

PROCEEDINGS



59

## National Seminar

on

# IPR Management in Biodiversity Conservation: Implications of Access Benefit Sharing, TRIP/CBD and Biodiversity Acts

January 17-18, 2020



In collaboration with  
**GOVERNMENT OF RAJASTHAN**  
**Rajasthan State Biodiversity Board**



Jointly organized by  
**Department of Zoology and Botany**  
**Kanoria PG Mahila Mahavidyalaya, Jaipur**  
J.L.N. Marg, Jaipur- 302015, Rajasthan  
Phone: 0141- +91-141-2707539, +91-141-2706672  
E-Mail- admin@kanoriacollege.in

*Seema*  
**Principal**  
**Kanoria PG Mahila Mahavidyalaya**  
**JAIPUR**

Proceedings of the  
National Seminar

on

**IPR Management in Biodiversity Conservation:  
Implications of Access Benefit Sharing, TRIP/CBD  
and Biodiversity Acts**

**17-18 January, 2020**

**Editors:**

**Dr. Sunita Shekhawat**

Associate Professor

Department of Zoology

Kanoria PG Mahila Mahavidyalaya

J.L.N Marg, Jaipur Rajasthan

**Dr. Ritu Jain**

Assistant Professor


Department of Botany

Kanoria PG Mahila Mahavidyalaya

J.L.N Marg, Jaipur, Rajasthan

Authors are responsible for the views, opinions expressed here and neither Editors nor Publishers are accountable in any manner.

Permission is needed for reproduction in any form.

Copyrights  2020 by the IPR Management in Biodiversity Conservation: Implications of Access Benefit Sharing, TRIP/CBD and Biodiversity Acts.

Published by: Organizing Secretary of the National Seminar, Kanoria PG Mahila Mahavidyalaya, Jaipur.

ISBN: 978-93-5396-760-4.

*Seema*  
Principal

Kanoria PG Mahila Mahavidyalaya  
JAIPUR

## INDEX

S. No.	Author(s)	Title	Page No.
1.	Dr. Abhishek Kr. Tiwari	Biodiversity and Genetically Modified Crops: Issues and Challenges	1-5
2.	<b>Akanksha Ganda</b>	Managing Intellectual Property Rights in the Advertising Industry	6-8
3.	<b>Anamika Singh</b>	Legal Issues and Environment Protection Laws in India	9-14
4.	<b>Dr. Anita Gajraj</b>	Intellectual Property Rights: A Significant Tool for Biodiversity Conservation	15-19
5.	<b>Dr. Aparna B Rathore</b>	Bioprospecting and Biopiracy: Impact on Biodiversity	20-24
6.	Bharati Pareek	Biodiversity and conservation of <i>Salvadora persica</i> (Linn.) in Indian Arid Zone	25-27
7.	<b>Dr. Chetna Sharma,</b> Dr. Shalini Sharma	Public Health and Intellectual Property Rights	28-31
8.	Divya Pareek	Intellectual Property Rights: Key to Entrepreneurs Sustainability	32-35
9.	<b>Jyoti Kapil,</b> <b>Neetika Mathur</b>	Intellectual Property Rights: Boon or Bane for Protecting the Farmer's Rights	36-40
10.	Prof (Dr.) Komal Audichya	The Biological Diversity Act 2002 and the Access and Benefit Sharing	41-47
11.	<b>Dr. Kumud Tanwar,</b> <b>Dr. Swati Singh,</b> <b>Dr. Arti Mishra</b>	Laws and Policy Framework for Environmental Protection	48-50
12.	<b>Dr. Leena Bhatia</b>	Intellectual Property Rights – A curse or a boon for India as a developing country	51-57
13.	<b>Dr. Manisha Mathur</b>	International Property Rights: An Overview of History of Patent Laws	58-63
14.	<b>Medha Babel</b>	Sustainable Forestry: An Approach of Biodiversity Management	64-65

