IPR and Its New Development

Vidushi Aggarwal[1], Dr. Aqueeda Khan[2]
[1,2]*Law, Amity University Noida*

Abstract -Intellectual Property Rights (IPR) constitute a cornerstone of modern innovation economies, providing designers, inventors, and innovators with the legal framework required to protect their intellectual assets. Recent developments in IPR have been characterized by a confluence of technological advancements, globalization, and evolving societal expectations, presenting both opportunities and challenges for stakeholders across various industries and sectors.

This abstract explores the multifaceted landscape of IPR and its recent developments, examining key trends, implications, and considerations for policymakers, businesses, and society as a whole. It examines the emergence of new machineries such as artificial intelligence, blockchain, and gene editing, and their impact on intellectual property law, including questions of ownership, patentability, and enforcement.

Moreover, it highlights global efforts to harmonize intellectual property laws, the rise of open access and collaborative innovation models, and the ongoing debates surrounding access to essential goods and services, particularly in healthcare and education. The abstract underscores the importance of discovering a balance between shielding intellectual property rights and promoting access to intelligence and innovation for societal benefit.

Furthermore, it addresses the challenges and opportunities presented by recent events such as the COVID-19 pandemic, which have brought to the forefront issues of patent rights, licensing agreements, and technology transfer mechanisms in the context of public health emergencies.

In conclusion, the abstract emphasizes the dynamic and complex nature of the IPR landscape, calling for continuous dialogue, adaptation, and innovation to ensure that intellectual property laws and regulations remain responsive to the needs of a rapidly evolving global economy while upholding principles of fairness, inclusivity, and sustainability.

1.INTRODUCTION

Legal rights arising from intellectual effort in the sectors of industry, science, literature, and the arts are known as intellectual property rights. These rights provide time-limited rights to govern use, protecting authors and other producers of intellectual goods and services. Similar to other types of property, protected intellectual property can be owned, sold, or purchased. They are non-exhaustive and intangible resources.

An intangible work of human creativity that is typically transformed or manifested into a tangible form and given specific property rights is known as intellectual property.

- Intellectual property includes things like a book or article's author's copyright, a unique logo that represents a soft drink company and its products, distinctive website design components, or a patent on the method of making chewing gum. The rights that individuals have over the works they have created with their imaginations are known as intellectual property rights, or IPR. Typically, they grant the inventor a time-limited, exclusive right to utilize his or her creations.
- Intellectual property (IP) encompasses mental works such as innovations, literary and artistic compositions, as well as symbols, names, pictures, and designs.

2. OBJECTIVE OF IPR

The phrase "intellectual property right" (IPR) refers to a number of legal privileges that are attached to specific kinds of knowledge, concepts, or other intangibles in their explicit form.

Generally speaking, the owner of this legal privilege is allowed to use a variety of exclusive rights pertaining to the intellectual property's subject content.

The concept that this subject matter is the result of the mind or intellect is reflected in the phrase "intellectual property," which also implies that rights to such property may be legally protected in the same manner as other types of property.

Because intellectual property rules differ from one nation to the next, obtaining, registering, or acquiring IP rights must be done so independently in each area of interest.

People's rights over their creative works are known as intellectual property rights, or IPR. Typically, they

grant the inventor a time-limited, exclusive right to utilize his or her creations.

3.TYPES OF IPR

- Patents
- Trademarks
- Copyrights and related rights
- Geographical indications
- Industrial designs
- Trade secrets
- Layout design for integrated circuits
- Protection of new plant variety

3.1PATENTS

An innovation is a product or method that offers a fresh approach to an old problem or a new technical solution. A patent is an exclusive right awarded for such an invention. It gives the patent holder protection for their invention. The protection is only available for a twenty-year term. When an innovation is protected by a patent, it cannot be produced, utilized, disseminated, or sold for profit without the patent owner's permission. During the time that the invention is protected by a patent, the patent owner has the authority to determine who may or may not utilize the invention.

On mutually agreeable terms, the patent owner may provide a license to third parties so they can use the invention.

The right to the invention may also be sold by the owner to a third party, who will then take ownership of the patent. An innovation becomes public domain when a patent expires, ending its protection.

