



## AWARENESS OF INTELLECTUAL PROPERTY RIGHTS AMONG THE D.ED STUDENTS OF GOA STATE

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### KEYWORDS :

#### INTRODUCTION

The IPR is a way to make balance between public and private rights. It makes a moral and socio-economic sense to use under authorization. In another way it is becoming a source of earning in a respect way. It is a moral duty to protect someone's investment of mind and time and other resources to achieve a specific knowledge. The outcome of such efforts should be used under authorization of investor. Intellectual property law creates property rights in a wide and diverse range of things from novels, computer programmers, paintings, films, television broadcasts, and performances, through to dress designs, pharmaceuticals, genetically modified animals and plants. Intellectual property protects applications of ideas and information that are of commercial value.

In the present time Intellectual property rights have become common subject in all the disciplines of study. It is most important not only for the lawyers, judges, law students but also engineers, scientists, artists, technicians, farmers, and as well as researchers also. At the International level, WIPO, a specialized Agency of the United Nation play a significant role in promoting the teaching of IP laws in universities. In 1981, the International Bureau of WIPO initiated the establishment of a non-governmental organization called ATRIP (International Association for the Advancement of Teaching and Research in Intellectual Property). Further it established the WIPO World Wide academy (WWA) , in order to serving as an educational institution for teaching, training and research in IP.

#### History of Intellectual property rights

The term intellectual property reflects the idea that this subject matter is the product of the mind or the intellect, and that Intellectual Property rights may be protected at law in the same way as any other form of property. Intellectual property laws vary from jurisdiction to jurisdiction, such that the acquisition, registration or enforcement of IP rights must be pursued or obtained separately in each territory of interest. George Alfred Deepening made the first application for a patent in India in the year 1856. On February 28, 1856, the Government of India promulgated legislation to grant what was then termed as "exclusive privileges for the encouragement of inventions of new manufactures" i.e. the Patents Act. Copyright law entered India in 1847 through an enactment during the East India Company's regime. In 1914, the Indian legislature enacted a new Copyright Act which merely extended most portions of the United Kingdom Copyright Act of 1911 to India. The 1914 Act was continued with minor adaptations and modifications till the 1957 Act was brought into force on 24th January, 1958.

The first legislation in India relating to patents was the Act VI of 1856. The Act of 1859 provided protection for invention only and not for designs whereas United Kingdom had been protecting designs from 1842 onwards. To remove this lacuna, the 'Patterns and Designs Protection Act' (Act XIII) was passed in 1872. This Act amended the 1859 Act to include any new and original pattern or design or the application of such pattern to any substance or article of manufacture within the meaning of 'new manufacture'. The Act XV of 1859 was further amended in 1883 by XVI of 1883. In 1911, the Indian Patents and Designs Act, 1911, (Act II of 1911) was brought in replacing all the previous legislations on patents and designs. After

Independence, it was felt that the Indian Patents & Designs Act, 1911 was not fulfilling its objective. In 1957, the Government of India appointed Justice N. Rajagopala Ayyangar Committee. In 1967, an amended bill was introduced which was referred to a Joint Parliamentary Committee and on the final recommendation of the Committee, the Patents Act, 1970 was passed. Prior to 1940 there was no official trademark Law in India. Numerous problems arose on infringement, law of passing off etc. and these were solved by application of section 54 of the Specific Relief Act, 1877 and the registration was obviously adjudicated by obtaining a declaration as to the ownership of a trademark under Indian Registration Act 1908. To overcome the aforesaid difficulties the Indian Trademarks Act was passed in 1940. The replacement to this act was the Trademark and Merchandise Act, 1958. This Act was to provide for registration and better protection of Trademarks and for prevention of the use of fraudulent marks on merchandise. This Law also enables the registration of trademarks so that the proprietor of the trademark gets legal right to the exclusive use of the trademark. The objective of this act was easy registration and better protection of trademarks and to prevent fraud. The repeal of the Trademarks and Merchandise Act gave rise to the Trademark Act 1999 this was done by the Government of India so that the Indian Trademark Law is in compliance with the TRIPS obligation on the recommendation of the World Trade Organization. The object of the 1999 Act is to confer the protection to the user of the trademark on his goods and prescribe conditions on acquisition, and legal remedies for enforcement of trademark rights.

#### Types of Intellectual Property Rights

The IPRs are broadly divided into two categories: industrial and non-industrial property. Industrial Property includes patent, trademarks, Geographical indications, Design, plant variety etc. Non industrial property includes copyright.

