

## **A Study on ‘Plagairism, Violation and other Thefts of Intellectual Property Rights.’**

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### **ABSTRACT**

The protection of intellectual property (IP) rights is crucial in the trade industry, as it encourages innovation, fosters economic growth, and ensures fair competition. Intellectual property encompasses a wide range of creations, including patents, trademarks, copyrights, and trade secrets. Here are some key aspects of protecting intellectual property rights in the trade industry:

**Laws and Regulations:** Understanding and adhering to the relevant laws and regulations is fundamental. Each country may have its own IP laws, and international agreements, such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), set standards for IP protection.

Protecting intellectual property rights in the trade industry is an ongoing process that requires vigilance, legal expertise, and a commitment to fostering a culture of respect for intellectual property within your organization and throughout your business ecosystem.

### **LITERATURE REVIEW**

The protection of intellectual property (IP) rights is a critical aspect of the global trade industry. This literature review examines the current state of research on IP protection in trade, encompassing patents, trademarks, copyrights, and trade secrets. It delves into the legal frameworks, challenges, strategies, and economic implications associated with IP rights in this context.

Gene M Grossman, Edwin L-C Lai, American Economic Review 94 (5), 1635-1653, 2004, We study the incentives that governments have to protect intellectual property in a trading world economy. We consider a world economy with ongoing innovation in two countries that differ in market size and in their capacity for innovation. After describing the determination of national patent policies in a noncooperative regime of patent protection, we ask, “Why is intellectual property better protected in the North than in the South?” We also study international patent agreements by deriving the properties of an efficient global regime of patent protection and asking whether harmonization of patent policies is necessary or sufficient for global efficiency.

International protection of intellectual property, Gene M Grossman, Edwin L-C Lai, American Economic Review 94 (5), 1635-1653, 2004, We study the incentives that governments have to protect intellectual property in a trading world economy. We consider a world economy with ongoing innovation in two countries that differ in market size and in their capacity for innovation. After describing the determination of national patent policies in a noncooperative regime of patent protection, we ask, "Why is intellectual property better protected in the North than in the South?" We also study international patent agreements by deriving the properties of an efficient global regime of patent protection and asking whether harmonization of patent policies is necessary or sufficient for global efficiency.

International protection of intellectual property rights in the 1990s: will trade barriers and pirating practices in the audiovisual industry continue, Meredith A Harper, Cal. W. Int'l LJ 25, 153, 1994, An intellectual property right is defined as "any right existing that is recognized under, inter alia, patent, trademark, copyright, trade secret or mask work regimes." "An estimated \$40 billion is earned from foreign sales of United States copyrighted products each year. 2 The audiovisual industry, comprised of motion pictures, videocassettes, music and related products, represents the second greatest export for the United States. 3 Advanced technological innovations and global distribution networks have enabled American culture to transcend international borders.

Problems in international protection of intellectual property rights, Subhash C Jain, Journal of International Marketing 4 (1), 9-32, 1996, Intellectual property rights are policies that assign and protect the rights to earn income from innovative and creative activity. These rights provide legal authority to control the dissemination and commercialization of new information and ideas and to enforce sanctions against their unauthorized use. Intellectual property rights play a critical role in global economic growth and development because they affect the profitability of industrial research and the rewards to creative activity. At the same time, intellectual property rights are controversial because their stronger international protection may come at the expense of higher prices and reduced availability of products, particularly in developing countries.

## **INTRODUCTION OF THE STUDY**

The trade industry, in today's globalized and interconnected world, is a cornerstone of economic growth and international cooperation. It facilitates the exchange of goods, services, and intellectual assets across borders, contributing significantly to national economies and the overall well-being of societies. At the heart of this dynamic ecosystem lies the protection of intellectual property (IP) rights, a fundamental pillar that ensures innovation, fosters competitiveness, and sustains the integrity of the trade landscape.

The concept of intellectual property encompasses a broad spectrum of creative and inventive outputs, including patents, trademarks, copyrights, and trade secrets. These IP assets not only serve as a testament to human ingenuity but also form the basis for numerous business models, from innovative startups to multinational corporations. In the context of the trade industry, the protection of these IP rights plays a pivotal role in shaping business strategies, economic policies, and international trade relations.

