्या बौद्धिक संपत्तीच्या उल्लंघनाविरोधात संरक्षण मिळते, ज्यामुळे कंपनीची प्रतिष्ठा टिकवून ठेवणे सोपे होते.
3. बाजारात ब्रँडची विशिष्ट ओळख निर्माण करणे हे व्यवसायाच्या यशासाठी महत्वाचे असते. परंतु, जर इतर कोणी त्याच्यासारखे उत्पादन किंवा नाव वापरले, तर ग्राहकांमध्ये संभ्रम निर्माण होतो आणि कंपनीच्या विक्रीवर परिणाम होतो.
4. अशा वेळी IP विमा ब्रँडच्या मालकी हक्कांचे संरक्षण करण्यासाठी कायदेशीर कारवाईसाठी आवश्यक सहाय्य पुरवतो, ज्यामुळे बाजारातील स्पर्धेत कंपनीला मजबूत स्थान मिळते.

नवोपक्रमाला चालना देतो (Encourages Innovation):

1. संशोधन आणि विकास (R&D) हा कोणत्याही उद्योगाचा मुख्य आधारस्तंभ असतो. मात्र, नाविन्यपूर्ण उत्पादने किंवा तंत्रज्ञान विकसित करताना त्यांचे बौद्धिक संपत्ती हक्क संरक्षित करणे गरजेचे असते.
2. अनेक कंपन्या पेटंट, ट्रेडमार्क किंवा कॉपीराइट मिळवण्यासाठी मोठी गुंतवणूक करतात, परंतु जर त्यांचे अधिकार संरक्षित नसतील, तर त्यांना मोठे नुकसान होऊ शकते.
3. बौद्धिक संपदा विम्यामुळे कंपन्यांना अधिक सुरक्षित वातावरण मिळते, ज्यामुळे संशोधन आणि नवोपक्रमासाठी अधिक संधी निर्माण होतात.
4. बौद्धिक संपदा विम्याच्या मदतीने कंपन्या त्यांच्या नाविन्यपूर्ण संकल्पना सुरक्षित ठेवू शकतात आणि अन्य कंपन्यांनी किंवा व्यक्तींनी त्यांचा गैरवापर करू नये याची खात्री करता येते.

व्यवसायातील जोखीम कमी करतो (Reduces Business Risks):

1. बौद्धिक संपत्तीशी संबंधित कायदेशीर लढाया, उत्पादनाचे उत्पादन थांबविण्याची गरज आणि

ब्रँडच्या विश्वासाहतेला झालेल्या धक्क्यामुळे व्यवसायाचे मोठे नुकसान होऊ शकते.

2. बौद्धिक संपदा विमा व्यवसायासाठी संरक्षणात्मक उपाय प्रदान करतो, ज्यामुळे कंपन्या त्यांच्या दीर्घकालीन धोरणांवर अधिक आत्मविश्वासाने काम करू शकतात.
3. लघु आणि मध्यम उद्योगांसाठी (SMEs) विशेषतः बौद्धिक संपदा विमा उपयुक्त ठरतो, कारण त्यांच्याकडे मोठ्या कंपन्यांइतकी कायदेशीर लढाई लढण्याची क्षमता नसते.

गुंतवणूकदारांचा विश्वास वाढवतो (Enhances Investor Confidence):

1. बौद्धिक संपदा सुरक्षित असल्यास, कंपनीतील गुंतवणूकदार अधिक आत्मविश्वासाने गुंतवणूक करतात.
2. पेटंट किंवा ट्रेडमार्कशी संबंधित जोखीम विमाद्वारे संरक्षित असल्यास, गुंतवणूकदार आणि भागीदारांना व्यवसायाची दीर्घकालीन टिकारूपणा आणि स्थिरता याची खात्री मिळते.
3. विशेषतः नवउद्योजक आणि स्टार्टअप कंपन्यांसाठी बौद्धिक संपदा विमा अत्यंत महत्वाचा ठरतो, कारण नाविन्यपूर्ण उत्पादनांची आणि तंत्रज्ञानाची सुरक्षितता गुंतवणुकीसाठी मुख्य निकष असतो.

