

# **A Study on Intellectual Property Rights and Economic Growth in India**

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**Abstract:** *Intellectual Property Rights (IPR) refer to the legal protections granted to individuals or entities for their creations of the mind, which can include inventions, literary and artistic works, symbols, names, and designs used in commerce. These rights provide creators and innovators with exclusive control over the use of their creations for a certain period. For the purpose of this research, an empirical method was followed and the data was collected through both online and offline survey analysis. The SPSS software by IBM was used to calculate the empirical statistics. The sample size was 200. Dependent variables are the Intellectual Property Right is plays major role in India, most important IPR in India, consumers to easily identify and distinguish between different brands, IPR making an economic growth in India, IPR is to provide legal protection to creators and owners of intellectual property. Independent variables are Age, Gender. Various tools like Bar graph were used .The objectives of my research is To know about intellectual property rights and economic growth in India, To understand the IPR in India. To create awareness about IPR and it's protection in India. To analyse the causes of infringement of IPR in India*

**Keywords:** Intellectual Property Rights, Trademark, individual, symbols, design, names, commerce, innovators

## **I. INTRODUCTION**

Intellectual Property Rights (IPR) refer to the legal protections granted to individuals or entities for their creations of the mind, which can include inventions, literary and artistic works, symbols, names, and designs used in commerce. These rights provide creators and innovators with exclusive control over the use of their creations for a certain period. In the context of India, the relationship between Intellectual Property Rights and economic growth is significant. Robust IPR protection can incentivize innovation, research, and development by ensuring that creators and inventors can reap the benefits of their efforts. This, in turn, can stimulate economic growth by fostering a culture of innovation, attracting foreign investments, and promoting technological advancement. India has made strides in strengthening its IPR framework over the years, aligning with international standards to encourage innovation and entrepreneurship. Effective protection of IPR can lead to the emergence of new industries, improved productivity, increased foreign trade, and higher value-added products, all contributing to overall economic growth. However, there are also discussions about striking a balance between strong IPR protection and ensuring access to essential goods and services, particularly in sectors like healthcare and education. Ensuring that IPR regulations don't stifle competition or hinder the availability of critical resources is an ongoing challenge for policymakers. Yes, there has been economic growth in India driven by Intellectual Property Rights (IPR) initiatives. Over the years, various sectors have benefited from stronger IPR protection, leading to positive economic outcomes: 1. Pharmaceutical Industry: India's pharmaceutical industry has experienced substantial growth due to its ability to produce generic drugs, which often involves navigating IPR issues. The country's expertise in producing cost-effective medicines has contributed to affordable healthcare options domestically and has also led to significant exports, boosting economic growth. 2. Information Technology (IT) and Software: India's IT and software industry has thrived due to its skilled workforce and strong IPR protections. The country's software companies have developed innovative solutions and software products, contributing to economic growth through exports and job creation. 3. Entertainment and Media: The film, music, and entertainment industries have

benefited from copyright protection, leading to the creation of valuable intellectual property. Bollywood and the Indian music industry, for example, have made significant contributions to India's economic and cultural growth. 4. Biotechnology and Life Sciences: Research and development in biotechnology and life sciences have been supported by IPR protection, resulting in the emergence of new therapies, drugs, and technologies. This has led to growth in both the domestic market and international collaborations. 5. Startups and Innovation: India's startup ecosystem has been energized by IPR protection, as it provides startups with a competitive edge when seeking investments and entering the market. Innovative startups across various sectors contribute to economic growth and job creation. 6. Foreign Investment: India's efforts to align its IPR regime with international standards have attracted foreign investments, particularly in sectors where intellectual property plays a crucial role. This infusion of capital contributes to economic growth and technological advancement. 7. Traditional Knowledge and Geographical Indications: India has also worked to protect its traditional knowledge and products through geographical indications (GIs). This has led to the economic growth of rural communities and artisans who produce unique products tied to specific regions. While there have been positive economic impacts, it's important to note that challenges related to IPR enforcement, patent quality, and balancing rights with public interests remain. Additionally, the full economic impact of IPR can be complex and may not be immediately quantifiable. In summary, economic growth in India through IPR is evident across various sectors, fostering innovation, attracting investments, and contributing to the country's overall development.

#### **OBJECTIVES**

- To know about intellectual property rights and economic growth in India
- To understand the IPR in India.
- To create awareness about IPR and its protection in India.
- To analyse the causes of infringement of IPR in India.

#### **II. REVIEW OF LITERATURE**

**(Pervez Zamurrad Janjua and Ghulam Samad 2007)** This suggests that although IPRs protection stimulates economic growth, yet these developing countries are at the transitional stage of their economic development and the cost of innovation is higher than the cost of imitation. This means that these middle-income developing economies are not well-prepared to accept this challenge at the present stage of economic and infrastructural development.

**(Nasser Al-Mawali 2015)** The existing literature on the relationship between the strength of a country's intellectual property rights and rate of growth is still inconclusive. The previous studies on IPRs and economic growth, although quite comprehensive, overlooked the resource-based economies.

**(Pervez Zamurrad Janjua, Ghulam Samad and Nazakat Ullah 2019)** This study underlines the level of IPRs enforcement in Pakistan and consequently its implications for economic growth. The study confirms that enforcement at appropriate level of IPRs encourages economic growth in Pakistan. For data stationarity and long-run relationship between IPRs and economic growth Unit Root test and Johansen Cointegration tests are applied.

**(Marcus M. Keupp, Angela Beckenbauer and Oliver Gassmann 2010)** This article addresses this knowledge gap and explores strategies that managers have developed to achieve de facto protection, despite China's weak appropriability system. The analysis systematically explores 13 cases of foreign firms with wholly owned subsidiaries in China.

