

INTELLECTUAL PROPERTY RIGHTS

[In Reference to TAKI GOVERNMENT COLLEGE]

Intellectual Property Rights (IPR) are, broadly speaking, rights granted to creators and proprietors of produces that are resulted out of human intellect and initiative. These produces pertain to the domains of scientific, technological, literary and artistic innovations and creations. As such, acknowledgement of **Rights to Intellectual Property** are **legal recognition and protection of exclusive rights to the creation of human mind**. India, along with many other countries, ratified the documents based on which the World Trade Organization (WTO) was established to come into being with effect from 1st January 1995. The same WTO establish document significantly contains an agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) that became operative from the same date of WTO establishment 01.01.1995. TRIPS actually enforces protection of IPR of its member countries for smooth progress of international trade. Intellectual Property, in real terms, is categorized in two parts. One part, termed as **Industrial Property**, includes patents for inventions, trademarks, industrial designs and geographical indications, plant varieties, layout designs of Integrated Circuits and trade secrets. The other part **Copyright** covers literary works, films, music, artistic works 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.

India has progressed along thenarrated lines of IPR even prior to the TRIPS agreement. The legalization of IPR has been consistently achieved so far through the following Acts :

- **The Patents Act 1970 , last amended in 2005**
- **The Copyright Act 1957, last amended in 2012**
- **The Trade and Merchandise Act 1958 with a new act introduced in 1999**
- **The Semiconductor Integrated Circuit Layout Design Act 2000**
- **The Geographical Indication of Goods (Registration & Protection) Act 1999**
- **The Designs Act 1911 that was superseded by a new act in 2000**

Details of the mentioned Acts, along with their implementing modalities, are available in the website of the Office of the Controller General of Patents, Designs & Trademarks, Department of Industrial Policy & Promotion, **Ministry of Commerce & Industry, Government of India**: www.ipindia.nic.in

Taki Government College, being an educational institution, encourages research in various fields. The teaching faculty members of the College endeavour to promote research despite fund related predicaments and other allied constraints. The Patent Act and Rules of IPR are of interest to the teachers. This Act encourages invention and defines the same as: An invention means a new product or process involving an inventive step and capable of industrial application' [S.2(1)(j) of the Patent Act 1970]. A sense of pride pervades our mind to narrate that our College faculty members have been consistently pursuing research to the extent that led to applying for patents. Dr Sauvik Das of the Department of Botany of **Taki Government College** has applied for a patent for his work on 'Downstream processing in micropropagation' (Application No. 770/Cal/99 dt.09.09.1999).