The invention is now open for commercial use by others and the owner no longer has exclusive rights to it. In order to advance the global body of technical knowledge, all patent holders are required to publicly reveal information about their innovation in exchange for the protection of their patent. An ever-growing corpus of public information like this encourages others to be even more innovative and creative. In this sense, patents serve as a source of information and motivation for upcoming generations of scientists and inventors in addition to offering protection to the owner.

3.2TRADEMARK

A trademark is a distinguishing symbol that designates particular products or services as being created or offered by a particular individual or business. It could consist of a single word, several letters, or digits. They could be in the form of illustrations, symbols, three-dimensional indicators like the form and packaging of products, audio indicators like music or voice sounds, scents, or colors that are employed as differentiators.

By guaranteeing the exclusive right to use the mark to identify goods or services or to grant permission to third parties to use it in exchange for payment, it offers protection to the mark owner. It assists customers in locating and acquiring a good or service. as its nature and quality, as demonstrated by its distinctive brand, satisfy their requirements.

A trademark's registration serves as initial evidence of ownership, granting the owner statutory rights. The rights to a trademark may be retained forever. The first registration term is for ten years, after which it may be periodically renewed.

3.3COPYRIGHTS AND RELATED RIGHTS

The legal term "copyright" refers to the rights granted to authors and artists for their literary and creative works. Literary works like novels, poems, plays, reference books, newspapers, and computer programs; databases; movies; and musical compositions are among the types of works protected by copyright.

music, dance; artistic creations including paintings, drawings, photos, and sculptures; architectural designs; and technical drawings, maps, and advertisements. Since copyright is inherent in a work from the moment of creation, registration is not required.

On the other hand, copyright registration certifies that the work is owned by the creator and that copyright is present in it. Artists frequently sell the rights to their creations to people or businesses who can advertise the pieces for cash. These sums, which are known as royalties, are frequently determined by the real usage of the work. With the exception of pictures, these commercial rights are only valid for the author's lifetime plus 60 years following their passing.

3.4GEOGRAPHICAL INDICATION

GI are labels placed on products that are produced in a certain region and have characteristics or a reputation unique to that region? The characteristics of agricultural products usually come from the location of production and are shaped by particular local elements like soil and climate. They might also draw

attention to certain attributes of a product that result from human variables present in the product's country of origin, like regional manufacturing customs and expertise published in the World Journal of Pharmacy and Pharmaceutical Sciences.

A geographical indicator identifies a particular location or producing region that establishes the distinctive features of the product that comes from that area. It is crucial that the product gets its reputation and qualities from that location. The place of origin could be a nation, a region, or a town. Since it is a unique privilege granted to a certain community, everyone in the community benefits by registering. Goods such as wet grinders, kullu shawls, and Chanderi sarees have recently had their GIs registered. Given the wide variety of traditional goods that are produced across the nation, the GI registry will be crucial to the continued development of the allied tribes, villages, and skilled artisans.

3.5INDUSTRIAL DESIGNS

A design right is a unique or primary design that is granted to the owner of a properly recorded design. Industrial designs are creative endeavors that lead to the ornamental or formal appearance of a product. One component of industrial designs is intellectual property. Minimum criteria of protection for industrial designs have been established under the TRIPS Agreement. India, a developing nation, has already modified its national laws to include these minimum requirements. Promoting and defending the design component of industrial production is the main goal of design law. Additionally, it aims to encourage creative activities in the industrial sector.

The New Designs Act, 2000 is the current piece of legislation pertaining to industrial designs in India, and it will be useful given the speed at which technology is developing both domestically and internationally. India possesses additionally attained a settled status in the field of industrial designs, and in light of the economic globalization, the current law has been updated to reflect changes in the commercial and technical landscape as well as to reflect global trends in design administration. In order to comply with the global system and address the development of design-related activities across other disciplines, this replacement Act also aims to establish a more thorough organisation of design.

3.6TRADE SECRET

Trade secrets could include exclusive business information that gives a company a competitive advantage. Typically, these are commercial and manufacturing trade secrets. These consist of consumer profiles, distribution strategies, and sales techniques. and marketing plans, client and supplier databases, and production procedures.