स्पर्धात्मकता वाढवतो (Strengthens Competitive Advantage):

1. आजच्या बाजारपेठेत स्पर्धा तीव्र असून, अनेक कंपन्या समान तंत्रज्ञान आणि नाविन्यपूर्ण कल्पनांसह पुढे येतात.
2. बौद्धिक संपदा विमा कंपन्यांना त्यांच्या विशिष्ट संकल्पनांचे आणि नवोपक्रमांचे संरक्षण करण्यास मदत करतो, त्यामुळे त्यांना बाजारपेठेत टिकाव धरता येतो.
3. बौद्धिक संपदा विमा घेतल्याने कंपन्यांना स्वतःच्या मालकीच्या उत्पादनांवर आणि तंत्रज्ञानावर संपूर्ण

हक्क प्राप्त होतो, ज्यामुळे स्पर्धात्मक फायदा मिळतो.

दीर्घकालीन व्यवसाय स्थिरता प्रदान करतो (Ensures Long-term Business Stability):

1. बौद्धिक संपदा विमा कंपन्यांना त्यांच्या मालकीच्या तंत्रज्ञानाचे, ब्रँडचे आणि नवोपक्रमांचे योग्य संरक्षण मिळवून देतो.
2. भविष्यातील संभाव्य कायदेशीर अडचणी आणि वित्तीय जोखमींचा परिणाम टाळण्यासाठी हा विमा व्यवसायाच्या स्थिरतेसाठी उपयुक्त ठरतो.
3. कंपन्यांना जर त्यांच्या बौद्धिक संपत्तीचा योग्य विमा असेल, तर त्यांनी मोठ्या आत्मविश्वासाने बाजारात आपले स्थान निर्माण करू शकतात.

निष्कर्ष आणि शिफारसी (Conclusion & Recommendations):

१. महत्त्वाचे निष्कर्ष (Key Findings):

बौद्धिक संपदा विमा व्यवसायांसाठी एक महत्त्वाचे आर्थिक आणि कायदेशीर संरक्षण प्रदान करतो. कंपन्यांना त्यांच्या बौद्धिक संपत्तीचे उल्लंघन झाल्यास मोठ्या प्रमाणावर आर्थिक नुकसान सहन करावे लागते, त्यामुळे बौद्धिक संपदा विमा हा व्यवसाय स्थिरतेसाठी उपयुक्त ठरतो. तथापि, भारतासह विकसनशील देशांमध्ये बौद्धिक संपदा विम्याचा स्वीकार अजूनही तुलनेने कमी आहे, कारण त्यासंबंधी जागरूकतेचा अभाव, विम्याचे अधिक प्रीमियम दर आणि बौद्धिक संपदेच्या मूल्यांकनासंबंधीची अनिश्चितता आढळते. कंपन्यांसाठी बौद्धिक संपदा विमा केवळ संरक्षणाचा उपाय नसून, तो एक स्पर्धात्मक फायदा देखील प्रदान करतो. उद्योगांमध्ये नाविन्यपूर्ण संशोधन आणि विकासाला चालना मिळते, तसेच गुंतवणूकदारांचा विश्वास वाढतो. न्यायालयीन खर्च आणि संभाव्य कायदेशीर विवादांमधील जोखीम कमी होत असल्याने व्यवसाय दीर्घकालीन स्थिरता राखू शकतो.

