

Intellectual Property Rights in Digital Era

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ABSTRACT

Intellectual Property is not related to the physical property owned by someone. But it is ownership of intangible goods. These intangible things may be any design, idea, written material, book, innovative creation, scientific and artistic work. It may also include audio and video clips that can be downloaded online. In the present digital era, the awareness about the intellectual property rights is essential to know for every innovator and creator as in this era, it is very difficult to prove the violation of these rights. Here in this paper, the emphasis is given on the discussions of Intellectual Property Rights in the digital world when everything is becoming digital and online to make the world technically fast and compact.

Keywords: *Intellectual Property Right (IPR), Digital Era, Technical, Tangible*

Introduction

All human being are endowed with a specific and varying degree of intellect. The word intellect is derived from Latin language word the “intellectus” which means the power of knowing as distinguish from the power of Feel [1]. All human beings collect knowledge lifelong from its surroundings and environments as per its own capacity. An intelligent person uses its intelligence at full to earn the living by using creative ideas and innovations. These innovations and creations are special type of property known as intellectual property. Intellectual property is something which is intangible good. The right is legally protected interest and object is immaterial in intellectual property rights. IPR can be any idea, innovation, artistic design, written material, phonographs, and invention in any field of scientific, artistic and literary.

The recent trends and development in digital technology has spread the

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scope of transferring information in a fast pace around the globe. Now it has become easier to dissemination literary, scientific and artistic work to a large community who is using electronic media. So as to protect the innovations and ideas intellectual property rights are used by the owners.

Intellectual Product

Intellectual Product is combination of two terms; Intellectual + Physical Product. Intellectual is intangible part that can be idea, product, innovation, invention or any original concept. All that can be protected by copyright. Physical component is the expression of the product in physical terms. This concept can be well elaborated by taking example of the book written by someone. Here the physical component will be printing and binding of the written material in terms of book. Here the book is having ownership of the author who wrote it and entire rights are reserved for the author so as to avoid the copying of the material. That can be done by taking the intellectual property rights. By using this right, the author can claim the copyright for this creation. This copyright grant to author will protect expressions of the author and no one can use it without author's permission. The author can publish this material in form of Book which is a complete **Intellectual Product**.

Features of the Intellectual Property

Following are the features the intellectual property:

It is in the form of intangible property.

It is different from the physical goods which contains the rights. But some rights are also reserved for no tangible form of product.

The rights can be in form of trademarks, design rights, patents and copyrights etc.

IPR and Digital Rights

In the Digital Era, the matter of privacy is of important concern because unauthorized data sharing, data use and copying, unethical data utilization and public disclosures are easily assessable. Some major issues are to be considered as follows:

Is digitization is same as that of reproduction of the concept same as that of Xerox Machine.

Is digitization is transformation from one concept to the same in other mode e.g. writing the same concept in two different languages.

Is transmission of digital documents through Internet be considered as public communication commercial distribution same as that of broadcasting?

There are many other issues that can be related to use of the reading materials, products, innovation etc in the digital environment.

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Digitization has made it easy to access the material and its use by different users at different places. Digitization is the process of converting human language into the machine language. That cannot be protected by copyright as copyright protect only creative work. So how can one protect the digital information and ideas?

Ways to Protect Digital/Intellectual Property

Electronic Rights Management Systems commonly known as Digital Rights Management (DRM) Technologies ensures copyright of the digital contents through identifying and protecting the content, controlling its access, protecting the integrity of access and ensuring assessment payment of the contents. Access can be protected through user ID and password provided to the authenticated users. The Digital contents can also be protected through Technical Protection Measures (TPM) [3]. It is a software or device which is placed on copyright material to prevent unauthorized access of the material such as music, text and video etc. If author wants to collect fee on the use of his / her original work, DRM technology can be used. There are several methods through which the TPM and DRM technologies are increasingly employed to sell and distribute content over the Internet to secure the data and material. Cryptography is the oldest method used to protect the material from the unauthorized access. The technology uses the encryption method to protect the contents which can be decrypted by the authenticated users only. Another method to protect the digital contents is watermark technology. Water mark technology is the method to use any specific signature, logo or pattern inserted into the digital contents. Any text message may also be used along with the digital content which may carry the ownership identity. Only legal users can be allowed to remove the water mark and text with a predetermined algorithm. Electronic marking may also be used to protect the data. In this technology system automatically generates the unique mark that is attached to each of the document copy. This method can be used to protect the copyright as well electronic publishing where printing of the material is done.

Conclusion

A number of issues and concerns are associated with the usage of the electronic articles, Journals and other contents. It is a matter of great importance to protect the rights of the authors and owner for their original work and inventions. In the digital era, it is also difficult to draw the marking line between authenticated and unauthenticated use of the digital contents. Thus copyrights laws need to be revised as per the demand of the digital world and environment when every aspect of the writing, new ideas and inventions is using digital technologies to publish its work.

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