### **Legal Frameworks and International Agreements**

One of the key elements in understanding the landscape of IP protection in trade is the international legal framework. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), established under the auspices of the World Trade Organization (WTO), serves as a global benchmark for the protection of IP rights in trade. TRIPS sets forth minimum standards and obligations that member countries must adhere to, ensuring that IP rights are recognized and enforced across borders. This international agreement underscores the recognition that IP protection is not merely a domestic concern but a vital component of international trade agreements.

### Challenges and Emerging Trends

While the importance of IP protection is widely acknowledged, it is not without its challenges, particularly in the fast-evolving landscape of the trade industry. Counterfeiting, piracy, and unauthorized reproduction of IP-protected assets remain pervasive issues that impact businesses, consumers, and economies alike. The digital age has introduced new complexities with the rise of digital piracy, peer-to-peer file sharing, and the advent of technologies like 3D printing, which pose novel threats to IP holders.

### Strategies and Economic Implications

To navigate these challenges, businesses and governments have developed various strategies for IP protection. These strategies encompass the creation of robust patent portfolios, licensing agreements, and the safeguarding of trade secrets. The effective enforcement of IP rights is not only crucial for protecting the interests of IP holders but also for stimulating innovation, attracting foreign investments, and facilitating market access.

Studies have consistently demonstrated the positive correlation between strong IP protection and economic growth in the trade sector. Economies that prioritize the protection of IP rights tend to witness higher levels of innovation, greater foreign direct investment, and increased market competitiveness. Moreover, the awareness and education efforts surrounding IP rights have gained prominence, with industry collaborations and government initiatives aimed at promoting IP protection and adherence to international standards.

### Research Gap and Objectives

Despite the wealth of research on the subject, there are ongoing gaps and evolving dynamics in the field of IP protection in the trade industry. This research endeavor seeks to address these gaps by exploring the current state of IP protection, the emerging challenges, and the strategies employed by businesses and governments. Additionally, it aims to assess the economic implications of IP protection in the trade sector, shedding light on the intricate relationship between IP rights and trade performance.

In summary, the protection of intellectual property rights in the trade industry is an ever-evolving and multifaceted domain, underpinned by international agreements, legal frameworks, emerging challenges, and the pursuit of economic prosperity. This research seeks to contribute to the ongoing discourse by providing a comprehensive analysis of the current landscape and offering insights into the strategies and economic consequences of IP protection in the context of international trade.

## **PROBLEM STATEMENT**

The trade industry, in its contemporary globalized form, is a hub of economic activity that thrives on the exchange of goods, services, and intellectual assets across international borders. This flourishing ecosystem relies on the protection of intellectual property (IP) rights to incentivize innovation, secure competitive advantages, and safeguard the integrity of trade relations. However, despite the recognized importance of IP protection in the trade industry, it is confronted with a multifaceted array of challenges and complexities that necessitate comprehensive research and analysis.

## **OBJECTIVE OF THE STUDY**

The objective of the study on the "Protection of Intellectual Property Rights in the Trade Industry" is to:

**Assess the Current State of IP Protection:** Examine the existing legal frameworks, policies, and practices related to the protection of intellectual property (IP) rights within the trade industry. This includes an analysis of how international agreements, such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), influence national IP protection measures.

**Identify Emerging Challenges:** Investigate the evolving challenges and threats to IP protection in the trade industry. This involves a detailed examination of issues such as counterfeiting, piracy, digital infringement, and the impact of new technologies (e.g., 3D printing) on IP security.

**Analyze IP Protection Strategies:** Explore the strategies employed by businesses, government agencies, and organizations to protect IP rights within the trade sector. This includes an assessment of best practices, the creation of patent portfolios, licensing agreements, and the safeguarding of trade secrets.

## **RESEARCH METHODOLOGY**

### **RESEARCH DESIGN**

Designing a research design for the protection of intellectual property rights involves careful planning to gather meaningful insights. A well investigative research design is a needful way for presenting and exaggerating the cruciality of the topic. This research involves descriptive qualitative study gathering information on the challenges and safety measures involved in the protection of Intellectual property rights. Legality regarding the IPR the equivalent is précising different in all areas as per the field or expertise. This research involves the insights on the case studies and implications that were exhibited will violation and rectifying the possible problem outcome in different companies/ organization.

