



## **The Significance of Intellectual Property Rights: Safeguarding Innovation, Creativity, and Economic Growth**

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### **Abstract**

The vital role that intellectual property rights (IPRs) play in preserving innovation, creativity, and economic progress is explored in depth in this abstract. IPRs have become essential tools for encouraging and preserving imaginative and creative outputs in a continuously changing global environment marked by technological breakthroughs and growing interconnection. This paper demonstrates how intellectual property rights (IPRs), which include patents, copyrights, trademarks, and trade secrets, are crucial tools that encourage inventors, creators, and businesses to devote their time, money, and expertise to the creation of ground-breaking goods, services, and creative works.

Through the eyes of both industrialised and emerging economies, the relationship between IPRs and innovation is examined. It is clear that strong IPR frameworks foster the development of novel technologies and solutions to social problems by offering a favourable environment for research and development investments. IPRs allow for the transmission of knowledge while guaranteeing that creators and inventors are fairly compensated, which in turn keeps the innovation cycle going. IPRs are discussed in the context of creativity, which is a fundamental component of human expression. For instance, copyright rights give writers, artists, and musicians the capacity to regulate the dissemination and replication of their creative works, promoting a climate that is favourable to cultural variety and the preservation of legacy. IPRs also encourage the creation of literature and the arts by providing legal safeguards, fostering a vibrant cultural environment that reflects the depth of human creativity. IPRs and economic growth, a goal shared by all nations, are closely related. A strong IPR framework encourages domestic entrepreneurship, attracts international investment, and fosters the expansion of sectors dependent on innovation and creativity. The study emphasises the importance of IPRs in enabling technological transfer, competitive advantage, and collaborative efforts that advance economic growth.

However, the abstract also recognises the difficulties brought on by IPRs, such as problems with monopolistic tendencies, cultural appropriation, and access to necessary medications. A complex and flexible approach to IPR policy-making is necessary to strike a balance between the rights holders' interests and broader society's objectives. To sum up, this abstract's emphasis on the importance of intellectual property rights goes beyond its focus on legal frameworks. IPRs are dynamic catalysts that encourage creativity, foster innovation, and

stimulate economic progress. The paper's conclusions highlight the need for a standardised worldwide approach to IPRs that takes into account the varying interests of different stakeholders while promoting an environment that allows for unrestricted innovation and creativity.

## **Introduction: Understanding the Importance of Intellectual Property Rights**

In the contemporary dynamic global context, the significance of intellectual property rights (IPRs) has become increasingly prominent. IPRs are now recognised as a fundamental pillar for promoting innovation, protecting creative sectors, and stimulating economic advancement. The notion of intellectual property (IP) protection comprises a variety of legal frameworks, including patents, copyrights, trademarks, and trade secrets. These mechanisms are specifically devised to confer exclusive rights upon creators, innovators, and enterprises, safeguarding their intellectual inventions. Intellectual property rights not only serve as incentives for individuals and institutions to invest in innovative and creative works but also have a significant impact on the functioning of contemporary economies<sup>1</sup>.

The focal point of the discourse centres on the complex interaction between intellectual property rights (IPRs) and the process of innovation. Strong intellectual property (IP) frameworks play a crucial role in stimulating investments in research and development (R&D), hence fostering the creation of novel technologies, processes, and solutions that contribute to societal advancement. Intellectual property rights (IPRs) play a crucial role in safeguarding and incentivizing innovators by granting them temporary monopolies. This protection and reward system creates an environment that promotes ongoing inquiry and discovery. The protective framework of intellectual property rights (IPRs) has an equal impact on the creative industries, which span a variety of sectors including literature, music, art, and entertainment. Copyrights, for example, grant creators the authority to regulate the dissemination, replication, and modification of their creations, guaranteeing that their artistic pursuits are acknowledged and remunerated. Consequently, this phenomenon fosters a multifaceted cultural milieu and sustains the generation of innovative and influential artistic expressions. The economic importance of intellectual property rights (IPRs) is further emphasised when seen through an economic lens. Countries that have strong intellectual property rights (IPR) systems tend to attract foreign direct investment (FDI) and promote local entrepreneurship, which in turn contributes to economic growth<sup>2</sup>. Industries characterised by a significant dependence on invention and creativity, such as the technology and entertainment sectors, exhibit prosperous growth within frameworks that uphold and enforce intellectual property rights (IPRs). Furthermore, these rights serve to facilitate the transfer of technology and promote cooperation among academic institutions, research