२. धोरणात्मक शिफारसी (Policy Recommendations):

बौद्धिक संपदा विम्याचा प्रभावी उपयोग होण्यासाठी प्रथम त्यासंबंधी जागरूकता वाढविणे गरजेचे आहे. सरकार, औद्योगिक संघटना आणि संबंधित संस्थांनी संयुक्तरित्या बौद्धिक संपदा विम्यासंबंधी माहिती प्रसारित करण्यासाठी प्रशिक्षण आणि साक्षरता मोहिमा राबवाव्यात. सरकारने बौद्धिक संपदा विम्यासाठी कर सवलती, अनुदान आणि विशेष योजना लागू कराव्यात, ज्यामुळे लघु आणि मध्यम उद्योगांसाठी (SMEs) हा विमा परवडणारा ठरू शकेल. तसेच, सरकारी पातळीवर बौद्धिक संपदा संरक्षणासाठी आर्थिक सहाय्य आणि सवलती उपलब्ध करून देणे आवश्यक आहे.

विमा कंपन्यांनी लवचिक आणि उद्योगानुसार सुसज्ज विमा योजना आणणे गरजेचे आहे. पारंपरिक विमा योजनांपेक्षा बौद्धिक संपदा विमा अधिक जटिल असतो, त्यामुळे त्याची संरचना अधिक सोपी आणि व्यावहारिक असली पाहिजे. कमी प्रीमियम, सुलभ क्लेम प्रक्रिया आणि उद्योगविशिष्ट योजना लागू करून विम्याचा स्वीकार वाढविता येईल.

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संत ज्ञानेश्वरानांच्या साहित्यातील वैज्ञानिक दृष्टिकोन

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DOI - 10.5281/zenodo.14909958

“दिसते तसे नसते, म्हणून जग फसते” ही म्हण प्रसिद्ध आहे आणि ही म्हण “दिसणे” ह्या डोळ्याच्या कार्याच्या बाबतीतच नव्हे, तर जीवनाच्या प्रत्येक अंगामधील काही घटनांच्या बाबतीत खरी असल्याचे आपल्याला अनेकदा आढळून येते.

दिसणे, ऐकणे, अनुभवणे इत्यादींमधूनच आपल्याला काही एक माहिती मिळते. त्यातून होणारे “ज्ञान” हे यथार्थ आहे की, “अयथार्थ” याचा शोध मानव फार वर्षांपूर्वीपासून घेत आला आहे. असा शोध घेण्यासाठी मानवाने अनेक पद्धतींचा उपयोग केला आहे. या पद्धतींमध्ये सृष्टीचे अस्तित्व नाकारणाऱ्या “जग म्हणजे माया” या गृहीतावर आधारीत पद्धतीचा सुद्धा समावेश आहे. परंतु हा शोध घेण्याची एकमेव विश्वसनीय पद्धत म्हणजे वैज्ञानिक विचार पद्धती ही होय.

वैज्ञानिक विचारपद्धती:

मानव आणि त्याच्या सभोवतालाचे वातावरण समजावून घेण्यासाठी मानवाला घडोघडी प्राप्त होणाऱ्या संवेदना, अनुभव, जाणीवा, इतर माहिती यांची पद्धतशीर मांडणी करून त्या संकलनातून सार काढणे आवश्यक आहे.

1) निरीक्षण करणे 2) संगतवार मांडणी करणे 3) प्रश्न उपस्थित करणे (4) सूत्र मांडणे (5) सर्व साधारण परिस्थितीला लागू असणारा सिद्धांत मांडणे आणि (6)

पद्धतशीर प्रयोग करून या सिद्धांताची पुन्हा: तपासणी करीत राहाणे. अशा पद्धतीने कोणत्याही ज्ञानाची माहितीची जाणिवेची तपासणी करावी लागते. या सर्व पद्धतीला वैज्ञानिक पद्धती म्हणतात. अशी ही वैज्ञानिक पद्धत जीवनात पदोपदी वापरणे आवश्यक आहे. याची जाणीव करून देणारा, तशी मनाची बैठक घडविणारा दृष्टिकोन म्हणजे वैज्ञानिक दृष्टीकोन हा होय.