**(ABDUL SATTAR and TAHIR MAHMOOD 2011)** The impact is found to be more significant in high income countries as compared to middle and low income countries. Similarly, the effect is stronger in case of upper middle income countries as compared to lower middle income and low income countries.

**(Annie Patricia Kameri-Mbote and Philippe Cullet 1999)** This paper lays out the international legal framework currently governing agro-biodiversity management which emphasises private property rights and thus provides incentives for the private sector to participate in agriculture.

**(Robert L. Ostergard Jr 2000)** This research improves upon empirical studies that examine the measurement of intellectual property rights (IPR) protection. Prior measures examine only one type of law or lack a component that addresses the actual enforcement of these laws.

**(Rod Falvey, Neil Foster and David Greenaway 2009)** Economic theory suggests some ambiguity concerning the effects of strengthening intellectual property rights (IPRs) on international trade. Here we extend the empirical literature that attempts to resolve this ambiguity.

**(Paul N. Doremus 1996)** This article reviews the different strategies of externalisation associated with IPR reform in the software, biotechnology, and semiconductor industries. Variations across these cases indicate that fundamentally different technological, market, and political conditions can lead to different strategies for equilibrating incompatible and highly contested domestic and international regulatory rules.

**(Kamal Saggi 2013)** The North has a stronger preference for international exhaustion if the South forbids imitation, something the South is actually more willing to do under national exhaustion. Shutting down Southern imitation increases global welfare if and only if it is necessary for inducing the firm to export.

**(SUNIL MANI 2014)** The National Democratic Alliance government has constituted the IPR Think Tank which, among other things, is to draft the National Intellectual Property Rights Policy. India may not have a policy per se but it has a strong legislation on IPRs, a functioning patents office and mechanisms to grant patents as well as protect consumer interests.

**(B.N. Pandey and Prabhat Kumar Saha 2015)** The paper reviews competition law and technology transfer provisions of the TRIPS to analyze flexibilities available in these provisions from the perspective of developing country members of WTO with the aim to portray significant implications of TRIPS competition rules on technology transfer and consumer welfare in developing countries.

**(Mila Kashcheeva 2013)** The theory predicts that the welfare implications of intellectual property rights (IPR) reform are ambiguous, and depend on the extent of foreign direct investment (FDI) in the IPR-reforming country. However, previous research finds that stricter IPR increase development, especially among multinational firms in technology-intensive industries.

**(Mike W Peng, David Ahlstrom, Shawn M Carraher and Weilei (Stone) Shi 2017)** This article focuses on the crucial debate over intellectual property rights (IPR) between the United States and China. Ironically, during the 19th century the United States was not a leading IPR advocate as it is today, but was a leading IPR violator.

**(Hugh Breakey 2010)** It supports strengthening current intellectual property rights. Despite their many important differences, all these natural rights theories endorse some set of members of a common family of basic ethical precepts.

**(Daron Acemoglu and Ufuk Akcigit 2012)** In this paper, we develop a dynamic framework for the study of the interactions between IPR and competition, in particular to understand the impact of such policies on future incentives. The economy consists of many industries and firms engaged in cumulative (step-by-step) innovation.

**(Suman Sahai 1996)** Now that bioresources are becoming a highly sought after raw material in the era of biotechnology, we must create a framework for the just and proper use of and appropriate payment for indigenous technology. We need to address ourselves to a few important aspects in order to lay down a comprehensive national policy in this regard.

**(N. Lalitha 2004)** This paper looks at the Indian Plant Act and highlights some issues that need attention in the context of plant protection and the introduction of IPR-protected transgenic crops in the country. While the act has made a good beginning by providing a legal framework taking into account the various players, its success will depend on creating and strengthening the institutional infrastructure to register, monitor and regulate plant varieties.

**(Paul N. Doremus 1996)** Intellectual property rights (IPR) issues in the software, biotechnology, and semiconductor industries exemplify the pressure that new technologies and international competition are placing on domestic and international regulatory systems. Traditional patent and copyright rules cannot easily accommodate any of these technologies.

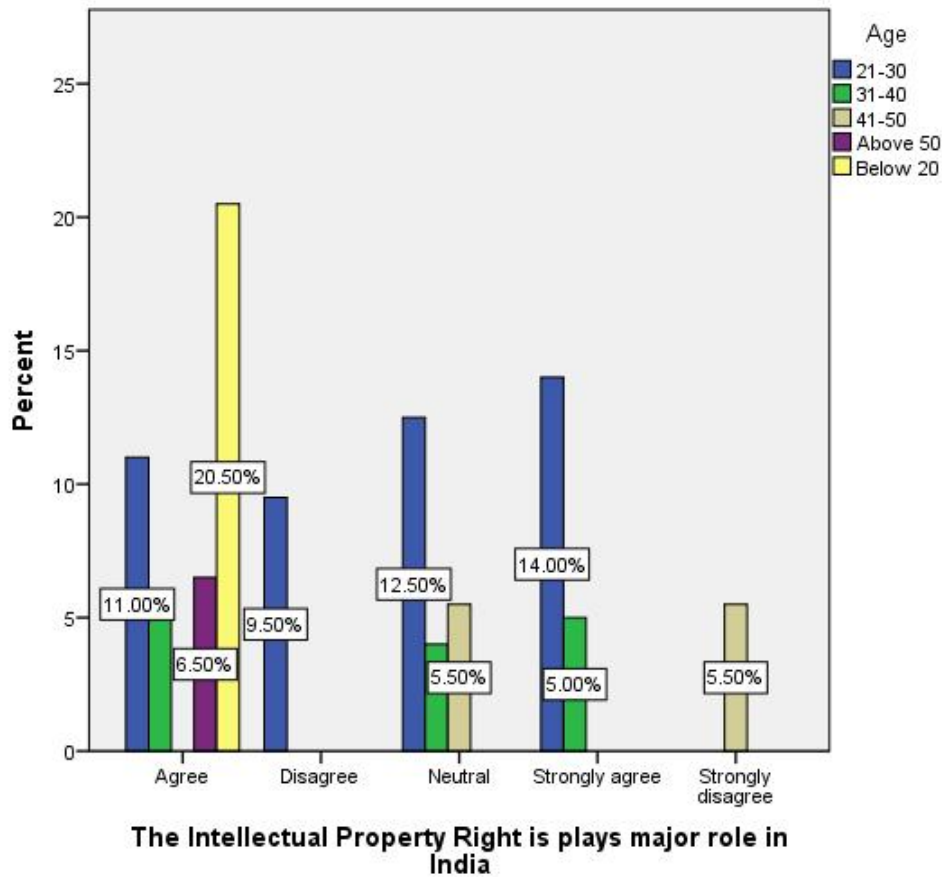
**(Kamal Saggi 2013)** We develop a North—South model in which a Northern monopolist can fully exercise its market power globally only if the North practises national exhaustion of intellectual property rights (IPR) and the South prohibits imitation. The firm's export incentive turns out to be a major determinant of equilibrium policy choices and their welfare effects.