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<sup>1</sup> S. (2023, March 25). *Intellectual Property Basics: Protecting Your Ideas and Creations* - WIIPA. WIIPA. <https://wiipa.org/1946/intellectual-property-basics-protecting-your-ideas-and-creations/>

<sup>2</sup> *Introduction of Intellectual Property Rights: Everything You Need to Know*. (n.d.). UpCounsel. <https://www.upcounsel.com/introduction-of-intellectual-property-rights>

organisations, and the corporate sector, thus contributing to the progress of knowledge-based economies.

Nevertheless, the correlation between intellectual property rights (IPRs) and wider societal concerns is intricate. The challenge lies in striking a balance between the rights of creators and inventors and the need to ensure accessibility, affordability, and cultural preservation. The theoretical notion of intellectual property ownership might occasionally conflict with the imperative of unrestricted access to vital resources and a fair allocation of advantages. This study explores the various aspects of intellectual property rights (IPRs), analysing their function in stimulating innovation, protecting creativity, and enhancing economic development. The text explores the conflicts that emerge between individuals who possess rights and the overall well-being of society. It emphasises the importance of adopting a thoughtful and intricate strategy when formulating intellectual property rights policies in order to harmonise the concerns of the various parties involved. Through an examination of intellectual property rights (IPRs) and their associated consequences, this study enhances our comprehension of how these rights impact contemporary economies and define the course of human advancement.

### **The Role of Intellectual Property Rights in Encouraging Innovation and Creativity**

The protection and encouragement of new ideas, technology, and artistic expressions are crucial aspects of supporting innovation and cultivating creativity. Intellectual property rights (IPRs) serve as a structured framework that plays a critical role in achieving these objectives. In an epoch characterised by swift technical breakthroughs and widespread global interconnection, the importance of intellectual property rights (IPRs) as drivers of progress cannot be overemphasised<sup>3</sup>. The fundamental essence of intellectual property rights (IPRs) resides in their capacity to foster and stimulate innovation. Patents, for example, confer on inventors the privilege of exclusive rights to their creations, providing a designated duration of exclusivity in return for the disclosure of technical particulars. This practise not only provides incentives for innovators to be compensated for their endeavours but also facilitates the ability of others to further develop and enhance these ideas, fostering a circle of ongoing advancement. In a similar vein, copyright laws serve to protect other forms of creative expression, including literature, painting, and music, thereby granting authors the authority to regulate the utilisation and distribution of their works. The equilibrium between safeguarding and spreading information cultivates an atmosphere that incentivizes authors to provide novel and authentic content.

In addition, intellectual property rights (IPRs) play a crucial role in promoting the transfer of technology and the dissemination of information. Intellectual property rights (IPRs) foster an atmosphere that promotes collaboration among academia, research institutions, and

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<sup>3</sup> *The impact of IP law on innovation and creativity - Virtuoso Legal.* (n.d.). Virtuoso Legal. <https://www.virtuosolegal.com/faq/the-impact-of-ip-law-on-innovation-and-creativity/>

enterprises by providing legal safeguards<sup>4</sup>. Collaboration has a crucial role in the advancement of scientific research and the facilitation of technological discoveries. Intellectual property rights (IPRs) function as a mechanism to establish formal collaborations, guaranteeing that all parties involved possess a vested interest in the results while also promoting the consolidation of resources and knowledge. Within the domain of creativity, intellectual property rights (IPRs) provide artists, writers, and performers with the confidence that their artistic endeavours will be esteemed and safeguarded. Copyrights, trademarks, and trade secrets jointly serve as protective measures for a wide range of creative expressions, encompassing literary works of exceptional quality, distinctive logos that have become iconic, and inventive recipes that push the boundaries of innovation. The preservation of cultural diversity and heritage is not only crucial for economic purposes but also for the maintenance of cultural identity and the promotion of heritage conservation.