Trade secrets are protected without registration, in contrast to patents.

Trade secrets are protected for indefinite periods of time, provided that there is a significant element of secrecy that makes it impossible to obtain the information without resorting to unethical measures. Given the abundance of traditional knowledge in the nation, the

To benefit from this kind of knowledge, protection under this will be essential.

Traditional knowledge and trade secrets are likewise connected to or associated with the geographical indications.

3.7LAYOUT DESIGN FOR INTERGRATED CURCUIT

A semiconductor integrated circuit is a product that has transistors and other circuitry components that are integrally constructed on an insulating material, on a semiconductor material, or inside a semiconductor material with the intention of performing an electronic circuit function.

The Semiconductor Integrated Circuits Layout Design Act of 2000 was created with the intention of protecting intellectual property rights (IPR) in relation to semiconductor integrated circuit layout designs and any related or incidental problems. The primary goal of the SICLD Act is to establish pathways and mechanisms for the protection of intellectual property rights in Chip Layout Designs and related fields.

The displayed proprietor of the layout-design has an inherent right to use and economically exploit it, as well as to seek redress from any infringement, according to the SICLD Act. The initial enrollment period is for ten years, after which it might be periodically extended. The administrative ministry in charge of its registration and other problems is the Department of Information Technology within the Ministry of Communications and Information Technology.

3.8PROTECTION OF NEW PLANT VARIETY

This act's goals are to reward traditional, rural, and tribal groups for their contributions to the nation's agrobiodiversity, acknowledge farmers' roles as cultivators and conservators, and encourage investment in R&D for the creation of novel plant kinds to support the expansion of the seed sector. In order to safeguard new plant varieties, the Plant Variety Protection and Farmers Rights statute of 2001 was passed in India. The statute was ratified by Authority on October 30, 2005. A total of twelve crop species, including rice, wheat, maize, sorghum, pearl millet, chickpea, green and black grams, lentils, kidney beans, and so forth, were first recognized for regt. India has chosen to protect novel plants through a sui- generic system rather than through patents.

4.DURATION OF INTELLECTUAL PROPERTY RIGHTS

1. All patents have a 20-year term from the date of filing, regardless of whether they are filed with a complete or provisional specification. The filing date of the patent application is known as the patent date.
2. The duration of each trademark registration is ten years starting on the application date, which is considered the registration date.
3. In general, copyright is valid for sixty years.
4. A geographical indicator can be registered for a maximum of ten years.
5. The registration of a Chip Layout Design is valid for ten years from the date of application filing, the date of the product's initial commercial exploitation in any region of India, or the day the Indian government designates as a convention nation, whichever comes first.
6. Depending on the crop, registered varieties are protected for a different amount of time: 15 years for current variants and other crops, and 18 years for trees and vines

5.EMERGENCE OF INTELLECTUAL PROPERTY RIGHTS

The emergence of Intellectual Property Rights (IPR) can be traced back to ancient civilizations, where certain forms of protection for creative works and innovations existed. However, the modern concept of IPR began to take shape during the Renaissance period in Europe when the invention of the printing press led to concerns about protecting literary works.

The Industrial Revolution further accelerated the need for IPR as inventions and innovations became more frequent and valuable. The first modern patent law was enacted in Venice in 1474, followed by the Statute of Monopolies in England in 1624, which granted inventors exclusive rights to their inventions for a limited period.

In the 20th century, the significance of IPR grew substantially, especially with the development of new technologies and the globalization of trade. International agreements such as the Paris Convention for the Protection of Industrial Property (1883) and the Berne Convention for the Protection of Literary and Artistic Works (1886) laid the groundwork for harmonizing intellectual property laws across different countries.

Today, intellectual property rights (IPRs) cover a wide range of legal protections that enable inventors and artists to safeguard their intangible assets, including inventions, creative and literary works, trademarks, and designs. Trade secrets, industrial designs, patents, copyrights, and trademarks are some examples of these rights. Because intellectual property rights (IPRs) incentivize people and organizations to participate in research and development, they have been crucial in promoting innovation, creativity, and economic progress. It also brings up significant discussions regarding how to strike a balance between the public interest and authors' rights, as well as how to make sure that intellectual property rights don't impede access to necessities like healthcare and education.