वैज्ञानिक दृष्टिकोन:

वर मांडलेल्या विचार पद्धतीचा वापर वैज्ञानिक त्याच्या संशोधनात करतात. पण या वैज्ञानिक विचारपद्धतीचा आधारभूत असलेला वैज्ञानिक दृष्टीकोन मात्र अनेक शास्त्रज्ञांच्या ठायी नसतो. कारण आत्मविश्वास देणाऱ्या वैज्ञानिक दृष्टिकोनाची कमतरता असते. हा वैज्ञानिक दृष्टीकोन म्हणजे मनाची एक प्रवृत्ती आहे. तिचे आधार पुढील प्रमाणे आहे.

1) **जगाच्या अस्तित्वाविषयी:** विश्वाच्या घडणाऱ्या घटनेमागे एक निश्चित असा कार्यकारणसंबंध असतो. “यदृच्छेने” कोणतीही घटना घटत नाही.

2) **जग समजावून घेण्यासंबंधी:** वैज्ञानिक पद्धती - हा अर्थार्थ ज्ञानप्राप्तीचा एकमेव मार्ग मानवाला उपलब्ध आहे. त्यातून सर्व प्रश्नांची ताबडतोब उत्तर मिळत नाहीत. पण तो योग्य मार्ग आहे.

3) **वैज्ञानिक ज्ञानाचे स्वरूप:** वैज्ञानिक दृष्टीकोनच वैज्ञानिक विचार पद्धतीच्या वापरामुळे मिळालेले,

निरनिराळ्या घटनांमधील कार्यकारणभाव स्पष्ट करून दाखविणारे ज्ञान म्हणजे विज्ञान होय.

4) वैज्ञानिक प्रयोगाचे महत्त्व: सिद्धांताची मांडणी त्यांचा पुनर्विचार यागोष्टी वैज्ञानिक प्रयोगातूनच होतात. वैज्ञानिक प्रयोग हा दिलेल्या परिस्थितीत पुनःपुन्हा करण्याजोगा (Reproducible) असतो आणि अशाप्रकारे सर्वासाठी असतो आणि स्वैर इच्छा किंवा यदृच्छेला त्यामध्ये स्थान नसते.

5) काळाची गरज: आधुनिक काळामध्ये पर्यावरण, नवीन शोध, आरोग्य वैगैरेसंबंधी अनेक गैरसमज असतात आणि आधुनिक काळातील अवैज्ञानिक विचारसुद्धा घातकच असतात. धोके टाळण्याकरिता प्रचलीत सर्व समजुतींची वैज्ञानिक पद्धतीने आणि वैज्ञानिक दृष्टीकोनातून चिकित्सा होणे आवश्यक आहे.

शिक्षण म्हणजे मनुष्याच्या ठिकाणी जे पुर्णत्व आधीचेच विद्यमान आहे. त्याचे प्रगटीकरण ज्ञान माणसात अंतर्निहित असते, कोणतेच ज्ञान बाहेरून येत नाही. माणसाला ज्ञान होते. ह्याचा अगदी काटेकोर मानसशास्त्राच्या भाषेत अर्थ हा की तो, आवरण दुर करतो. पडदा बाजूस सारतो. ज्ञानसाधनेची अगदी एकमेव पद्धती म्हटली म्हणजे शिक्षणाचे अगदी सार म्हणजे मनाची एकाग्रता. उच्चतम योग्यापासून तो अत्यंत निकृष्ट माणसापर्यंत सर्वांना ज्ञानप्राप्तीसाठी या एकाच रितीचा अवलंब करावा लागतो. वरील गोष्टी वैज्ञानिक दृष्टीकोन ठेवल्यास साध्य होतात.