Nevertheless, the role of intellectual property rights (IPRs) is not devoid of problems. Achieving a harmonious equilibrium between the provision of exclusive rights and the facilitation of public access is a multifaceted endeavour. The advent of the digital era has presented novel issues, notably the increased convenience of replicating and disseminating content, hence instigating discussions regarding the suitable extent and duration of safeguarding measures. Furthermore, there are apprehensions regarding the possibility of intellectual property rights (IPRs) being used as instruments of monopolistic control, thus impeding competition and restricting the availability of vital commodities and services. In summary, the diverse and dynamic nature of intellectual property rights plays a pivotal role in fostering innovation and creativity. These rights provide inventors, creators, and innovators with the necessary incentives and safeguards to propel advancements. Intellectual property rights (IPRs) create a conducive atmosphere for the dissemination of knowledge, the cultivation of collaboration, and the recognition of innovative and artistic accomplishments. Nevertheless, it is imperative to approach the design and execution of intellectual property rights (IPR) frameworks with meticulous consideration for the intricate equilibrium between safeguarding, availability, and the wider societal advantages stemming from innovation and artistic manifestation.

### **Intellectual Property Rights as a Shield Against Unfair Competition and Unauthorized Use**

Intellectual Property Rights (IPRs) serve as a robust defence mechanism against unjust competition and unauthorised utilisation, providing legal protections that preserve authors, innovators, and enterprises against the infringement, imitation, and theft of their works. In a globalised and knowledge-based society, the significance of intellectual property rights (IPRs) in ensuring fair competition and cultivating an environment of ethical corporate

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<sup>4</sup> *Intellectual Property Rights for Innovation | Interreg Europe - Sharing solutions for better policy.* (2023, June 15). Intellectual Property Rights for Innovation | Interreg Europe - Sharing Solutions for Better Policy. <https://www.interregeurope.eu/find-policy-solutions/stories/intellectual-property-rights-for-innovation>

behaviour cannot be underestimated<sup>5</sup>. One of the principal purposes of intellectual property rights (IPRs) is to provide protection against unfair competition. Trademarks, such as those mentioned, function as discernible markers that build the reputation of a brand and distinguish its products and services inside the marketplace. These marks not only confer exclusive rights to brand owners but also serve to protect customers from potential confusion and fraud. Trademarks play a crucial role in establishing a marketplace that fosters informed consumer decision-making and ensures the credibility and genuineness of purchased goods or services by prohibiting the use of identical marks and deceptive practises by others.

In contrast, copyrights serve as a means of protecting original works in the domains of literature, art, and music, thereby discouraging unauthorised use and duplication. The aforementioned safeguard guarantees that creators are able to receive the benefits of their efforts and retain authority over the distribution of their creations. The act of unauthorised copying or distribution not only has negative implications for the economic interests of authors, but it also diminishes the worth and relevance of their work. Patents are of paramount importance in safeguarding ideas, as they grant inventors exclusive rights to their inventions for a designated duration. The importance of exclusivity cannot be overstated in incentivizing inventors to publicly disclose their inventions, as it guarantees them the opportunity to fully capitalise on their ideas before others can imitate or exploit them. Patents serve as a barrier to imitation, creating an atmosphere that encourages inventors to invest in research and development without concern for quick replication by rivals<sup>6</sup>.

Trade secrets are a component of intellectual property rights (IPRs) that serve to protect confidential knowledge that provides a corporation with a competitive edge. Trade secrets incentivize corporations to engage in research, development, and innovation by implementing legal safeguards that prevent unauthorised access, use, or disclosure. This assurance of protection ensures that valuable knowledge remains secure and shields it from criminal use. Despite possessing intrinsic strengths, intellectual property rights (IPRs) encounter obstacles within the contemporary environment. The proliferation of digital reproduction and distribution has resulted in a widespread prevalence of piracy and counterfeiting, hence requiring the implementation of strong enforcement methods. Furthermore, achieving a harmonious equilibrium between safeguarding intellectual property rights (IPRs) and promoting open innovation necessitates meticulous deliberation, given that too-stringent measures can impede advancements. In summary, intellectual property rights play a crucial role in safeguarding against unfair competition and unauthorised utilisation. The aforementioned legislative safeguards serve to not only foster ethical conduct within

