

## Guardians of Knowledge: Exploring the Ethical Landscape of Research and Intellectual Property Rights

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### ABSTRACT

Creative concepts found in inventions, literary and artistic works, and various designs are protected by intellectual property rights (IPR), which are the official and legal mechanisms for doing so. Marks used on different products to differentiate them from similar ones that are for sale are included. However, over time, the term "intellectual property" (IP) has expanded too much, covering various aspects such as geographical indications, plant breeders' rights, trade secrets, industrial designs, copyrights, patents, and trademarks (Dutfield, 2003, 2005). According to Nagy (2011), indigenous peoples have the right to preserve, control, protect, and develop their intellectual property (IP) related to traditional knowledge, cultural expressions, and cultural heritage, as stated in the United Nations Declaration on the Rights of Indigenous People (2007:11). Intellectual property rights (IPR) must be the only thing required to safeguard concepts, encourage originality and creativity, support design, and facilitate creation. IPR is also a moral and social obligation to respect humanity's rich cultural and intellectual heritage, support its diversification, and help in meeting the challenges of the modern, digital world. This is why the authors of this article, whether they are creative, emphasize the significance and meaning of IPR in the context of global ethics. Since the 1980s, the exponential increase in patented products across a wide range of industries has proven to be a reliable indicator of this new "knowledge economy". The present study investigates various facets of research, such as respect for participants, transparency, and integrity, within the framework of research ethics and intellectual property rights.

**Keywords:** *IPR, Copyright, Research ethics, United Nations Rights Declaration, Indigenous People*

**K**anagavel et al. (2003) defines intellectual property (IP) as any tangible or intangible asset arising from creative ideas and intellectual human endeavours, including products that can be replicated ideas, expressions, inventions, designs, distinctive names, business practices, technology transfer, industrial processes, and software in the academic, scientific, creative, or industrial domains. The creation of intellectual property has taken precedence over the production of tangible goods in the post-industrial society that has emerged in recent decades because of information technology advancements (Shah, et al., 2021). For designing, fostering creativity and innovation, safeguarding ideas, and advancing

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technological advancement, intellectual property rights (IPR) are essential. Moreover, intellectual property rights (IPR) are a social and moral obligation that all people on the planet, be it producers or consumers, have to protect the rich cultural and intellectual legacy of humanity, expand its reach, and help it overcome the obstacles posed by the digital age (Lazariuc & Lozovan 2021). As a socio-economic tool, intellectual property rights give inventor companies a temporary monopoly and allow them to impose prices on their innovations that are noticeably greater than their production's marginal cost (Sonderholm, 2010). Intellectual property rights over data gathered via research and fair compensation for financial gains that may eventually accumulate and accrue, according to Posey (1996). Indigenous groups contend that legal definitions of ethics are constructed in a way that incorporates the western concept of the individual and individualized property, such as the right to give informed consent or the right to disclose knowledge (Nagy 2011). Currently, intellectual property rights are experiencing a crisis of integrity. Restoring intellectual property rights to their social function centers the debate around universal ethical principles, which will only help them regain public acceptance in the long run (Geiger 2013). Intellectual property (IP) has become more crucial and significant in the technology sector, according to Shemdoe (2009), and the topic is becoming more and more popular. Growing amounts of wealth are being created based less on capital investments and more on creativity and brainpower as the world transitions to a knowledge-based economy. According to ARIPO (2002), intellectual property has grown to be a crucial component of global trade and a key driver of economic expansion. Growing interest in Internet-Based Research (IBR) and research ethics has resulted from IBR's surge over the past ten years. The committees for ethics and discipline within the scientific system are responsible for supervising the appropriate conduct of research by scientists who are trusted members of the public. Determine whether the international academic community is aware of and follows the scientific community's regulations regarding preserving rights to intellectual property when disseminating research findings. AV recordings of interactions are used in psychotherapy and other helping professions more frequently to facilitate deep and accurate recall in trainees, practitioners, and their clients during reflection on their process. A crucial aspect of human society is intellectual property, or IP and every country possesses organizations specifically tasked with establishing the rules, carrying them out, and enforcing them. The establishment and upkeep of a strong system intellectual property rights research facilitates innovations by stimulating people and organizations to invest time, resources, and expertise into creating novel goods, amenities, and artistic endeavors. IP can play a pivotal role in boosting competitiveness as well as economic growth. IPR research aids in the development of strategies to capitalize on intellectual property and helps businesses and policymakers comprehend the economic impact of intellectual property. Strong IPR enforcement and protection can draw in capital, encourage and reward entrepreneurship, generate employment opportunities, and support a thriving innovation ecosystem.