आजच्या युगात- शतकात- दशकात पर्यावरण, जलावरण, वातावरण, प्रदुषण नियंत्रण या नव्या संज्ञा प्रचलित होतांना दिसतात. परंतु त्यात मानवी संदर्भ आणि संबंध आणि निसर्ग घटनाक्रम यांचा मेळ कसा तुटतो आणि सुटतो आहे याचे भान शास्त्रीय दृष्टीने देण्याचा प्रयत्न जागतिक पातळीवर होतांना दिसतो. परंतु एकविसाव्या शतकातील ही जागृती आपल्या दूरदर्शी काळातील आणि सर्वसमावेशक दृष्टीने गेल्या सातशे-आठशे वर्षांपासून देण्याचा प्रयत्न संत परंपरने केला हे जाणवते. त्यात संत ज्ञानेश्वरापासून संत तुकारामापर्यंत प्रयत्न केले हे जाणवते. निसर्ग

ज्ञान, निसर्ग मानवाचा एकत्रीत परस्पर पुरक, पर्यावरणवादी विचार आणि आचार सूत्रबद्धा आढळतो. त्याला आधुनिक परिभाषा नसते. परंतु तो लोकभाषेतून मनात उतरावा हाती आणावा असा आहे. त्याला भारतीय संस्कार आणि संस्कृतीचा प्रदीर्घ समग्रज्ञानी विश्वकल्याणाची परंपरा आहे, हेही जाणवते. जी आधुनिक पाश्चात्य शास्त्रज्ञांना भारता इतकी नसावी हेही अभिमानाने नोंदवावे असे वाटते. संताची वैज्ञानिकदृष्टी संशोधकांना अश क्षेत्रांची आज गरज आहे. भारताच्या वैभवी ज्ञान विज्ञानाची पताका विश्वव्यापी फडकवण्यासाठी.

सृष्टीच्या विस्तीर्ण अवकाशात श्री ज्ञानेश्वरांच्या काव्यकाल्पनेची भरारी गरुडापेक्षाही उंच झेप घेते. जेथे सूर्यकिरण पोहचू शकत नाहीत ते दृश्य ज्ञानेश्वरांच्या कल्पनेत समावले आहे. आधुनिक विज्ञानयुगात बऱ्याच परिश्रमाने शास्त्रज्ञांनी काही अघडीत घटनांचा शोध घेतला. पण त्यासंबंधीही ज्ञानेश्वरांची कल्पना काही मागे नाही. ज्ञानेश्वरांनी त्यांच्या साहित्यात रेखाटलेली कल्पनाचित्रे पाहून त्यांच्या सर्वगामी प्रगल्भ बुद्धीचे कोणालाही कौतुकच वाटेल. नैसर्गिक किंवा मानवी जीवनातील बऱ्याच दृश्यांची परिपूर्ण चित्रे रेखाटून ती हुबेहुब वाचकांच्या डोळ्यासमोर ठेवली आहेत. खालील वाःडमयातील संदर्भावरून संत ज्ञानेश्वरांचा वैज्ञानिक दृष्टीकोन वाचकांच्या लक्षात येईल.

१) 'पृथ्वी गोलाकार आहे' हे पाश्चात्य देशात संशोधकांनी १५-१६ व्या शतकात सांगितले. हे सत्य ज्ञानेश्वरांना १२ व्या शतकात माहीत होते. हे खालील ओवीवरून स्पष्ट होते.

“का गाभेवने वटू गिवसावे । जरी तरंगी सागरु साठवे ।

का परमाणूमाजी सामावे भूगोल हा॥

(ज्ञानेश्वरी अ. १० ओ ७०) येथे ज्ञानेश्वरांनी भूगोल असा शब्द योजिला आहे, याचा अर्थ पृथ्वी गोलाकार आहे” हे ज्ञानेश्वरांना माहीत होते.

२) सूर्य स्थिर आहे व त्याची गती भ्रामक आहे. पृथ्वी सूर्याभोवती फिरते हे ज्ञानेश्वरांना माहीत होते.

“आणि उदोस्तुचेनि प्रमाणे । जैसे न चालता सुर्याचे
चालणे । तैसे नैष्कर्म्यत्व जाणे। कर्मीचि असता॥

(ज्ञानेश्वरी अ. ४ ओवी. ९९)

३) “आकाश व अवकाश, शब्द वेगळे परंतु आशया
मध्ये भेद मुळीच नाही.