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<sup>5</sup> *Protecting IPR against Unfair Trade Practice*. (n.d.). Protecting IPR Against Unfair Trade Practice. <https://www.lawyered.in/legal-disrupt/articles/protecting-ipr-against-unfair-trade-practice/>

<sup>6</sup> Banerji, O. (2021, October 22). *Protection of IPR against unfair trade practices - iPleaders*. iPleaders. <https://blog.ipleaders.in/protection-of-ipr-against-unfair-trade-practices/>

corporate operations and ensure equitable market competition, but also to encourage the pursuit of innovation, creativity, and financial investment. The continuous development of intellectual property rights (IPR) frameworks and techniques for enforcement plays a vital role in upholding a harmonious environment that fosters the prosperity of creators, inventors, and enterprises while also protecting wider societal interests.

### **The Economic Impact of Robust Intellectual Property Rights: Job Creation and Investment Attraction**

The presence of strong intellectual property rights (IPRs) has a significant economic effect, serving as drivers for stimulating the economy, creating job opportunities, and attracting foreign direct investment (FDI). In the contemporary era of intense global competition, robust intellectual property rights (IPR) regimes assume a crucial role in promoting growth fueled by innovation and establishing nations as appealing locations for investment<sup>7</sup>.

The fundamental basis of the economic influence of intellectual property rights (IPRs) resides in their ability to foster and encourage innovation and creativity. Intellectual Property Rights (IPRs) establish a framework that grants inventors, innovators, and entrepreneurs exclusive privileges over their intellectual pursuits, thereby fostering a climate that incentivizes and safeguards innovation. This practise provides motivation for the pursuit of research and development endeavours, resulting in the emergence of innovative technology, products, and services. The proliferation of innovation within various industries engenders heightened dynamism and competitiveness, hence stimulating economic expansion and bolstering the general vigour of the economy. Furthermore, it is worth noting the significant correlation between intellectual property rights (IPRs) and the generation of employment opportunities. The expansion of innovation-driven sectors leads to an increased need for proficient employees in several fields. The generation of high-quality job prospects is facilitated by a trained workforce, which is essential for research and development activities, technology commercialization, and creative endeavours supported by intellectual property rights (IPRs). This phenomenon not only confers advantages to employed individuals but also fosters increased levels of productivity and improved human capital throughout the broader economy. The presence of strong intellectual property rights (IPR) regimes is also known to have a direct influence on the attractiveness of foreign direct investment (FDI). Companies that are interested in making investments in overseas markets are frequently attracted to countries that provide extensive and well-implemented intellectual property rights (IPR) safeguards. These safeguards offer a degree of assurance to investors, ensuring that their intellectual property assets will be protected against unauthorised use and infringement. The aforementioned perception of security fosters a favourable environment for foreign organisations to establish a foothold in the host nation, resulting in an influx of capital, the

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<sup>7</sup> *The Role Of Intellectual Property Rights In Economic Development.* (n.d.). The Role of Intellectual Property Rights in Economic Development.  
<https://www.khuranaandkhurana.com/2021/03/10/the-role-of-intellectual-property-rights-in-economic-development/>

transfer of technology, and the exchange of information. Consequently, this phenomenon plays a role in fostering the growth of domestic enterprises and facilitating the dissemination of cutting-edge technologies, thus bolstering economic development<sup>8</sup>.

Nevertheless, it is imperative to strike a balance between the correlation of intellectual property rights (IPRs) and their economic benefit while also acknowledging the necessity of addressing potential issues. Maintaining a delicate equilibrium between safeguarding and facilitating access is of utmost importance in order to mitigate monopolistic behaviours and guarantee that intellectual property rights (IPRs) effectively contribute to the overall well-being of the community. Moreover, the prevalence of extensive litigation and patent trolling has the potential to redirect valuable resources away from constructive innovation, thus hindering economic advancement. In summary, the economic ramifications of strong intellectual property rights are diverse and extensive. Intellectual property rights (IPRs) play a crucial role in driving economic growth and prosperity by fostering innovation, stimulating job creation, and attracting foreign direct investment (FDI). Countries that acknowledge the strategic importance of intellectual property rights (IPRs) and enact efficient measures to safeguard and encourage innovation are in a more advantageous position to leverage the potential of creativity, foster economic progress, and sustain competitiveness in the international market.