6.EMERGENCE OF TRIPS AGREEMENT

The Uruguay Round of international trade talks, which were carried out under the General Agreement on Tariffs and Trade (GATT) and ended in 1994, gave rise to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). The goal of TRIPS was to provide minimal requirements for the defense and upholding of intellectual property rights among nations that are members of the World Trade Organization (WTO).

India formally joined the WTO in 1994 by signing the TRIPS agreement. But the application of TRIPS

requirements in India caused a great deal of discussion and controversy, especially when it came to the possible effects on traditional knowledge, biodiversity, and access to necessary medications.

One of the key concerns for India was the patentability of pharmaceuticals. Prior to TRIPS, India had a patent system that did not allow for the patenting of pharmaceutical products, except for processes. TRIPS required member countries to provide patents for both products and processes in all fields of technology, including pharmaceuticals, subject to certain conditions and exceptions.

To comply with TRIPS while addressing public health concerns, India introduced amendments to its patent law through the Patents (Amendment) Act, 2005. The amended law allowed for the patenting of pharmaceutical products but included provisions for compulsory licensing and the use of patented inventions for government purposes, among other safeguards to ensure access to affordable medicines.

The implementation of TRIPS in India has been a complex process, involving a delicate balance between fulfilling international obligations and safeguarding national interests, particularly in areas such as public health, agriculture, and traditional knowledge. Over the years, India has continued to engage in discussions and negotiations within the WTO and other international forums to address issues related to intellectual property rights in a manner that supports its development objectives and safeguards the interests of its citizens.

The TRIPS Agreement lays forth the minimum standards of protection for each of the principal intellectual property categories that it covers that each Member must provide. The fundamental elements of protection are described as the subject matter to be protected, the rights to be provided and the permissible departures from those rights, and the minimum duration of protection. The two primary WIPO conventions whose substantive requirements must be met in order for the Agreement to set these standards are the Berne Convention for the Protection of Literary and Artistic Works and the Paris Convention for the Protection of Industrial Property, both in their most recent versions.

With the exception of the Berne Convention's moral rights provisions, all of these agreements' main substantive sections are incorporated by reference and, as a result, constitute duties under the TRIPS Agreement between TRIPS Member nations. The relevant clauses are included in Articles 2.1 and 9.1 of the TRIPS Agreement, which relate to the Paris and Berne treaties, respectively. Second, the TRIPS Agreement adds a substantial number of additional responsibilities where the earlier treaties were judged inadequate or silent. Because of this, the TRIPS agreement is often referred to as a "Berne and Paris-plus" agreement.

The domestic processes and remedies for the enforcement of intellectual property rights are covered by the second major set of provisions. The Agreement establishes a few broad guidelines that apply to every IPR enforcement process. It also includes provisions on criminal procedures, special requirements related to border measures, interim measures, and civil and administrative procedures and remedies. These provisions provide a certain level of detail regarding the procedures and remedies that must be available in order for right holders to effectively enforce their rights.

Furthermore, the Agreement stipulates fundamental concepts like national and most-favored-nation treatment, as well as certain broad guidelines to guarantee that procedural obstacles in obtaining or preserving intellectual property rights do not override the substantive advantages that ought to result from the Agreement. While developing nations will have more time to implement the Agreement's requirements, all Member nations will be subject to its commitments in the same way. When a developing nation does not currently offer pharmaceutical product patent protection, special transition provisions come into play.

As a minimum standards accord, the TRIPS accord permits its members to offer more comprehensive intellectual property protection if they so choose. It is left up to the Members to decide how best to apply the Agreement's provisions within their particular legal frameworks and practices.

The Preamble of the TRIPS Agreement outlines the overall objectives of the agreement, replicating the fundamental Uruguay Round negotiating goals that were set down in the TRIPS domain by the 1988/89 Mid-Term Review and the 1986 Punta del Este Declaration. These goals include minimizing trade barriers and distortions, advancing adequate and effective intellectual property rights protection, and making sure that laws and processes protecting

intellectual property do not inadvertently obstruct lawful trade. It is recommended to read these objectives in combination with Article 7, "Objectives." Article 7, "Objectives," which states that protecting and defending intellectual property rights should encourage technological innovation, transfer, and dissemination, benefit producers and users of technological knowledge jointly, and advance social and economic welfare as well as a balance of rights and obligations, should be taken into consideration when interpreting these goals. Article 8, "Principles," gives Members the power to pass legislation to prevent intellectual property infringement and to safeguard public health and other interests, provided that the laws adhere to the provisions of the TRIPS Agreement.