### **SOURCES OF DATA**

#### **DESCRIPTIVE STUDY: CASE STUDIES AND IMPLICATONS**

Data's been provided on the basis of secondary data directed by different case studies and rightful implications driven on the context on challenges, violation, implication and corrective measures of IPR.

#### **SECONDARY DATA- LITERATURE REVIEWS**

Secondary data, or information that has previously been gathered and examined by another party, can help researchers save both time and money. Secondary data may be found in business records, trade journals, libraries and from old Research paper.

### **DATA COLLECTION METHOD**

Data collection is based on the secondary studies indicating the case studies and various derivative implications that were used to mend the problem.

Instruments used in this research are data collected from different journals and sites to understand the cruciality of the IPR.

## **POPULATION**

Population can refer to the entire group or set of entities that are of interest to your study. In this case, it would encompass all relevant elements related to the case study implications and the perspectives of different renowned people that are published and presented.

## **SAMPLING METHOD**

Sampling Method used in this research is CONVINIENCE SAMPLING.

Convenience sampling is a non-probabilistic sampling technique in research and data collection where the researcher selects a sample based on what is convenient or readily available to them.

## **SAMPLING FRAME**

Sampling frame is based on the secondary data depicting different journalized content and case study implication.

## **DATA COLLECTION INSTRUMENT**

Data collection instrument are different secondary datas available on the search engine and journals and magazines.

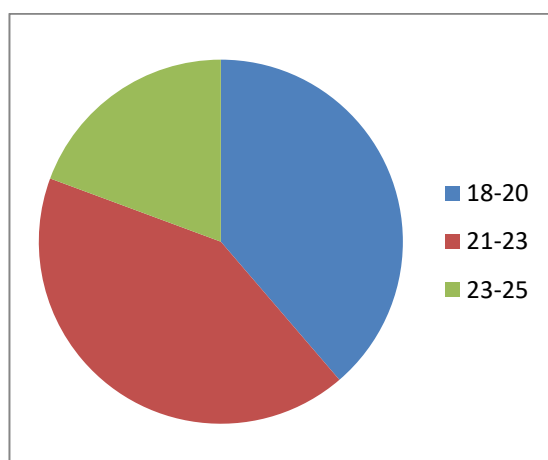
## **DATA ANALYSIS AND INTERPRETATION**

Judy Anderson in one of his books “Plagiarism, Copyright Violation, and Other Thefts of Intellectual Property” stated Imitations may be the sincerest form of flattery, but imitation that reproduces another words or research without credit is plagiarism- a form of thievery.

This study shows the violation that are caused in intellectual property rights ie. Plagiarism, violations and other thefts of intellectual property rights.

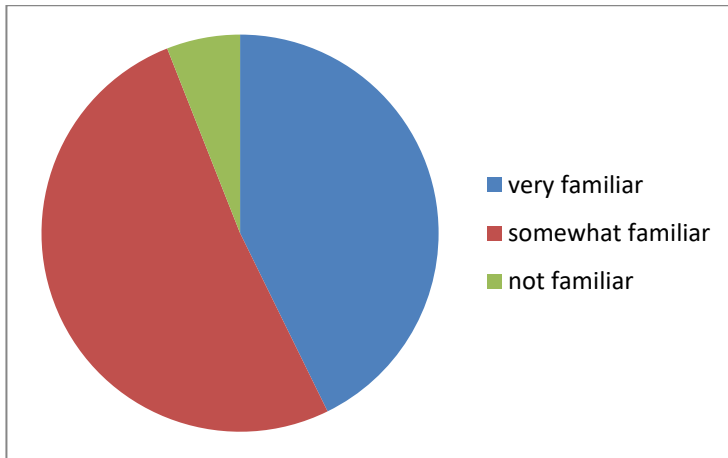
FOLLOWING QUESTIONS WERE ASKED FROM DIFFERENT AGE GROUPS WITH REFERNCE TO SNOWBALL SAMPLING AND RESPONSES WERE RECORDED WHICH ARE AS FOLLOWS:

1. Age group:



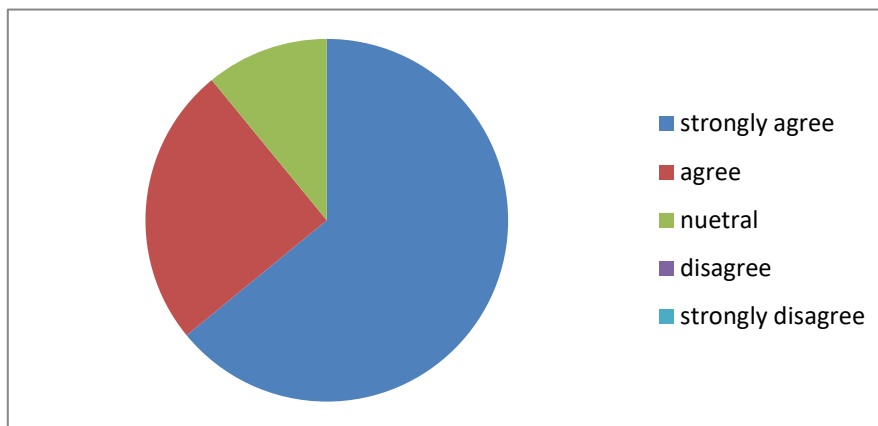
According to above data, about 39% of size aged around 18-20, 42% aged around 21-23 and 19% aged around 23-25.

2. How familiar are you with the concept of intellectual property rights (IPR)?



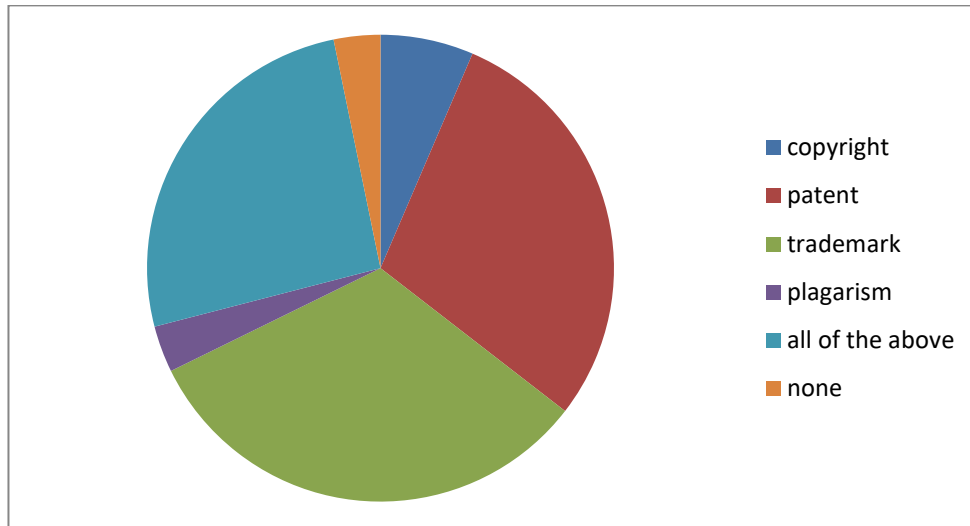
According to above data, 43% of sample size are very familiar with the concept of intellectual property rights whereas 51% of size are somewhat or lack full knowledge about intellectual property rights.

3. Do you believe that protecting intellectual property rights is important for innovation and creativity?



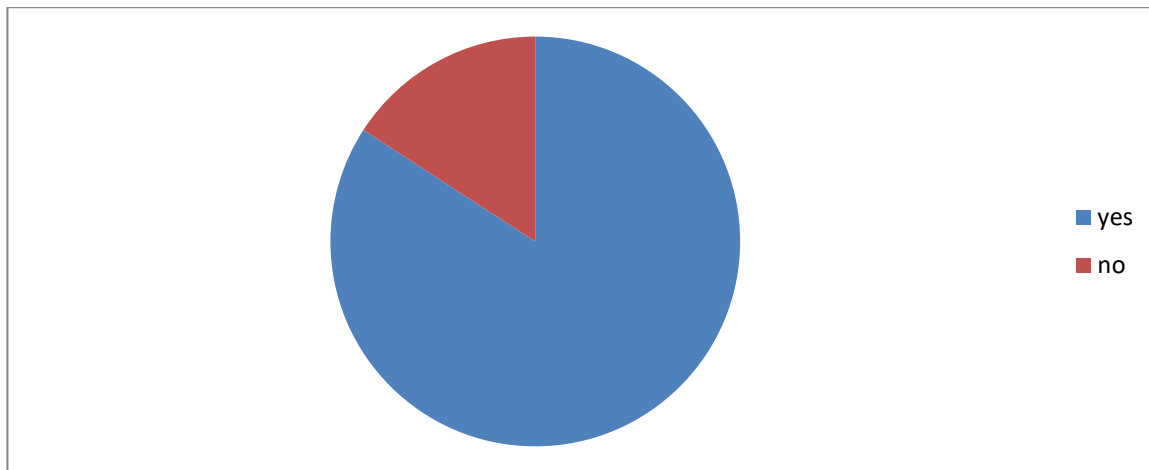
According to above data, maximum population strongly agree that protecting intellectual property is important for innovation and creativity i.e 25% and 64%.