A patent is the granting of a property right by a sovereign authority to an inventor. This grant provides the inventor exclusive rights to the patented process, design, or invention for a designated period in exchange for a comprehensive disclosure of the invention.

A trademark (also written trade mark or trade-mark) is a type of intellectual property consisting of a recognizable sign, design, or expression which identifies products or services of a particular source from those of others, although trademarks used to identify services are usually called service marks.

A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place.

A design patent is a form of intellectual property protection which allows an inventor to protect the original shape or surface ornamentation of a useful manufactured article.

A copyright is a form of protection provided by the laws of the United States to authors of "original works of authorship." A copyright holder can prevent others from copying, performing or otherwise using the work without his or her consent.

**Objectives of the study**

1. To find out the gender wise awareness of IPR among D.Ed students based on gender.
2. To assess the awareness of D.Ed students on the topics like nature, types, issues and protection of intellectual property rights.

For the purpose of collection of primary data questionnaire method was used. According to the objective of research the questionnaire was prepared and was distributed to the D.Ed students of Goa state, under the study. Total 65 questionnaires were distributed to the respondents and 50 questionnaire received filling by the users.

**Data Analysis and Interpretation:**

Table no. 1 show that 30 male respondent (60%) and 20 female respondents(40%) are aware of intellectual property right which shows that male respondent are more aware than female respondent.

**Table 1: Gender Wise Awareness about IPR**

Gender	Respondents	Percentage
Male	30	60
Female	20	40
Total	50	100

Table no.2 describes about the awareness regarding the nature of intellectual property right. Out of 50 respondent 26 (52%) D. Ed students are mention that intellectual property is a right and 12 (24%) D. Ed students says that it an ownership.

**Table 2: Awareness on nature of intellectual Property Right**

Nature	Respondents	Percentage
Public property	8	16
Right	26	52
Owner	12	24
None	4	8
Total	50	100

Table no. 3 shows the awareness of IPR types among the D.Ed students. From the above Table it can be clearly see that 28 (56%) D.Ed students are aware about copyright and only 10 (20%) respondent are aware about trademark.

**Table 3: Awareness on Intellectual Property Rights on the base of types**

Awareness	Respondents	Percentage
Patent	12	24
Copyright	28	56
Trade mark	10	20
Total	50	100

Table no. 4 describes about the awareness about patent .Out of 50 respondents 38(76%) respondent says that patent is a New technology and 5(10%) respondents says that patent is new technology and books both while 3(6%) respondent have no idea about the patent.

**Table 4: Awareness about Patent**

Awareness about Patent	Respondents	Percentage
New technology	38	76
Books	4	8
Both	5	10
No idea	3	6
Total	50	100

Table no. 5 describe about the awareness about copyright. Out of 50 respondent 38(76%) mentions that copyright is related to article and 2(4%) respondent mentions that copy right are related with books while 4(8%) respondents say that copyright is books, article and idea.

**Table 5: Awareness of Copyright**

Awareness about copy right	Respondents	Percentage
Articles	38	76
Books	2	4
Idea	6	12
All of the above	4	8
Total	50	100

Table no. 6 describe about the issue related to intellectual property right. Out of 50 respondent 15(30%) respondent mentions that intellectual property issue related with the author work and 14(28%) respondents says that issue is related with both author of work and owner while 5(10%) respondents says that there is no idea about the issue of Intellectual property right.

**Table 6: Awareness about the issue related to Intellectual property Right**

Issues	Respondents	Percentage
Auother of work	15	30
Owenship	16	32
Both	14	28
None of the above	5	10
Total	50	100

Table no. 7 describe about the awareness regarding the protection of intellectual property right. Out of 50 respondents 30(60%) respondent mention that they are aware about the protection to stop prevention and 14(28%) respondents mention that they are aware to save the author right.

**Table 7: Awareness regarding the protection of intellectual property right**

Protection	Respondents	Percentage
To stop prevention	30	60
To save author right	14	28
To prevent infringement	6	12
Total	50	100

**CONCLUSION**

This research paper was initiated to study the level of awareness regarding the intellectual property right among the D.Ed students of Goa state . The conclusion of this study shows that large number of respondent are not aware of intellectual property rights. However some of D.Ed students have little knowledge of intellectual property rights

**Suggestion**

Intellectual property education should be promoted among the D.Ed students and also to all the institutions of higher education.

Organize seminar /workshop/conferences on intellectual property right in colleges and all higher education institutions. A comprehensive curriculum may be included in D.Ed Course comprising of Trademark, Design, Patent and copyright knowledge To provide the D.Ed students first hand experiences of intellectual property right .

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