6.1NEW DEVLOPMENTS IN TRIPS AGREEMENT

In October 2020, India and South Africa proposed to the WTO that, in light of the COVID-19 pandemic, the TRIPS Agreement—which granted patent protection to pharmaceutical products, including COVID vaccines—be waived for COVID vaccines, medications, and diagnostics for the duration of the pandemic. This measure aims to ensure that COVID-19 vaccines and drugs are accessible to as many people as possible worldwide.

Should the vaccinations be subject to patent protection, their production would be restricted to a small number of pharmaceutical corporations based in wealthy western nations. This would result in the drugs being unavailable or inaccessible to individuals in other countries, particularly those that are developing or least developed, due to their high cost.

This plan has the support of the EU and the US, who were against any TRIPS waiver. Many have applauded this action since it may result in the production of more COVID vaccinations, allowing the globe to eradicate the coronavirus as soon as possible. Pharmaceutical corporations, on the other hand, have objected to the plan, claiming that since underdeveloped nations lack the capacity to produce the vaccinations, this would not definitely secure vaccine supply.

The measure would be meaningless if the IP rights regulations were simply waived without other support, such as technology transfer to generic pharmaceutical companies in underdeveloped nations. This is due to the fact that in order for pharmaceutical businesses to begin production, tech transfer would also be necessary because vaccines like mRNA vaccines require extremely sophisticated manufacturing equipment. To enable underdeveloped nations to manufacture vaccines on a wide scale, not only would technology and equipment need to be transferred, but raw materials and most likely manpower as well.

Additionally, it might take many years for the manufacturing facilities of generic pharmaceutical companies to reach full capacity and start producing vaccinations. This is problematic because it's unclear if vaccines made today will be effective against any newly discovered viral strains.

7.NATIONAL INTELLECTUAL PROPERTY RIGHTS POLICY

To advance the IP regime, the government has announced the National IPR policy. The initiative is expected to foster innovation, entrepreneurship, and creativity inside India. It will prevent someone from stealing the creative ideas of another. India's first IPR policy is this one.

The policy's slogan is "Creative India, Innovative India." This is intended to discourage the production and distribution of fake goods while encouraging entrepreneurship, creativity, and innovation. It encourages an India where intellectual property fosters innovation and creativity for the good of all; intellectual property advances science and technology, the arts and culture, traditional knowledge, and biodiversity resources;

Development is mostly fuelled by knowledge, and knowledge that is possessed becomes knowledge that is shared.

It establishes an institutional framework for execution, oversight, and evaluation. It seeks to apply and modify international best practices to the Indian context.

The Department of Industrial Policy & Promotion (DIPP) has been appointed as the nodal department by the Ministry of Commerce, Government of India, to oversee, coordinate, and guide the implementation and future expansion of intellectual property rights (IPRs) in India. To find out more about the Department for Promotion of Industry and Internal Trade (DPIIT), go to the provided website.

The WTO's agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is complied with by India's IPR laws.

The National IPR Policy's goals are to be implemented through the "Cell for IPR Promotion & Management

(CIPAM)," which was established under the auspices of DIPP.