### **The Global Framework for Intellectual Property Protection: International Agreements and Treaties**

The worldwide framework for the protection of intellectual property (IP) is a multifaceted network of international agreements and treaties designed to align IP rules, promote innovation, and facilitate international trade. These agreements serve to establish uniform regulations and principles in order to guarantee that creators, inventors, and enterprises receive consistent and enforceable safeguards for their intellectual property holdings. There are several significant international agreements and activities that contribute to the establishment of the global intellectual property (IP) system<sup>9</sup>.

The treaties established by the World Intellectual Property Organisation (WIPO): The World Intellectual Property Organisation (WIPO), which operates as a specialised body within the United Nations, has significantly influenced the development and structure of the

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<sup>8</sup> Mercurio, B. (2010, January 14). Reconceptualising the Debate on Intellectual Property Rights and Economic Development. *The Law and Development Review*, 3(1).  
<https://doi.org/10.2202/1943-3867.1070>

<sup>9</sup> Seuba, X. (2013, November 19). Intellectual Property in Preferential Trade Agreements: What Treaties, What Content? *The Journal of World Intellectual Property*, 16(5–6), 240–261.  
<https://doi.org/10.1002/jwip.12015>

international intellectual property (IP) framework<sup>10</sup>. The Berne Convention for the Protection of Literary and Artistic Works and the Paris Convention for the Protection of Industrial Property are two fundamental treaties established by the World Intellectual Property Organisation (WIPO). The Berne Convention is a legal agreement that establishes copyright protections for many forms of creative expression, such as literary and artistic works. It aims to ensure that creators are guaranteed automatic rights in nations that have signed the convention. The Paris Convention serves as a mechanism to enable the safeguarding of industrial property rights, encompassing patents and trademarks, by guaranteeing the acknowledgment and preservation of rights issued in a member country among other member countries.

The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) is a significant international agreement under the framework of the World Trade Organisation (WTO). The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) requires member nations to develop and enforce basic standards for the protection of intellectual property. This encompasses several forms of intellectual property protection, including patents, copyrights, trademarks, trade secrets, and further related mechanisms. The TRIPS agreement aims to achieve a harmonious equilibrium between the facilitation of innovation and the guarantee of accessibility to fundamental goods and services. The adherence to TRIPS agreements by member countries has resulted in substantial global harmonisation of intellectual property (IP) laws<sup>11</sup>.

The European Union (EU) has implemented extensive initiatives aimed at achieving harmonisation of intellectual property (IP) rules across its member states. The establishment of the European Patent Office under the European Patent Convention has resulted in the consolidation and optimisation of the patent application and awarding procedures across various European Union member states. The European Union (EU) has additionally enacted directives and rules with the aim of establishing uniform copyright, trademark, and design safeguards among its member states, thereby promoting a cohesive intellectual property (IP) framework.

In addition to global accords, countries frequently participate in bilateral or multilateral agreements as a means to augment intellectual property (IP) collaboration. These agreements have the potential to encompass a wide range of intellectual property (IP) aspects, including but not limited to the mutual recognition of trademarks and collaboration in patent examination. Bilateral trade agreements may encompass clauses pertaining to the protection and enforcement of intellectual property (IP) as well.

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<sup>10</sup> The world intellectual property organisation. (2000, July). *Filtration + Separation*, 37(6), 29. [https://doi.org/10.1016/s0015-1882\(00\)89243-5](https://doi.org/10.1016/s0015-1882(00)89243-5)

<sup>11</sup> *International Intellectual Property Treaties and Agreements &mdash; OVTT*. (n.d.). OVTT. <https://www.ovtt.org/en/resources/international-intellectual-property-treaties-and-agreements/>



Regional agreements play a crucial role in fostering intellectual property (IP) cooperation and harmonisation across distinct geographical regions. Examples of such regional organisations include the African Intellectual Property Organisation (OAPI) and the African Regional Intellectual Property Organisation (ARIPO). These entities serve as facilitators, ensuring that IP-related activities are effectively coordinated and standardised within their respective regions. These organisations establish frameworks that facilitate member countries in combining resources, exchanging expertise, and collaboratively tackling intellectual property (IP) concerns.

