

Plagiarism & Intellectual Property Rights in Digital Age

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Abstract:

Intellectual Property defined in terms of unused original and creative ideas or works protected by patent, copyright, trademarks and trade secret laws, further classified into patents for inventions, copyrights for literary works, trademarks, and trade secrets in the globalizing world characterized by multilateral trade, increasing transparency etc have become more vulnerable to infringements. Thus, the central thinking behind the IPR is that the author must get his due, which will further encourage him to keep up the R&D. IP rights deserve protection all over the world including India particularly the science and technology, software and business method, which are rapidly changing. The world has moved far ahead from 1967, when the World Intellectual Property Organization (WIPO) discussed all issues related to IPs. However, all these issues have to be reviewed afresh with globalization, information and communication technologies and knowledge factors playing a leading role in world affairs.

Introduction

The word intellect originates from the root “intellectus” in Latin which means the power of knowing as distinguished from the power to feel. Man has own capacity to acquire knowledge and increase his knowledge bank by gathering knowledge throughout his life time. An intellectual product is nothing but the brain child of his original idea, creative thought, which forms a special kind of property known as intellectual property. The intellectual property is ownership of something intangible. A right is legally protected interest and object of the right is the thing in which the owner has interest. The object in intellectual property right is immaterial.

Technological advancements in the past decade were such that there have been regular revolutionary changes and exponential growth in information technology. The innovation cycle has also considerably reduced, as there seems to be an invention time and again. Along with astounding discoveries comes the challenges of protecting intellectual property rights in the digital era. Intellectual property rights have branched out to cover a host of elements including the intangible assets of your brand. This article explains the importance of intellectual property protection in the digital age.

Intellectual Property

According to WIPO

Intellectual property (IP) refers to creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce. IP is protected in law by, for example, patents, copyright and trademarks, which enable people to earn recognition or financial benefit from what they invent or create. By striking the right balance between the interests of innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.

Types of Intellectual Property

Copyright:

Copyright is a legal term used to describe the rights that creators have over their literary and artistic works. Works covered by copyright range from books, music, paintings, sculpture and films, to computer programs, databases, advertisements, maps and technical drawings

Patent :

A patent is an exclusive right granted for an invention. Generally speaking, a patent provides the patent owner with the right to decide how - or whether – the invention can be used by others. In exchange for this right, the patent owner makes technical information about the invention publicly available in the published patent document.

Trademark :

A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of other enterprises. Trademarks date back to ancient times when artisans used to put their signature or "mark" on their products.

Industrial design :

An industrial design constitutes the ornamental or aesthetic aspect of an article. A design may consist of three-dimensional features, such as the shape or surface of an article, or of two-dimensional features, such as patterns, lines or color.

Geographical indications:

Geographical indications and appellations of origin are signs used on goods that have a specific geographical origin and possess qualities, a reputation or characteristics that are essentially attributable to that place of origin. Most commonly, a geographical indication includes the name of the place of origin of the goods.

Trade secrets:

Trade secrets are IP rights on confidential information which may be sold or licensed. The unauthorized acquisition, use or disclosure of such secret information in a manner contrary to honest commercial practices by others is regarded as an unfair practice and a violation of the trade secret protection.

Why is it Important to Protect Intellectual Property?

The Internet has made it easier for people to access journals, publications, and any piece of information that is digital. This is leading to several users thinking that any information on the internet can be reproduced because it is available in the public domain. After the lockdown was declared, according to renowned sources, there was a growing incidence of fake domains being created that had copyright-protected information in them.

What do we mean by "in copyright" and "not in copyright"?

In most cases, when something is published it is "in copyright" meaning that someone has the legal right to control (and profit from) its reproduction. But some things are not in copyright. The most important cases are:

1. After a certain period, copyright lapses and the work enters the "public domain" which means in effect that it no longer has an owner—anyone can print copies. The exact period varies but for an ordinary book the most common rule now is that copyright lasts till either 50 or 70 years after the author's death.
2. Some works are placed in the public domain. You will sometimes see something online with a statement that the creator places it in the public domain. This is more common for images than text. However, most U.S. government material is automatically public domain (in general, anything created by a federal employee in the course of his/her duties). Of course, it might still be secret...
3. Some works are made available under the various Creative Commons licenses, which allow redistribution under various conditions; according to the author's wishes (commonly acknowledgment is required). In other cases conditions are made ad hoc. Material on this website can unless otherwise stated be reproduced freely provided it is not for commercial use and provided acknowledgment is made.

The Difference between Plagiarism and Intellectual Property

Confusion between plagiarism and intellectual property In academic writing, it is important to avoid plagiarism. It is also important to avoid violating copyright, part of what is now generically referred to as "intellectual property". However, although there are connections, these are different issues. Plagiarism is about presenting other people's work as your own. In an academic context this is a form of cheating. For example, if I copy a section from a textbook into an essay or article without acknowledging it, i.e. making it look like part of my own writing like the rest of the essay or article, this is plagiarism. Intellectual property is about the right to control (and profit from) particular work. For example, if I make copies of the textbook without permission and sell them, this violates the intellectual property of the author and/or publisher. (Copyright violation does not have to involve money, although that is often the main issue: it is about the violation of the right to control the material.)

How to avoid Plagiarism

1. Keep track of the sources you consult in your research.
2. Paraphrase or quote from your sources (and add your own ideas).
3. Credit the original author in an in-text citation and reference list.
4. Use a plagiarism checker before you submit.

Conclusion:

In this paper, an attempt has been made to tell about plagiarism and intellectual property rights in the digital age. What is intellectual property, & Plagiarism & Intellectual Property etc. In the modern era with the development of science and technology encounter with large number of sources for information while using such information from respective sources. Some words etches and values must be taken into consideration. Work created by the people is rightfully their intellectual property and if we use that work, we are bound to acknowledge that. word “Plagiarism is copy another person’s idea, words or work and opened that they are your own. However Internet and subsequent proliferation of information has made the problem serious. Plagiarism is one of the most severe violations of academic writing. It may have serious consequences for a student even expulsion from college/university. Plagiarism and IPR violation detection tools for preserving and protecting both textual and non- textual resources. Revolutionary measures will then need to be designed to protect us against the impending information explosion.

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