SALIENT FEATURES OF NATIONAL IPR POLICY

1. Its goals are to safeguard the public interest, encourage entrepreneurship and innovation, and realize intellectual property rights as a marketable financial asset.
2. The policy will be reviewed every five years.
3. The policy complies with the TRIPS agreement of the WTO.
4. A special emphasis on raising knowledge of IPRs, enforcing them effectively, and using incentives to promote IP commercialization.
5. After consulting with relevant parties, India will negotiate international treaties and accords.
6. The Department of Industrial Policy and Promotion (DIPP) should be designated as the primary contact for all IPR matters. Issues pertaining to copyrights will also fall under DIPP.
7. Specifies that by 2017, trademark offices will cut the period needed for registration and inspection to just one month.
8.Copyright will also apply to things like industrial drawings, music, and films.
9.It aims to make domestic IPR filings easier along the whole value chain, from the creation of IPRs to their commercialization.
10.It uses tax breaks to encourage research and development.
11.It is suggested that an efficient loan guarantee program be established in order to support new businesses.
12.The policy permits the Government of India (GOI) to use legislative flexibility granted by international treaties and the TRIPS agreement, such as Section 3(d) and compulsory licensing (CLs) to ensure the inexpensive and accessible supply of necessary and life-saving medications.
13. The administration will look into joining some multilateral agreements that benefit India and will sign the agreements that India has already essentially ratified in order to be able to influence their decision-making.

NEW REFORMS AND CONCLUSION OF IPR POLICY

1. IPR policies would greatly support the Indian industry's efforts to preserve, enforce, and develop; nevertheless, certain areas, such as the concepts of knowledge sharing and access, still need more examination. Enhancing the innovation ecosystem through improved intellectual property protection is essential for the triumph of India's premier initiatives, Made in India and Startup India.
2. Concerns have also been raised over the expansion of protection to include items that are part of the public domain.
3. More foreign investment in the nation might be attracted with stronger policy enforcement.
4. It seems that the policy's approach to trademarks and copyrights is to accommodate the demands of international businesses. They will be more encouraged if rights are granted more quickly and strictly enforced.
5. The policy's approach to digital piracy is commendable, since it has indicated more stringent measures to tackle the problem.

7. NEW DEVLOPMENTS IN IPR

As of my last update in January 2022, several ongoing developments have been shaping the landscape of Intellectual Property Rights (IPR). Here are some noteworthy ones:

1. Emergence of AI and IPR: With the increasing use of artificial intelligence (AI) in various industries, questions regarding ownership, patentability, and infringement of AI-generated creations have arisen. Clarifications and regulations regarding AI-generated inventions and their eligibility for patent protection are being discussed.
2. Blockchain and IPR: Blockchain technology is being explored for its potential applications in managing and protecting intellectual property rights. Smart contracts and decentralized platforms could revolutionize copyright management, licensing, and royalty payments for creators.
3. Open Access and Open Innovation:The open access movement continues to gain momentum, particularly in academic and scientific research. Initiatives promoting open innovation, collaborative development, and the sharing of knowledge and

resources are challenging traditional notions of intellectual property protection.

4. Globalization and Harmonization: Efforts to harmonize intellectual property laws and standards on a global scale persist. Bilateral and multilateral trade agreements often include provisions related to intellectual property, influencing national laws and regulations.

5. Green Technologies and Climate Change: The growing focus on sustainability and addressing climate change has led to increased interest in green technologies. Intellectual property frameworks play a crucial role in incentivizing and protecting innovations in areas such as renewable energy, clean transportation, and environmental conservation.

6. Gene Editing and Biotechnology: Advances in gene editing technologies such as CRISPR have raised ethical, legal, and intellectual property considerations. Disputes over patents related to gene editing techniques and their applications in agriculture, medicine, and biotechnology are ongoing.

7. Digital Transformation and Copyright: The digital transformation of content distribution and consumption continues to pose challenges for copyright law. Issues such as online piracy, digital rights management, and the liability of online platforms for infringing content remain prominent.

8. Healthcare and Access to Medicines: Debates surrounding access to affordable medicines, especially in the context of public health emergencies such as the COVID-19 pandemic, have brought attention to issues of patent rights, compulsory licensing, and technology transfer.

These developments reflect the dynamic nature of intellectual property law and its intersection with various technological, social, and economic trends. Keeping abreast of these developments is crucial for policymakers, businesses, inventors, and creators navigating the evolving landscape of intellectual property rights.

8. EFFECT OF NEW DEVELOPMENT IN IPR ON THE INDUSTRY

New developments in Intellectual Property Rights (IPR) can have significant effects on various industries in several ways:

1. Innovation and Research: Changes in IPR regulations can influence the incentives for innovation within industries. Stronger patent protection may encourage investment in research and development, particularly in sectors where intellectual property plays a crucial role, such as pharmaceuticals, biotechnology, and technology.

