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INTELLECTUAL PROPERTY RIGHTS IN THE DIGITAL AGE

INTRODUCTION:-

In our rapid world full of new tech and digital ideas, Intellectual Property (IP) law is crucial. Intellectual property refers to the legal rights given to creators and innovators to safeguard their intangible assets. These assets can include things like inventions, designs, trademarks, and creative works. IP law helps creators protect their ideas and ensures that they receive recognition and financial benefits for their hard work. let's look at how IP law and technology are connected. In today's fast-paced world, technology plays a huge role in creating, sharing, and using intellectual property. today, like smartphones, social media platforms, and streaming services. These technologies rely heavily on intellectual property. The main aim of this paper is to explores the intersection of IP law and technology, highlighting the AI, blockchain, and 3D printing.¹

Understanding Intellectual property law:-

Intellectual Property (IP) law is like a shield that guards our ideas and creations in the digital world. It includes rules and tools to protect things we can't touch, like ideas, logos, music, and secret recipes. We can say it as a set of guidelines that make sure your hard work and creativity are recognized and respected. It mainly including patents, trademarks, copyrights, and trade secrets. ²

The Role of technological advancement in IP:-

The fast growth of new technology brings both good and tough parts for Intellectual Property (IP) law. New tech like AI, blockchain, and biotech has changed how industries work, making life better for everyone. But it also makes things tricky when it comes to the ownership . what and how to protect it. This means we have to figure out new rules to deal with these changes and make sure everyone's ideas are respected and protected. ³

The impact of technology on IP:-

1. Patent law in the Digital Age:-

Before technology came, patents mainly protected tangible inventions like machines or processes. However, with the digital revolution, patents now extend to software, algorithms, and biotechnological innovations. The rise of technology has challenged traditional patent law by blurring the lines between physical and digital inventions and raising questions about patent eligibility, enforcement.

2. Copyright protection law and technology impact:-

In the digital world, protecting copyright is tough because it's easy to copy and share material online. Technology makes it simple to share digital content but also leading to issues like piracy and unauthorized sharing. Copyright laws need to tackle and handle these problems while making sure creators are protected and everyone still has access to content.

3. Trademark law and brand identity in technology:-

In the era of technology, branding and trademark law have undergone significant changes and thanks to the widespread use of digital platforms and global markets. Trademarks, which once solely represented symbols and logos, now extend to encompass domain names, social media handles, and online identities. With the surge of e-commerce and digital marketing, protecting trademarks from infringement and brand dilution has become a top priority for businesses. As more people shop online and businesses advertise digitally, it's super important to protect trademarks from being copied or losing their value. This means we need to update the rules about trademarks for the internet, so brands can stay strong and easily recognized online.^{4 5}

Case:- Novartis AG v. Union of India:-

This case provides a significant example of how technology impacts intellectual property law, specifically in the realm of patents.

Novartis AG, a pharmaceutical company, sought a patent in India for a specific version of a disease medicine. This version had a different crystal structure.

The Indian Supreme Court decided that Novartis couldn't get a patent for this specific form of the drug because it didn't show enough evidence that it had significantly better therapeutic benefits compared to the original form. This decision aimed to prevent companies from extending patent protection for minor changes to existing drugs without providing more benefits to peoples.⁶

4. Emerging issues and trends in technology:-

Emerging technologies like artificial intelligence, blockchain, and 3D printing are reshaping the landscape of intellectual property law. AI making stuff can raise tricky questions about who really owns it, and about general rules. Blockchain is helping us manage copyrights easier and deal with digital rights, while 3D printing is changing how we make and sell things, which means we're talking a lot about new laws for patents and product safety.⁷

Conclusion:-

So, we can say that, In India, where technology and intellectual property law come together, it opens doors for exciting new ideas and tricky legal questions. By studying stated case laws and other main issues ,we can see the need for fair rules or their use that help both creators and businesses. As India wants to lead the way in innovation, it's important to find the right balance between encouraging creativity, helping businesses grow, and making sure everyone's ideas are protected.

Footnotes:-

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