4. Which types of intellectual property violations are you most familiar with?



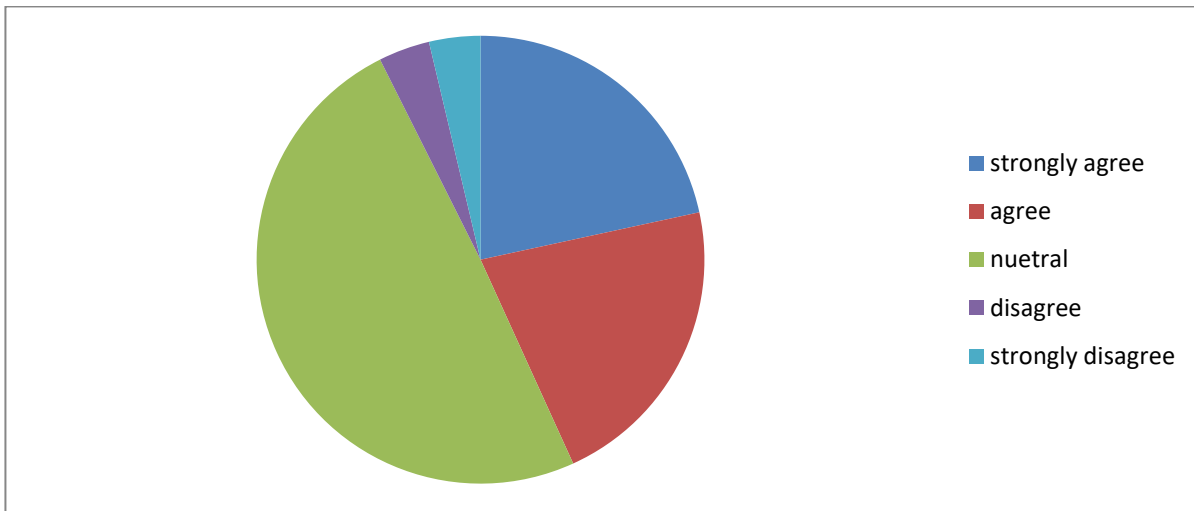
According to above data, multiple responses were calculated as 32% are aware are more about trademark, 6% are aware about copyright. Likewise, 26% are aware about all intellectual property rights.

5. Do you consider plagiarism a serious offense?



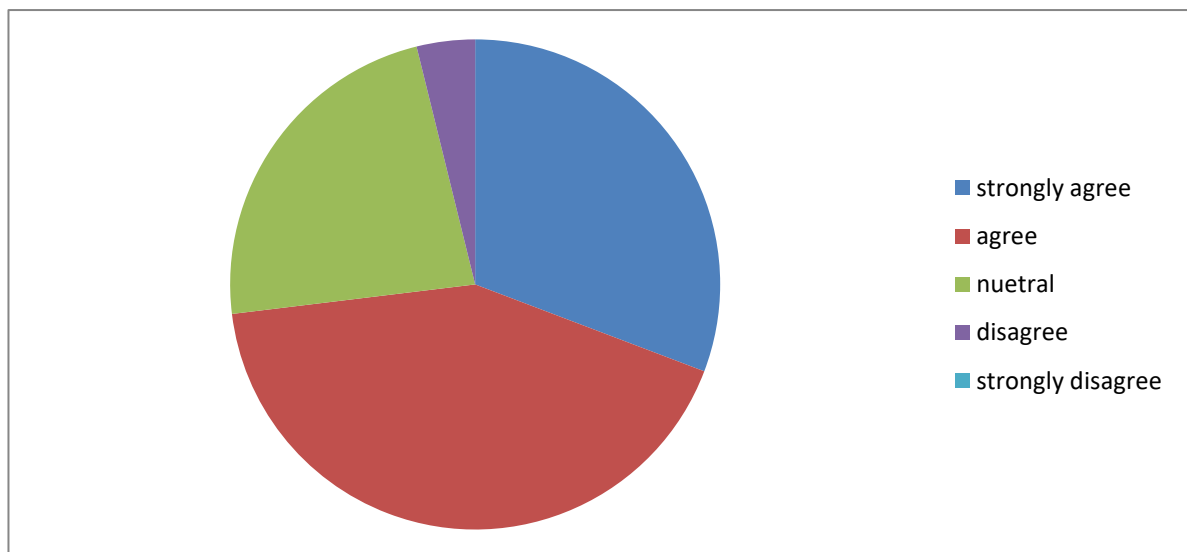
According to above data, 84% considers plagiarism as serious offense whereas 16% considers it non- offensive.