“ देखे आकाशा आणि अवकाशात भेद नाही जैसा ।
तैसे ऐक्य योग संन्यासा । वोळखेजो ॥ (ज्ञानेश्वरी अ. ५
ओ. ३०)

४) मिठाची बाहुली मिठाच्या सागरात घातली की ती
परत येत नाही.

“का लवणाची कुंजरी । सुदालिया लवणसागरी ।
होयाचि ना माघारी। परती जैसी । (ज्ञानेश्वरी अ. १५
ओ. ३१८)

५) मोठमोठी नगरे रचावी, तलाव बांधावे, महावने
लावावी, नानाविध वृक्ष लावावे (पर्यावरण, जलावरण)
वृक्षारोपण.

नगरेची रचावी । जलाशये निर्मावी । महावने लावावी ।
नानाविधे ॥ (ज्ञानेश्वरी अ. १४ ओ. २३३)

६) मेघ धावत असतात, पण त्यांचे मागोमाग आकाश
धावत नाही. तसेच तारकासमुह भ्रमण पावतात असे
आपल्याला दिसते धूवाचा तारा काही भ्रमण पावत
नाही.

“जातया अम्रासर्वे। जैसे आकाश न धावे । भ्रमणचंक्री
न भवे। ध्रुव जैसा॥ (ज्ञानेश्वरी अ. १३ ओवी. ४८९)

७) आकाशात निळा रंग नुसता दिसतो, पण खरोखर तो
नुसता भासच आहे.

“नीळीमा अंबरी । का मृगतृष्णालहरी । तैसे वायाचि
फरारी। वो जाहले॥ (ज्ञानेश्वरी अ. १३ ओ. १०५)

८) समुद्राला भरती येते ती पौर्णिमेच्या चंद्राने येते चंद्र
आकर्षणाने सागराला भरती येते.

पै. रावो परिवारु नेणे। आज्ञाचि परचक्र जिणे । कां
चंद्राचि नि पुर्णपणे । सिंधु भरती॥ (ज्ञानेश्वरी अ. १३
ओवी. १३८)

९) मेघ घर्षणाने वीज निर्माण होते, पाण्याच्या जोराने
तेज प्रगट होते (वीज)

“मग उदकाचेनि आवेशे । प्रगटले तेज जे लखलखीत
दिसे । तिये विजुमाजी असे सलिल कायी॥

(ज्ञानेश्वरी अ. ७ ओवी. ५८)

१०) पाणी, अग्नी व वाफ यांचा वायुशी संबंध आला
की ढग उत्पन्न होतात. (सूर्य उष्णतेने पाण्याची वाफ
होऊन आकाशात ढग निर्माण होतात.)

“तोय तेज धुमु । ययां वायुसी संगमु । जालिया होय
अभ्रामू व्योम ने नेणे ॥ (ज्ञानेश्वरी अ. १८ ओ.
१४०१)

११) सागराच्या पोटात वडवाल नावाचा अग्नी आहे.
वाचुनि सागराच्या पोटी । वडवानळू शरण आला
किरीटी। जाळू न ठाके तया गोठी। वाळुनि दे पां॥
(ज्ञानेश्वरी अ. १८ ओ. १४०१)

१२) सागर मर्यादा उल्लंघित नाही. व समुद्राची व्याप्ती
वाढत नाही.

“जरी सरिताओघ समस्त । परिपूर्ण होऊनि मिळत। तरी
अधिक नो हे ईषन । मर्यादा न संडी॥
(ज्ञानेश्वरी अ. २ ओ. ३५८)

१३) समुद्रात मीठ पडण्याच्या आधी थोडेसे आहे असे
दिसते, पण तेच समुद्रात पडले की त्याचे
अल्पत्व जाऊन ते समुद्रात विलीन झाल्यामुळे
समुद्राएवढे व्यापक होते.