**III. METHODOLOGY**

For the purpose of this research, an empirical method was followed and the data was collected through both online and offline survey analysis. The SPSS software by IBM was used to calculate the empirical statistics. The sample size was 200. Dependent variables are the Intellectual Property Right is plays major role in India, most important IPR in India, consumers to easily identify and distinguish between different brands, IPR making an economic growth in India, IPR is to provide legal protection to creators and owners of intellectual property. Independent variables are Age, Gender. Various tools like Bar graph were used.

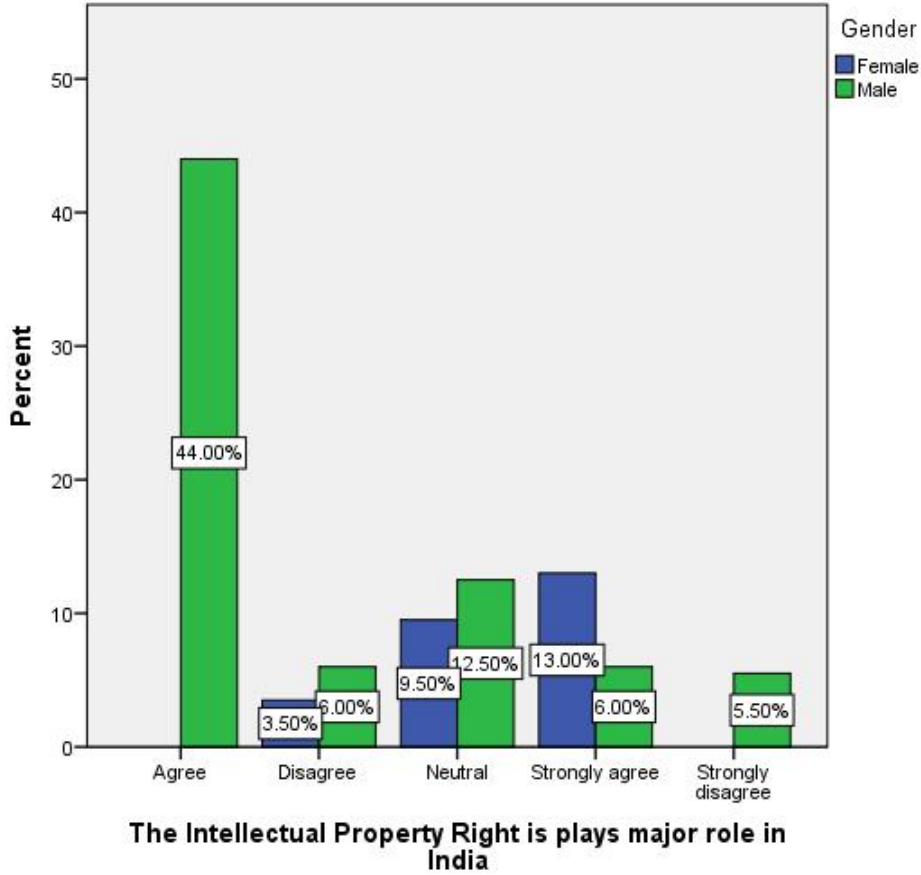
**IV. ANALYSIS PART**

**FIGURE 1**



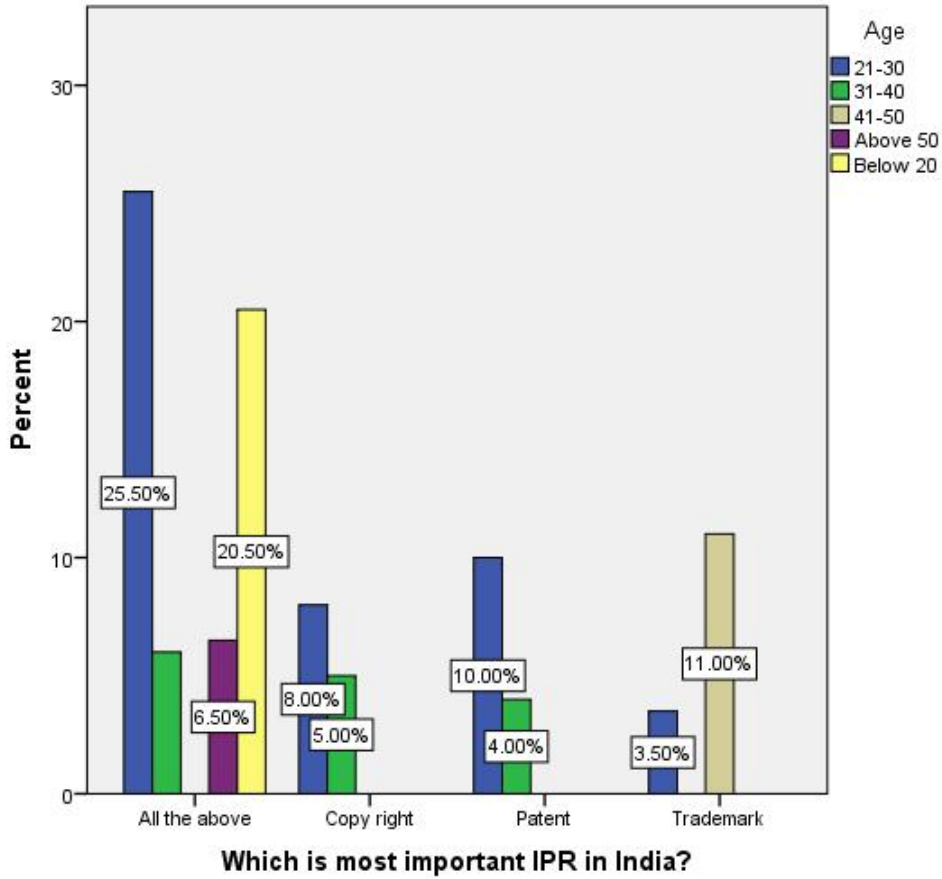
**LEGEND:** This figure shows that the Intellectual Property right is place major role in India is compared with Age.

**FIGURE 2**



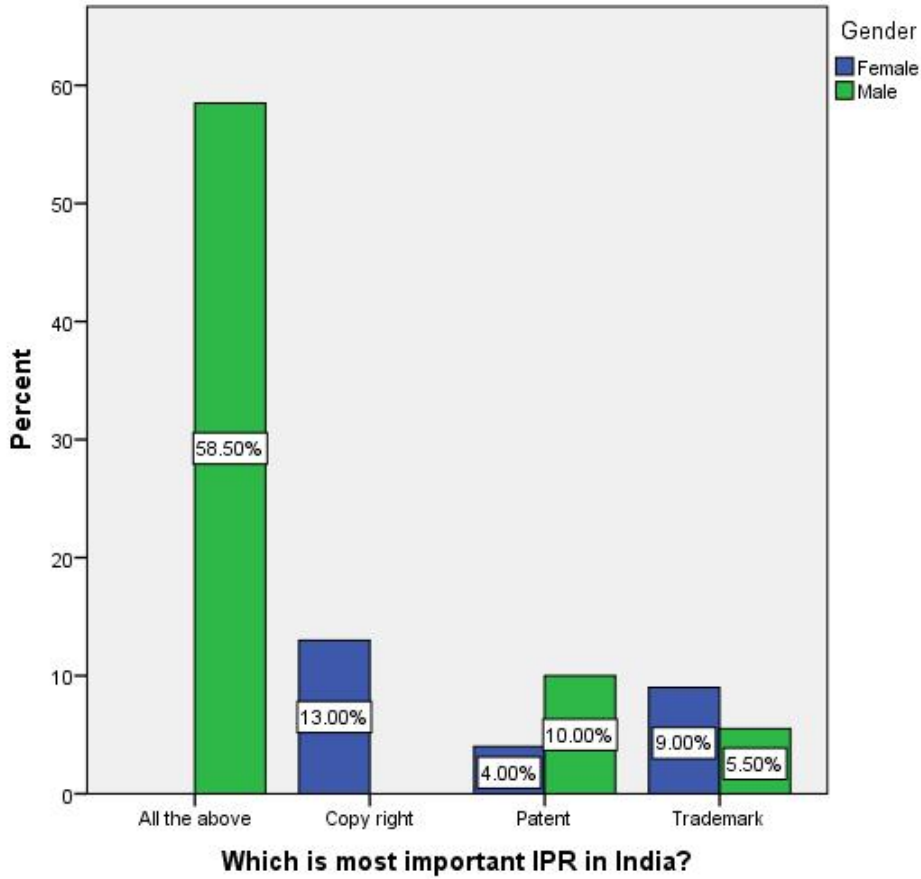
**LEGEND:** this figure shows that Intellectual Property rights place major role in India is compared with Gender.

**FIGURE 3**



**LEGEND:** This figure shows that important IPR in India is compared with Age.

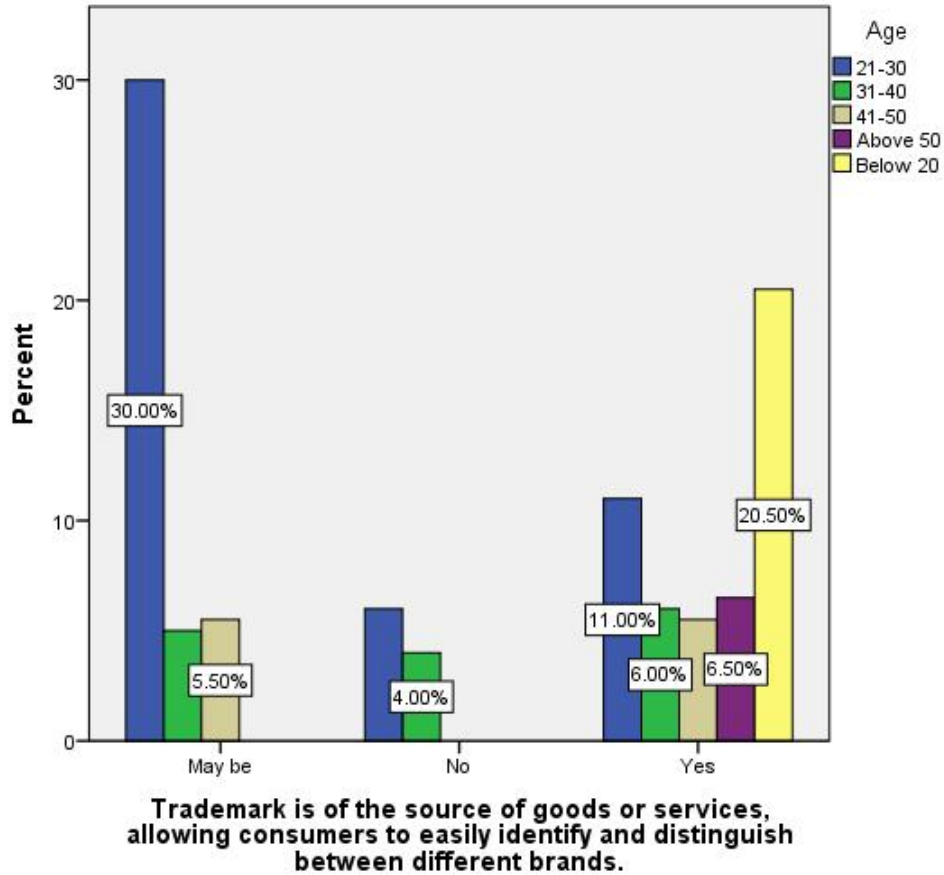
**FIGURE 4**



**LEGEND:** This figure shows that important IPR in India is compared with Gender.



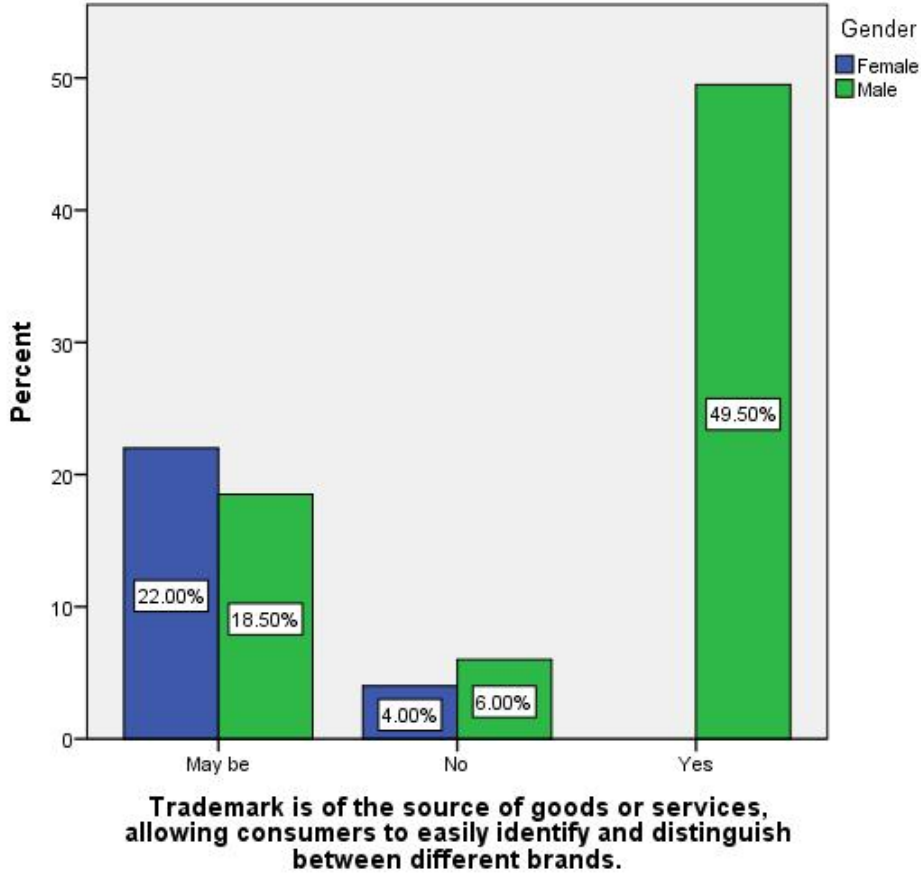