S. No.	Author(s)	Title	Page No.
15.	Dr. Meenakshi Punia	Bioprospecting and Biopiracy: Challenging Grounds for India and its Bio Diversity Laws	66-71
16.	Dr. Meenal Sharma	Role of Intellectual Property in Innovation and New Product Development	72-80
17.	Dr. Neelam Bageshwari, Dr. Sunita Shekhawat	Geographical Indication in Intellectual Property Rights	81-84
18.	Dr. Neeta Agrawa	Why Intellectual Property should be Protected	85-89
19.	Poonam Sharma, Kamakshi Tomar	Role of Government Agencies in the Regulation of IPR	90-92
20.	Priyanka Jangid	A Review: Legal Framework on Environmental Protection	93-95
21.	Dr. Ranjana Agrawa	Intellectual Property Rights in Science: Issues and Challenges	96-101
22.	Dr. Ritu Jain, Dr. Sunita Shekhawat	Bio-Diversity, Bio-Piracy & Bio-Prospecting: Indian Perspective	102-109
23.	Rukshar	Environmental Degradation and Management in India: A Review	110-113
24.	Dr. Surabhi Sharma	Awareness of IPR (Intellectual Property Rights) among the Research Scholars in Jaipur City	114-118
25.	Vandita Srivastava, Dr. Sangita Sinha	Enabling the Community through IPR Awareness	119-124
26.	Yogita Solanki, Reema Solanki, Pooja Mangal	Relevance of Access Benefit Sharing in Biodiversity Conservation	125-128
27.	डॉ. शीतल शर्मा	हमारी पारम्परिक बौद्धिक सम्पदा : अध्यात्म	129-132
28.	Dr. Nidhi Gupta	Biodiversity : A Review	133-136

  
**Principal**  
 Kancra PG Mahila Mahavidyalaya  
 JAIPUR



Proceedings of National Seminar on  
'IPR Management in Biodiversity Conservation: Implications of  
Access Benefit Sharing, TRIP/CBD and Biodiversity Acts'

**Intellectual Property Rights- A Curse or a Boon for India as a  
Developing Country?**

**Dr. Leena Bhatia**

Assistant Professor, Department of Business Administration

Kanoria PG Mahila Mahavidyalaya, Jaipur

E-mail: leenabhatia85@gmail.com

**Abstract**

The protection of intellectual property rights has become an issue of wide and serious discussion with the formation of the General Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs). Before the era of liberalization, it was not a major international trade issue that time it was mainly a domestic issue. But since the 1990s, IPR protection has assumed growing salience in international trade. In this paper an attempt is made to present some of the key issues of intellectual property rights protection and efforts which are made to find out the solution of aforesaid problem.

**Keywords:** Intellectual Property Rights, Intellectual Property, TRIPs

**Introduction**

The protection of intellectual property rights (IPR) has become one of the most contentious issues in global commerce. Globalization of technology and skill, emergence of new technologies and the rapid development of emerging economies are other reasons which increase importance of IPR protection. To go further, it is necessary to understand the meaning of intellectual property rights. In general word intellectual property means creations of the mind, such as inventions; literary and artistic works, designs, and symbols, names and images used in commerce. Intellectual property rights may be defined as 'information with commercial value'. (1) Intellectual Property Rights are like any other property right. They allow creators, or owners, of patents, trademarks or copyrighted works to benefit from their own work or investment in a creation. These rights are outlined in Article 27 of the Universal Declaration of Human Rights, which provides for the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary or artistic productions. (2) According

to the WTO, intellectual property rights are the rights given to persons over the creations of their minds. They usually give the creator exclusive rights over the use of his/her creations of their minds.

The main objectives of IPR include financial incentive and economic growth. Financial incentive means give financial benefits to creator of property as well as statutory expression to economic rights and promoting economic and social development through the fostering of fair trade.

In India, the Union Government approved the New IPR Policy 2016 on May 13, 2016. Through this policy, the government aims to promote, increase awareness about and enforce Intellectual Property in India. The objectives of this policy are:

1. To create public awareness about the benefits of Intellectual property among all sections of society.