2. Market Competition: Intellectual property rights shape market competition by granting exclusive rights to inventors and creators. New developments in IPR, such as patent reforms or changes in copyright law, can impact market dynamics by affecting barriers to entry, market concentration, and the ability of firms to differentiate their products and services.

3. Technology Transfer and Licensing: IPR developments influence the transfer of technology and the licensing of intellectual property between companies. Changes in patent law, for example, may affect the terms and conditions of licensing agreements, potentially impacting the revenue streams and business strategies of technology providers and licensees.

4. Startups and SMEs: Small and medium-sized enterprises (SMEs) and startups often rely on intellectual property protection to safeguard their innovations and attract investment. New developments in IPR, such as streamlined patent procedures or enhanced enforcement mechanisms, can affect the ability of startups and SMEs to protect their intellectual property assets and compete in the market.

5. Global Supply Chains: Intellectual property rights play a crucial role in global supply chains, particularly in industries where products are manufactured, distributed, and sold across multiple jurisdictions. Changes in IPR regulations, such as trade agreements or harmonization efforts, can impact the management of intellectual property rights across borders, affecting supply chain efficiency, costs, and risks.

6. Collaborative Innovation: Some industries rely on collaborative innovation models, where multiple stakeholders contribute to the development of new technologies and solutions. New developments in IPR, such as open innovation platforms or alternative licensing models, can facilitate or hinder collaborative efforts by influencing the sharing of intellectual property rights and the terms of collaboration agreements.

7. Consumer Access and Affordability: Changes in IPR regulations can affect consumer access to products and services, particularly in sectors such as healthcare, education, and entertainment. Striking a

balance between protecting intellectual property rights and promoting access to essential goods and services is a key consideration for policymakers and industry stakeholders.

Overall, the effects of new developments in IPR on industries depend on various factors, including the nature of the industry, the competitive landscape, regulatory frameworks, and technological trends. Adapting to these changes requires careful strategic planning, legal compliance, and ongoing monitoring of IPR developments and their implications for business operations.

9.CONCLUSION

In conclusion, Intellectual Property Rights (IPR) play a vital role in driving innovation, fostering creativity, and protecting the rights of inventors, creators, and innovators. Recent developments in IPR reflect the evolving nature of technology, globalization, and societal trends, influencing various industries and sectors in profound ways.

The emergence of new technologies such as artificial intelligence, blockchain, and gene editing presents both opportunities and challenges for intellectual property law. Questions surrounding ownership, patentability, and enforcement in these emerging fields require careful consideration and adaptation of existing legal frameworks.

Additionally, global efforts to harmonize intellectual property laws, coupled with the rise of open access and collaborative innovation models, highlight the need for balance between protecting intellectual property rights and promoting access to knowledge and innovation for the benefit of society as a whole.

Furthermore, recent events such as the COVID-19 pandemic have underscored the importance of intellectual property rights in areas such as healthcare and access to medicines. Debates over patents, licensing agreements, and technology transfer mechanisms have intensified, emphasizing the need for flexible and equitable approaches to intellectual property management.

In navigating these complexities, policymakers, businesses, and stakeholders must collaborate to ensure that intellectual property laws and regulations promote innovation, foster competition, and address societal needs while upholding the principles of fairness, inclusivity, and sustainability.

Overall, the recent developments in IPR reflect a dynamic and multifaceted landscape, requiring continuous dialogue, adaptation, and innovation to harness the full potential of intellectual property in driving economic growth, social progress, and technological advancement in the modern era.

REFFERENCES

[1] https://www.researchgate.net/profile/Sagar-Savale/publication/328161728_INTELLECTUAL_PROPERTY_RIGHTS_IPR/links/5bbc29314585159e8d8f1800/INTELLECTUAL-PROPERTY-RIGHTS-IPR.pdf
[2] https://www.wto.org/english/tratop_e/trips_e/intel2_e.htm
[3] https://byjus.com/free-ias-prep/trade-related-aspects-of-intellectual- property-rights-trips/
[4] https://byjus.com/free-ias-prep/national-ipr-policy-upsc-notes/