**FIGURE 5**



**LEGEND:** This figure shows that trademark is identify and distinguish between different brands is compared with Age.

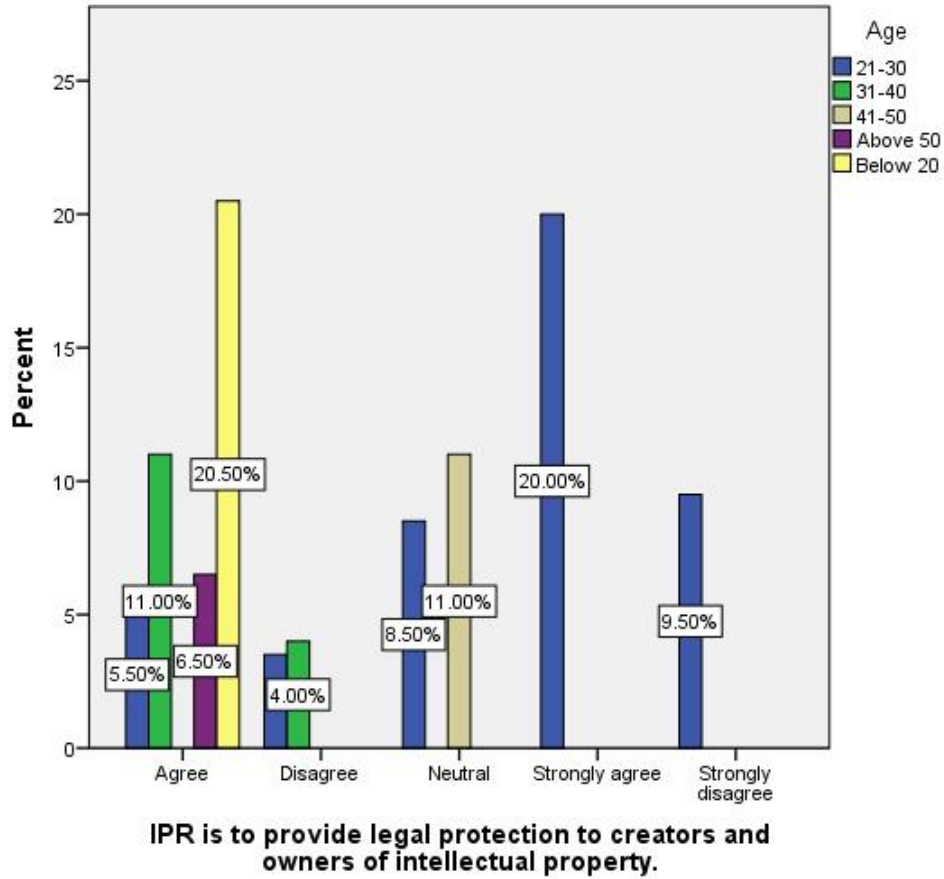


FIGURE 6



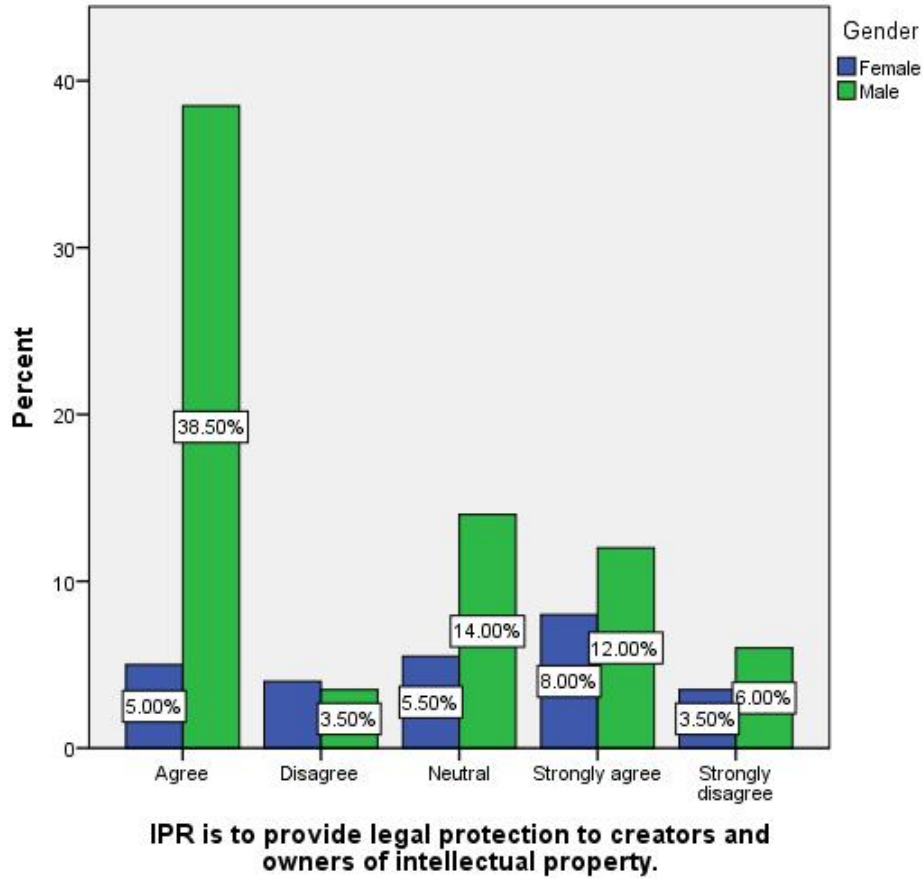
**LEGEND:** This figure shows that trademark is identify and distinguish between different brands is compared with Gender.

**FIGURE 7**



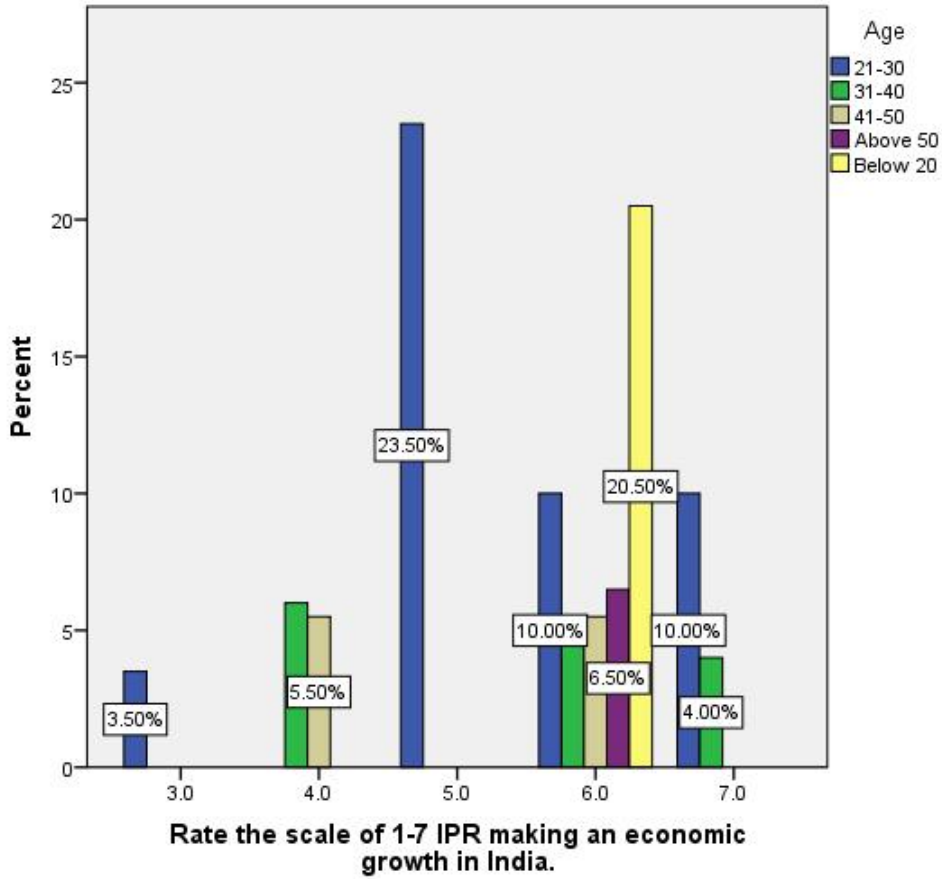
**LEGEND:** this figure shows that IPR is to provide legal production to creators is compared with Age.

**FIGURE 8**



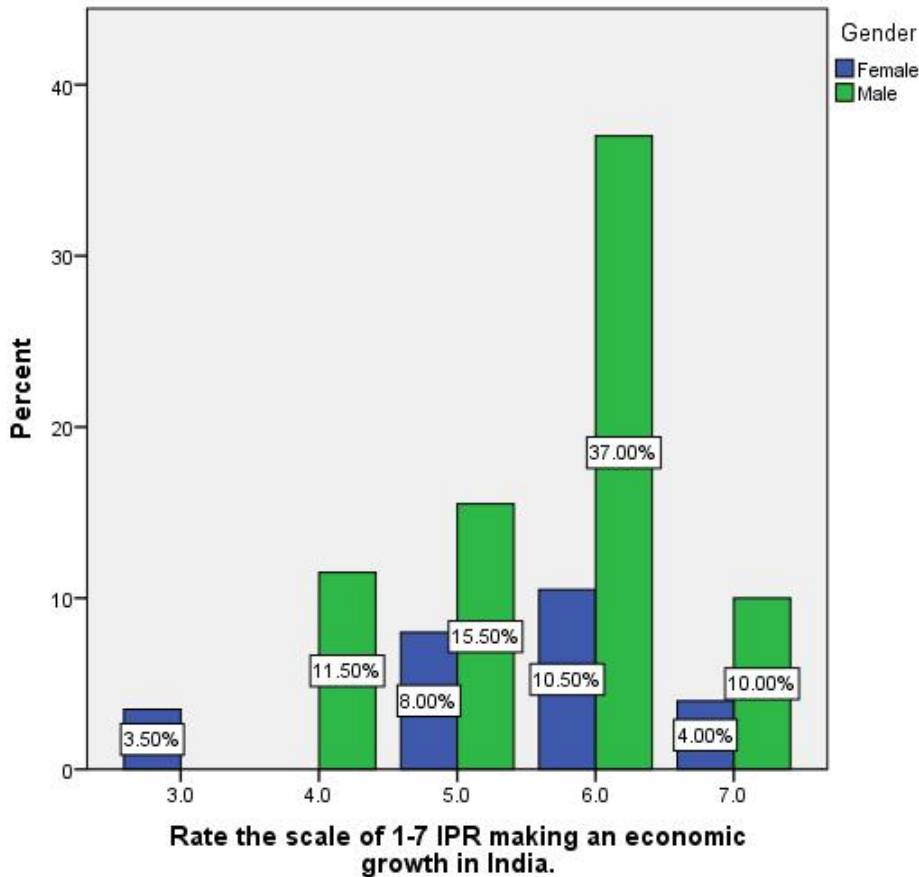
**LEGEND:** this figure shows that IPR is to provide legal production to creators is compared with Gender.