These international agreements and initiatives collectively constitute a comprehensive framework that influences the manner in which intellectual property (IP) is safeguarded, enforced, and acknowledged worldwide. The aforementioned entities cultivate the development of novel ideas, ease the exchange of goods and services across borders, and advocate for a fair and equitable approach to intellectual property rights that takes into account the concerns of artists, innovators, and the broader society.

### **Conclusion: The Ongoing Need for Strong Intellectual Property Rights to Foster Innovation, Creativity, and Economic Prosperity**

In conclusion, the sustained existence of strong Intellectual Property Rights (IPRs) plays a crucial role in shaping the worldwide environment of innovation, creativity, and economic well-being. These rights play a crucial role in providing incentives and ensuring the protection of the creation of novel ideas, goods, and artistic expressions. In an era characterised by growing global interconnectivity and reliance on technology, the significance of intellectual property rights (IPRs) persists as a crucial factor in fostering advancement and ensuring equitable competition<sup>12</sup>.

Intellectual property rights (IPRs) serve a diverse range of functions in promoting and fostering innovation. By conferring onto innovators and artists the privilege of exclusive rights, these legal safeguards establish a conducive atmosphere whereby the undertaking of risks is duly incentivized and financial investments are safeguarded. Consequently, this phenomenon perpetuates a recurring process of exploration, empowering various sectors to expand the frontiers of understanding and propel progress in technology. As the proliferation of innovations continues, it is evident that they play a significant role in enhancing social well-being and stimulating economic expansion through the facilitation of novel industries, products, and services. Intellectual property rights (IPRs) play a crucial role in safeguarding cultural diversity and fostering human expression within the domain of creation. Copyrights grant authors, musicians, and artists the authority to exercise dominion over their creations, thereby guaranteeing that their contributions are duly acknowledged and commemorated. The aforementioned safeguard, in conjunction with its role in fostering the creation of unique

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<sup>12</sup> *Benefits of IPR*. (2023, May 17). Trade. [https://policy.trade.ec.europa.eu/enforcement-and-protection/protecting-eu-creations-inventions-and-designs/benefits-ipr\\_en](https://policy.trade.ec.europa.eu/enforcement-and-protection/protecting-eu-creations-inventions-and-designs/benefits-ipr_en)

material, plays a pivotal role in cultivating a dynamic cultural environment that mirrors the vastness of human creativity<sup>13</sup>.

Moreover, it is crucial to acknowledge the substantial economic importance of intellectual property rights (IPRs). These rights have the ability to attract foreign investment, foster domestic entrepreneurship, and enable the exchange of technology and knowledge across international boundaries. Intellectual Property Rights (IPRs) play a crucial role in fostering an environment conducive to the growth of companies, the generation of employment opportunities, and the overall prosperity of economies. This is achieved through the provision of a framework that effectively protects and promotes innovation and creativity. Nevertheless, in light of the ongoing influence of intellectual property rights (IPRs) on the international stage, it becomes crucial to establish a harmonious equilibrium between safeguarding these rights and ensuring their accessibility. It is of utmost importance to ensure that intellectual property rights (IPRs) do not impede open innovation, suppress competition, or restrict the accessibility of vital resources in order to sustain a robust and fair ecosystem.

The necessity for robust Intellectual Property Rights is evident in light of the continuous advancements in technology, shifting dynamics within the industry, and the emergence of new challenges. Creating an environment that fosters the growth and success of creators, inventors, and innovators necessitates the ongoing adaptation and improvement of intellectual property frameworks. By acknowledging the complex and interconnected relationship between safeguarding, advancement, originality, and financial well-being, societies can strategically position themselves as leaders in societal development and provide the groundwork for a more promising and equitable future.

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<sup>13</sup> GAC. (2022, May 13). GAC. [https://www.tradecommissioner.gc.ca/india-inde/ip\\_rights-propriete\\_intellectuelle.aspx?lang=eng](https://www.tradecommissioner.gc.ca/india-inde/ip_rights-propriete_intellectuelle.aspx?lang=eng)