6. Did advancements in technology have affected the prevalence of intellectual property violations?



According to above data, 22% felt advancement in technology have affected the prevalence of intellectual property violations.

7. Do you think more efforts should be made to educate the public about intellectual property rights and the consequences of violating them?



According to above data, 42% of respondents believe there should be more efforts to educate the public about intellectual property rights and the consequences of violating them whereas 31% strongly agree.



## **RESULTS AND FINDINGS**

1. Intellectual rights are basically implemented to protect the rights of individuals or group to safeguard their rights for their creativity and invention. However it's important to recognize that people should be aware about these intellectual rights and how it should not be violated against its creators/ inventor's will.
2. Above data was taken from the sample size of 40 in which age group from 18-20, 21-23 and 23-35 to exactly understand how the minds of different age groups reflect their opinion on this crucial case.
3. From above data, we can conclude that more than half people are not aware about the sample size are unaware or least bothered of the existence of intellectual property.
4. About maximum size feels violation of trademarks copyright is a serious offense yet small size of people still believe its not a serious offense to violate these rights.
5. About half of the population size believe that advancements in technology affects with the prevalence of intellectual property rights as various sites and hacking techniques makes it easier to be approachable for stealing someone else's creation and invention and use it to their advantage.
6. Most of the population is aware of only one or two intellectual rights and a few populations is aware of almost all basic and important intellectual rights.
7. Most of the sample size believe that protecting intellectual rights is a necessity for innovation and development.

## **CONCLUSION/ SUGGESTIONS**

In conclusion, maintaining economic growth, stimulating investment, and promoting innovation all depend on the trade industry's intellectual property rights (IPRs) being protected. Strong legal protections, such as trade secrets, copyrights, patents, and trademarks, are the cornerstones of encouraging innovation and guaranteeing impartial competition. In addition to safeguarding the rights of inventors and producers, effective enforcement of these rights also boosts consumer trust and upholds the integrity of the market. Nonetheless, the difficulties presented by digitization, globalisation, and changing market dynamics call for ongoing strengthening and modification of regulatory frameworks and enforcement tactics. In a global economy that is changing quickly, cooperation between governments, corporations, and international organisations is crucial to addressing new concerns like piracy, counterfeiting, and infringement. Stakeholders may promote an atmosphere that encourages innovation, investment, and sustainable growth in the trade sector by respecting the fundamentals of intellectual property protection.

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**APPENDICES**

## Suggestion Form

Questionnaire on plagairism, violation and other thefts of intellectual property rights.

1. Name

2. Age

- 18-20
- 21-23
- 23-25

3. how familiar are you with the concept of intellectual property rights?

- Very Familiar
- somewhat familiar
- not familiar

4. do you believe that protecting into lecturer property rights is important for Innovation and creativity?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

5. which types of intellectual property violations are you most familiar with?

- copyright
- patent infringement
- trademark
- plagairism
- All of the above
- None

6. do you consider plagairism serious offense?

- Yes
- No

7. Did advancements in technology have affected the prevalence of intellectual property violations?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

8. do you think more efforts should be made to educate the public about intellectual property rights and the consequences of violating them?

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree