



## **ROLE OF INTELLECTUAL PROPERTY RIGHTS IN E-COMMERCE- AN OVERVIEW**

**Dr. R.R. VISHNUPRIYA**, Assistant Professor of Commerce, Sourashtra College, Madurai, Tamil Nadu

**Dr. S.E. SANTHIYA**, Assistant Professor of Commerce, Sourashtra College, Madurai, Tamil Nadu

### **Abstract**

In today's global scenario, the internet has become a revolutionary technology which is known to empower consumers and businesses alike with the network of connectivity at all levels. E-commerce is the part and parcel of our daily lives as we are so much into using the digital modes of trading and thus the need for "Intellectual Property" arises. Intellectual property play a predominant role in E-commerce because their license needs to be protected and safeguarded. Therefore, the online corporate sectors should work on the ground that their activities are free from IP risks and threats which might slow down or actually destroy their businesses. This paper aims to understand the basic introductory concept about IPR and the role of IPR in E-commerce.

Key words: E-commerce, Intellectual Property Rights (IPR), Copyrights, Patents, Trademarks

### **Introduction**

In the present worldwide climate, the web has turned into an extreme innovation which associates the purchasers and the organizations at all levels. When it comes to E-commerce, It is an inseparable child of mankind as most of the people are so much using the digital modes of trading and thus the need for "Intellectual property" arises. Intellectual Property Rights (IPRs) are legitimate rights that safeguard creations and/or inventions resulting from intellectual activity in the industrial, scientific, literary or artistic fields. The most common IPRs include patents, copyrights, trademarks and trade secrets. Intellectual Property (IP) is a legitimate term that has been associated with industrial property with copyrights and other rights in the similar field. The value of the intellectual property is highly valuable as compared to the physical property. There are various reasons why IP is the key factor to E-Commerce and e-commerce is predominant factor to IP. Audio, images, video, software, designs, training modules, systems, etc. can all be traded through E-Commerce, in which case, IP is the principle part of significant worth in the exchange. IP is significant in light of the fact utilizing mechanical security frameworks and IP regulations, or, more than likely they can be taken or pilfered and entire organizations can be annihilated.

## **Role of Intellectual Property in E-Commerce**

With the significant utilization of the Internet and innovative foundation, Intellectual Property assumes a significant part in E-Commerce in the ways referenced beneath:

1. The Intellectual Property Law defends the financial matters and entities of an organization or a person against unreasonable rivalry. Coming to the advanced economy and E-business, without even a trace of IP regulations and works on, everything going from music, programming, design, etc could be taken, copied, or appropriated over the globe without paying the owners for their exceptional creation and work.
2. IP is engaged with the working of E-Commerce as parts like programming, chips, networks, designs, plans, routers, to give some examples, are largely types of IP which should be safeguarded to permit the working of the Internet.
3. All E-Commerce and online organizations depend on product or patent licensing. As an assortment of innovations are expected to make an item, most web-based organizations either outsource the development of some components or share technologies using licensing agreements
4. Online business based organizations consider IP as their most significant resource and frequently own Patent portfolios and brand names to upgrade the worth of their internet based organizations.

## **Significance of Intellectual Property in E-Commerce**

For most organizations across the world, their Intellectual Property is a most important resource than any substantial resource claimed by them. This is on the grounds that Intellectual Property Laws assume a significant part for the corporate areas from revealing their proprietary innovations, while likewise safeguarding them against uncalled for contest. The organization ordinarily possesses an arrangement of licenses and brand names which reinforce and build the worth of their business. IPR regulations in web based business safeguards their licenses, portfolios and trademarks. The regulation keeps others from taking IPs and utilizing it for their monetary potential benefit, without paying the maker for the work they put in, and their creation. The presence of practices and rules that administer the working of IP regulations has energized new manifestations, while - additionally safeguarding the difficult work put in by the maker.

## **Elements granted protection in Intellectual Property**

There are a various parts of on-line sites which are vested with the protection of various types of Intellectual Property.

1. Online business frameworks, search engines or other specialized Internet devices is allowed security under Patents or utility models.
2. Programming incorporates the text-based HTML code which are utilized in sites and it is vested with a safeguard under Copyrights Act or licenses regulation, contingent on public regulation.
3. Web architecture is safeguarded under copyright.
4. All the site content as composed material, photos, and illustrations, audio and video recordings are safeguarded under Copyrights.
5. Data base are safeguarded by copyright regulations.



6. Business Names, Logos, Product names, and different signs posted on the site are covered under Trademarks.
7. Computer generated Graphic Symbols, displays, graphic user interfaces (GUIs) & even webpages are safeguarded under Industrial Design Law
8. Hidden Aspect of on-line sites (confidential designs, source code, object code, algorithms, calculations, programs or other specialized portrayals, information stream diagrams, rationale stream outlines, client manuals, information constructions and data set contents) are safeguarded under Trade Law Secrets.

### Understanding two essential regions concerning IPR in online business:

**Protecting one's own licensed innovation:** A typical misstep most licensed innovation proprietors make, is that they uncover their IP before they even record for its protection. This can end up being very lethal, since they can't make a legitimate move against substances who are unjustifiably involving it for business purposes. For example, assuming one unveils the privileged insights of a software algorithm, prior to filing as a trade secret, they wouldn't be qualified for IP protection. IP regulations across the globe don't stretch out IP protection to organizations on the off chance that they disclose their proprietary innovations.

**Violating another organization's intellectual property:** Internet business sites are basically those that are occupied with buying and selling items on the web. Numerous online business organizations frequently encroach intellectual property regulations by depicting and portraying items and furthermore showing their pictures. For example, numerous Indian and Chinese online business portals frequently sell top of the line items at a fraction of a price. (these items are many times definite duplications of the first items). Such online business organizations should address any outstanding concerns to guarantee they don't encroach upon a creator's IP rights. They can do this by guaranteeing that the item they are selling is the first formation of the IP proprietor and that the maker hosts allowed the third-party platform to sell their item

### Conclusion

There is no rejecting that the fair and ethical compliance of digital practices and exercises can't be accomplished without Intellectual Property Laws, particularly in a field as different and dynamic as E-business and retail. IPR in online business safeguards organizations that work on web-based platforms. Since the web-based retail space is developing at an outstanding rate, Intellectual Property Rights help organizations shield and keep up with their secret trade activities. IP privileges in web based business additionally permit IPR proprietors to guarantee a portion of the organization's benefits. Thusly, it ought to be said that IPR in web based business safeguards exercises in the online business field. In any case, the achievement rate relies totally upon the viable execution of IP Rights.

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