“जैसे समुद्री लवण न पडें । तव वेगळे अल्प आवडे ।
मग होय सिंधुचि एवढे। भिडे जेव्हा॥
(ज्ञा.अ.५ ओ. ३५)

सारांश:

तात्पर्य, ज्ञानेश्वरीमधील वरील ओव्यांचे
सखोल परिशिलन केले असता, असे दिसून येते की,
ज्ञानेश्वराजवळ वैज्ञानिक दृष्टी होती. निसर्गव्रत, निसर्ग
नियम यातील विज्ञान ज्ञानेश्वरांना चांगलेच अवगत होते.
त्यांच्या विवेचनात एखाद्या शास्त्रज्ञांची चिकित्सकता
दिसते. त्यातून त्यांच्या प्रगल्भ प्रतिमेचा प्रत्यय येतो.
ज्ञानेश्वरीमध्ये ज्ञानेश्वरांनी अध्यात्मज्ञान काव्यमय
भाषेतून सांगितले साहजिकच निसर्ग, निसर्गातले

घटनाक्रम व त्याच्या कार्यकारण संबंध व्यक्त करतांना ज्ञानेश्वराची वैज्ञानिक दृष्टी प्रगट होते.

ज्ञानेश्वरी हा केवळ अध्यात्मज्ञानाचा, ब्रम्हज्ञानाचा ग्रंथ आहे. असे समजणे चुकीचे आहे. ज्ञानेश्वरीतील अध्यात्मचर्चा काव्यात न्हाहुन निघाली आहे. प्रतिपाद्य विषय समजून देतांना ज्ञानेश्वरांनी जे दुष्टांत व उपमा वापरल्या आहेत. त्यामध्ये विज्ञान शोधणे हा एक आनंदाचा व संशोधनाला पुढे नेण्याचा विषय ठरू शकतो. तोच प्रयत्न प्रस्तुत लेखकाने या शोधनिबंधात करण्याचा प्रयत्न केला आहे.

निरीक्षण करणे, संगतवार मांडणी करणे, प्रश्न उपस्थित करणे, सूत्र मांडणे, सिद्धांत मांडून ससिद्धांताची पुन्हा तपासणी करणे ही जी वैज्ञानिक विचारपद्धती आहे, तिचा वापर ज्ञानेश्वरीच्या अनेक ओव्यांमध्ये ज्ञानेश्वरांनी केला आहे. नवीन अभ्यासकांनी त्याचा सखोल अभ्यास करण्यास खुप वाव आहे. अर्थात आपण वैज्ञानिक दृष्टिकोनातून ओव्या लिहित आहो याची त्याकाळी ज्ञानेश्वरांना कल्पनाही नसेल. परंतु त्यांचेजवळ अलौकिक प्रतिमा असल्यामुळे व

गुरुकृपा असल्यामुळे त्यांच्या विवरणामध्ये वैज्ञानिक दृष्टिकोन आला आहे हे, निश्चित.

ज्ञानेश्वर हे प्रतिभावंतकवी असल्यामुळे अफाट कल्पनासामर्थ्य त्यांचेजवळ होते. कल्पनेची अत्युच्च भरारी घेतांना अनेक वैज्ञानिक सत्य, त्यांच्या भाष्यात आलेले आहेत. आश्चर्य वाटावे एवढी वैज्ञानिक विचाराची बैठक ज्ञानेश्वरांमध्ये पाहायला मिळते.

संदर्भ ग्रंथ:

- १) अंधश्रद्धेकडून विज्ञानाकडे लोकसंख्या शिक्षण साधन केंद्र, प्रौढ, निरंतर शिक्षण व ज्ञानविस्तार विभाग पुणे विद्यापीठ, पूणे.
- २) शिक्षण - स्वामी विवेकानंद रामकृष्ण मठ, नगापूर.
- ३) जगतगु डिग्री श्री संत तुकाराम महाराज स्मारक ग्रंथ, जिजाऊ ग्रंथालय, पुणे.
- ४) श्री. ज्ञानेश्वर महाराजांची विचारसंपदा अद्वैत ज्ञानमंजीरी डॉ. श. की.चतुरकर सुविचार धनतोली, नागपूर.

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