### ***Theoretical foundations***

Many studies on individual academic entrepreneurship use resource-based theory, assuming that, like private entrepreneurs, academics control a variety of unique resources and capabilities that are mobilized in the commercialization of their work (Landry et al., 2007; Ortín-Ángel and Vendrell-Herrero, 2014). Studies of the traits of Goethner et al. (2012) and Schmitz et al. (2016) assert that academic entrepreneurs are primarily influenced by economic approaches. The theory of Aghion and Tirole (1994) concerning the impact of innovation rights in contract research has been applied to the behaviour of academic

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researchers (Lissoni and Montobbio, 2015, Okamuro and Nishimura, 2013, Sterzi, 2013). These characteristics, however, are insufficient because academic entrepreneurs are subject to different institutional regulations and incentives than private entrepreneurs, it is necessary to explain academic entrepreneurship (Goethner et al., 2012). These rules and incentives include those pertaining to intellectual property rights (Crespi et al., 2010). According to their theory, researchers' behaviour is influenced by institutional contractual clauses that relate to how invention property rights are shared, who oversees research and the scheduling of monetary compensation. In the opinion of Aghion and Tirole (1994), a deal that outlines property rights before any innovation is allocated or that contains a clause about dividing profits from a potential commercialization will affect researchers' motivation and involvement in the creation and marketing of an innovation. They suggested dividing rights to property and control sharing of profits is also included (Aghion and Tirole, 1994). Even though the invention may belong to the inventor (Galushko and Sagynbeko, 2014). The creator is not always rewarded a bigger share of the creation's profits, and disclosure of the invention is typically required.

### *Objectives*

- To understand the concept of IPR.
- To understand the types of IPR.
- To highlight the need and importance of IPR.

## **METHODOLOGY**

Primarily grounded in secondary data, the study is conceptual in focus. Through a review of research papers and articles published in a variety of educational journals, the researcher employed the content analysis method. The researcher additionally conducted a comprehensive search of academic databases as well.

### *Intellectual Property Rights (IPR)*

IP is a 20th-century term that broadly refers to a collection of legal systems that came into being separately, at various times, and in various locations (Drahos 2016). Developments in new growth theory and the Interest in the connections between economic expansion and intellectual property protection has rekindled because of the World Trade Organization's TRIPS Agreement. The relationship between a country's growth rate and its intellectual property rights (IPRs) regime is not well understood theoretically due to the different ways in which technology can be acquired and its differing importance at different stages of development (Flavey, et al 2006). Understanding intellectual property rights (IPRs) will help everyone avoid embarrassment and help them understand the professional code of conduct and their rights. Intellectual property rights, or IPRs, are institutional and legal tools used to safeguard creative works of art, such as inventions and innovations. According to Hossain (2018), "IPRs have been justified on the basis of both rights-based and consequentialist approaches to recognize their value as intellectual works in exchange for monetary benefit for sustainable economic growth and development of the global economy." IPR research emphasizes how critical it is to defend creators' and innovators' rights. IPR guarantees that inventors and creators can enjoy the financial gains, recognition, and competitive edge that come with their work by granting exclusive rights. Additionally, IPR research offers guidance on striking a balance between the need to meet pressing societal needs and exclusive rights. The ethical issues surrounding creativity and innovation are clarified by IPR research. It looks at issues like fair competition, the social effects of intellectual property, and the ethical implications of emerging technologies. These studies provide

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information for the creation of moral standards, laws, and other frameworks that guarantee ethical innovation and safeguard public interests. The TRIPS Agreement, which is related intellectual property rights in trade, including patents, copyrights, trademarks, geographical indicators, the protection of private information, integrated circuit layout designs, industrial designs, and traditional knowledge. The World Trade Organization (WTO) also recognizes and regulates these rights. Hossain (2018) asserts that intellectual property rights (IPRs) safeguard journals. As a result, journals must establish an IPR legal framework that most closely aligns with their mission and philosophy. Certain Blackwell journals have a copyright system in place that requires authors to temporarily give up their rights to distribute and reproduce their work for profit to publishers. Some Blackwell journals use authors' creative common licenses, which allow publishers to distribute and reproduce their works for free if they are properly cited. Most open access journals available online are licensed under creative commons. It is essential in forming laws, customs, and policies that uphold a thriving and long-lasting knowledge-based society. Research on intellectual property (IP) aids in the creation and upkeep of a robust framework that motivates individuals and companies to commit resources—including time, money, and expertise—to the creation of novel products, services, and artistic creations. IP has the potential to substantially increase competitiveness and economic growth. Understanding the economic effects of intellectual property and creating strategies to capitalize on it are two ways that businesses and policymakers can use IP. Strong IP enforcement and protection can draw in capital, encourage entrepreneurship, generate employment opportunities, and support a thriving innovation ecosystem. IPR guarantees innovators and creators the ability to profit from their work in the form of cash, recognition, and a competitive edge. It does this by granting exclusive rights. Consequently, these features ought to be considered in any research on the impact of IPR in the background of commercial data transmission. Nonetheless, a dichotomist viewpoint regarding the assignment of rights is adopted by the body of research on how an IPR regime affects commercial knowledge transfer. IIPRP includes control of academic inventions by the university and revenue sharing agreement between the university and academic inventor(s) (Geuna and Rossi, 2011, Kauppinen, 2014). It is only one component of the program that deals with intellectual property assignment. In conclusion, most empirical research on the IPR regime that regulates information sharing from academic institutions to industry either takes a national perspective, aggregating data, or a country perspective (Crespi et al., 2010). Universities' IPR policies vary depending on their circumstances (Okamuro and Nishimura, 2013), the specifics of the IPR, such as the royalty share, the time of the patent filing process (Geuna and Rossi, 2011), or the range and caliber of the knowledge and technology produced (Grimaldi et al., 2011). However, the diversity of profiles among academic scientists is not considered by the university perspective. A lacklustre image of university knowledge transfer initiatives is frequently presented by primary data gathered from university managers (Grimaldi et al., 2011). University scientists are the main factors contributing to this phenomenon, so examining them is necessary to establish the micro-foundations of academic entrepreneurship, notwithstanding the fact that their institutional surroundings somewhat shapes their behaviour (Abreu and Grinevich, 2013). (Goethner et al., 2012, Jain et al., 2009). To increase our understanding of how IIPRP influences academic scientists' entrepreneurial behaviour, we need to address how the university's application of IIPRP specificities affects individual scientists on multiple levels. To increase our understanding of how IIPRP influences academic scientists' entrepreneurial behaviour, we need to address how the university's application of IIPRP specificities affects individual scientists on multiple levels.

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### ***Types of IPR***

In India, an individual can obtain asset protection through multiple kinds of intellectual property rights. To safeguard and confer international recognition on the intellectual property rights that it acknowledges, India has actively ratified several conventions and treaties. In response to multiple conventions, India passed new laws such as the Plant Variety Act to protect products that honour the country's agricultural heritage, heritage, and fauna. The various forms of intellectual property rights recognized in India include patents, trademarks, geographical indications, designs, plant varieties, semiconductor integrated circuit layouts, and copyright.

### **1. The Copyrights**

Thoughts are protected in the expression of them, not in the copyright. "Original literary, dramatic, musical, and artistic works; cinematograph films; and sound recording" are all covered by copyright under section 13 of the copyright Act. It is noteworthy that computer programs are also subject to copyright protection. A copyright is a type of "exclusive right" that gives someone the authority to do things in relation to a work that is protected by a copyright. For instance, a literary, dramatic, or musical work may be translated, adapted, performed, or used in any other way by the owner (or any person the owner designates).

### **2. The Trade Mark**

"Trade mark" refers to a mark that can be visually represented and used to distinguish the goods or services of one party from those of other parties. "It may include the goods' shape, their packaging, or a combination of colours," states the Trade Marks Act. In other words, any symbol, colour, design, word, or other element related to or symbolic of a good or service is protected by a trademark.

### **3. The Patent**

An intellectual property right known as a "patent" protects any invention. Protecting the rights of the inventor and preventing unauthorized use or theft of the registered patent are the functions of this exclusive right. After the application filing date, a patent is valid for twenty (twenty) years. Recall that an invention cannot be submitted for patent filing unless it is "novel" and "original," meaning it cannot have been made available to the public in India or any other nation on Earth. It employs what the Patents Act defines as a "inventive" process, which is "a feature of an invention that involves technical advance as compared to the existing knowledge or having economic significance or both and that makes the invention not obvious to a person skilled in the art"; additionally, it is "capable of industrial application," which means it can be exploited in an industry.

### **4. The Design**

According to the Designs Act, "only the features of shape, configuration, pattern, ornaments or composition of lines or colours, applied to any article whether in two dimensional or three dimensional or in both forms, by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye" are designs.

### **5. The Geographical Descriptors of Products**

The popularity of many Indian products can be attributed to their origins. For example, "Darjeeling tea" is distinctive and well-liked for several reasons, such as its history, the

expertise of the Darjeeling tea growers, and the local environment. Basmati rice and banarsi sarees are two more products whose characteristics or place of origin have an impact.

## **6. The Protection of Plant Varieties and Farmer's Rights**

Plant varieties are protected and Indian farmers' rights are acknowledged by the Protection of Plant Varieties and Farmer's Right Act, 2007, which also endeavours to foster the expansion and advancement of new plant varieties. Every breeder, farmer, or other authorized person may register a new plant variety under the Plant Varieties Act. If a new plant variety meets the requirements of "novelty, distinctiveness, uniformity, and stability," it may be registered.

### ***Importance of IPR***

According to Palmqvist et al. (2012), the topic of intellectual property rights (IPRs) is becoming more and more important, particularly for creative businesses looking to expand internationally. IPR research becomes more and more necessary as a result. However, it is unknown at this time how well the present research addresses this new need. The findings show that the study of IPRs in innovation management is expanding quickly, but more coherent constructs and conceptual frameworks are required to support the research's theoretical foundation. Considering how crucial intellectual property rights (IPRs) are to business, it is critical to assess how well research is addressing the expanding body of knowledge. IPR problems have many facets and are intricate. The laws governing them differ from nation to nation and encompass a wide range of rights, including industrial designs, patents, copyrights, trademarks, geographical indications, and trade secrets. IPRs are analysed at the firm, industry, and regional levels and are significant at both the macro and micro levels. In today's competitive and business-oriented world, intellectual property rights (IPRs) are a major concern due to the ethical and commercial aspects of intellectual property exploitation. The group of individuals who are either directly or indirectly impacted work in a variety of professions that require a wide range of artistic and technical abilities (Kanagavel, et al 2003). Intellectual property rights, or IPRs, stimulate innovation by providing prosperous inventors with a temporary control over their inventions. The returns from growing and flourishing R&D investments must be high adequate to offset the significant percentage of R&D that is unsuccessful, as determined by the monopoly profits that result (Flavey & Foster, 2006). For some small businesses, the only thing that counts is the intellectual property they own related to a technological innovation they have developed. Intellectual property rights (IPR) have genuinely become a "intellectual currency," promoting corporate prosperity, innovation, and worldwide economic growth. Governments everywhere are looking for ways to support their citizens, grow their economies, and build national capabilities in a variety of cultural, technological, and intelligence domains. Prabu et al. (2012) state that depending on the relative intensity of technological activity, the potential significance of IPR in developing nations varies. Developing nations supported the TRIPS agreement for several reasons, including the expectation that stronger intellectual property rights would spur more innovation and technology transfer as well as greater access to rich nations' agricultural and apparel markets. There are good reasons to think that growth prospects are positively impacted by IPR enforcement. When innovations are granted monopoly rights, society benefits in four ways:

- Applying newly acquired knowledge to constructive endeavors.
- More information being shared with other agents about new developments.
- Other businesses' encouragement of innovations.

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- The following areas of intellectual property are also covered by norms and standards set forth in the TRIPS Agreement: patents, copyrights, and related rights. Trademarks, geographical indications, industrial designs, integrated circuit layout designs, protection of confidential information (trade secrets), and plant varieties.

### CONCLUSION

Laws from various legal systems safeguard intellectual property rights (IPRs). One licensing scheme should be selected by journals based on which one best serves their objectives and values. To prevent plagiarism, journals ought to have an IPR policy. The idea of fair use in publishing, professional writing codes of conduct, and one's rights will all be better understood with the aid of this IPR ethics course. Writing at one time is useless. In order to prevent embarrassment and harassment, researchers, academics, editors, and readers must be aware of who owns the rights in a publication and what users can and cannot do with it legally. Professionals and policy-makers engaged in the registration of trademarks, patents, and other forms of intellectual property (IPRs). can find valuable resources in the economics and strategy literature. To identify, analyze, evaluate, predict, and govern stakeholders in the world of intangible information, it is essential to comprehend how this knowledge accumulates. Intellectual property rights, patents, and trademarks play a significant and expanding role in policy analysis and the social sciences, especially in the field of economics and strategy scholarship. Centuries ago, formal systems of innovations were established to establish the industrial property system for inanimate objects. It's time to go over them again. Examining the systems that will handle living things (plants and animals) as well as unofficial system innovations created by grassroots innovators (farmers, craftspeople, tribes, fishermen, and so forth) presents an emerging challenge. These inventors and their innovations will undoubtedly not be accommodated by the conventional intellectual property systems. Therefore, the intellectual property system itself needs to be innovative. There is debate over whether TRIPS should inherently be a part of the WTO. Other topics under discussion include the necessity of new reforms to remove specific industries from TRIPS, the value of uniformity in patent terms, lowering the minimum standards for differential treatment based on a developing country's economic status, etc. An ongoing top priority for consumers and international marketers is safeguarding intellectual property rights (IPR). The degree of intellectual property rights protection, sharing, borrowing, or theft affects a wide range of stakeholders, of intellectual The parties who possess intellectual property include those who own it outright, investors and workers for companies that control and dominate it, rogue marketers and disenfranchised opportunists who steal, copy, and distribute it, dishonest customers and companies that purchase it on purpose, unknowing customers and companies that purchase copies of it accidentally, and, lastly, future generations who might or might not profit from inventions—like vaccines and other life-improving discoveries—that result from its protection, sharing, application, or theft To sum up, the property interpretation, sharing, protection, and administration will be among the social marketing challenges that have the biggest influence on the well-being of numerous systems and stakeholders. Furthermore, and maybe not unexpectedly, not many societal marketing problems have caused such division among the stakeholders. IPR research is critical to innovation. In conclusion, these include economic growth, protecting innovators, fostering collaboration, striking a balance between public interests, addressing global challenges, and ensuring ethical and responsible innovation.

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### ***Conflict of Interest***

The author(s) declared no conflict of interest.

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