**FIGURE 9**



**LEGEND:** This source that IPR making an economic growth in India is compared with Age.

**FIGURE 10**



**LEGEND:** This source that IPR making an economic growth in India is compared with Gender.

**V. RESULT**

**FIGURE 1** result of the survey shows that age group of 21 to 30 says 14% that strongly agree, age group of 31 to 40 says 5% that strongly agree, age group of 41 to 50 age respondent 5.50% says strongly disagree above 50 age respondent 6.5% says agree and below 20 aged respondent 20.50% says agree that Intellectual Property right is place major role in India. **FIGURE 2** result of the survey shows that female respondent 13% says that strongly agree and male respondent 44% says that agree that intellectual property right place major role in India. **FIGURE 3** result of the survey shows that age group of 21 to 30 says 25.5% that all the above, age group of 31 to 40 says 5% that copyright, age group of 41 to 50 age respondent 11% says trademark above 50 age respondent 6.5% says all the above and below 20 aged respondent 20.50% says all the above that important IPR in India. **FIGURE 4** result of the survey shows that female respondent 13% says copyright and male respondent 58.50% says all the above that important IPR in India. **FIGURE 5** result of the survey shows that is group of 21 to 30 says 30% that may be, age group of 31 to 40 says 6% that yes and age group of 41 to 50 says 5.50% that maybe, above 50 says 6.50% says yes and below 20 says 20.5% says yes that trademark is identify and distinguish between different brands. **FIGURE 6** result of the shows that gender group of female respondent 22% says may be and male respondent 49.5% says yes that trademark is identify and distinguish between different brands. **FIGURE 7** result of the survey shows that age group of 21 to 30 says 20% that strongly agree, age group of 31 to 40 says 11% that agree, age group of 41 to 50 age respondent 11% says neutral above 50 age respondent 6.5% says agree and below 20 aged respondent 20.50% says agree that IPR is to provide legal

protection to creators. **FIGURE 8** result of the survey source that female respondent 8% says strongly agree and male respondent 38.5% says agree that IPR is to provide legal protection to creators. **FIGURE 9** survey shows that age group of respondent 21 to 30 says 23.5% rated 5, 31 - 40 aged respondent 4% rated 7, 41 to 50 age respondent 5.5% rated 4, above 50 age respondent 6.5% rated 6 and below 20 age respondent 20.5% rated 6 that IPR making an economic growth in India. **FIGURE 10** result of the survey of that female respondent 10.5% rated 6 and male respondent 37% rated 6 that IPR making an economic growth in India.

## VI. DISCUSSION

**FIGURE 1** shows that most number of respondent from the age group of below 20 says agree and least number of respondent from the age group of 41 to 50 says that strongly disagree that intellectual property right is place major role in India. **FIGURE 2** shows that most number of respondent from the gender group of male say agree and please number of respondent from the gender group of female says strongly agree that intellectual property right is place major role in India. **FIGURE 3** this figure shows that most number of respondent from the age group of 21 to 30 says all the above and least number of responding from the age group of 31 to 40 says copyright that important IPR in India. **FIGURE 4** most number of respondent from the gender group of male says all the above and least number of responding from the general group of female says patent. **FIGURE 5** survey source that most number of respondent from the age group of 21 to 30 says maybe and least number of responding from the age group of 41-50 says may be that trademark is identify and distinguish between different brands. **FIGURE 6** survey shows that most number of respondents from the general group of male says is under please number of respondent from the gender group of female sales maybe that Trademark is identify and distinguish between different brands. **FIGURE 7** survey shows that most number of respondent from the age group of below 20 says agree and release number of responding from the age group of above 50 says agree that IPR is to legal protection to creators. **FIGURE 8** survey shows that most number of respondents from the general group of male says agree and least number of responding from the general group of female says Sangli agri that IPR is to provide legal protection to creators. **FIGURE 9** show that most number of respondent from the age group of 21 to 30 rated 5 and least number of responding from the age group of 31 to 40 rated 7 that IPR making an economic growth in India. **FIGURE 10** survey shows that most number of responder from the general group of male rated 6 and least number of respondents from the gender group of female rated 6 that IPR making an economic growth in India

## VII. LIMITATION

The Major limitation of the study is the sample frame. The sample frame Collected through bus stands, malls, etc. where the respondents aren't devoted enough to answer the questions. The restrictive area of sample size is yet another drawback of the research. The foremost downside whilst presenting the research topic is that not many people are wise enough to distinguish from the Intellectual Property rights and it's economic growth in India which shows clear lack of awareness.

## VIII. SUGGESTION

Intellectual property rights (IPR) play a crucial role in fostering economic growth in India. Here are some suggestions to enhance their impact: **Enhanced Legal Framework:** Strengthening the legal framework for IPR protection ensures that creators and innovators feel secure in their investments. India has made strides in this area, but continuous improvement is necessary to streamline processes and ensure effective enforcement. **Public Awareness Campaigns:** Educating the public about the importance of respecting intellectual property encourages a culture of innovation and creativity. This awareness can reduce piracy and increase respect for patents, trademarks, and copyrights. **Support for Startups and SMEs:** Small and medium enterprises (SMEs) and startups are often at the forefront of innovation. Providing them with easier access to patent filing procedures, subsidies for IP protection costs, and mentoring on IP strategies can spur innovation and economic growth. **International Cooperation:** Strengthening cooperation with international bodies and other countries helps in harmonising IP laws, reducing trade barriers, and protecting Indian innovations globally.

### IX. CONCLUSION

In conclusion, the relationship between Intellectual Property Rights (IPR) and economic growth in India is a dynamic and multifaceted one. The strengthening of IPR protection has played a crucial role in driving economic development across various sectors. By providing creators, innovators, and businesses with the assurance that their intellectual property will be safeguarded, India has created an environment that fosters innovation, attracts investments, and promotes technological advancement. Sectors like pharmaceuticals, information technology, entertainment, biotechnology, and startups have thrived due to the robust IPR framework. This growth has translated into increased exports, job opportunities, and contributions to India's global competitiveness. Additionally, the protection of traditional knowledge through geographical indications has empowered local communities and contributed to rural economic growth. However, the journey towards optimal IPR and economic growth balance is ongoing. Policymakers must navigate challenges such as striking the right balance between protection and accessibility, addressing concerns related to patent quality, and ensuring that IPR regulations do not hinder access to essential goods and services. As India continues to refine its IPR policies, the country stands to benefit from a virtuous cycle of innovation, investment, and economic progress. By fostering a conducive environment for creativity, research, and entrepreneurship, India's IPR ecosystem will likely remain a critical driver of its economic growth in the years to come.

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