

# Comparative Study on Intellectual Property Right Act Awareness Among the Rural and Urban College Teachers of West Bengal

Newton Biswas

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## Abstract

Intellectual property (IP) nurtures and encourages innovation and creativity, for this reason every individual must be aware about Intellectual property and Intellectual property Act. In any society innovation and creativity contributes towards cultural and economic development. We know that Intellectual Property (IP) refers to such property which has both moral and commercial value that comes out from the human intellect that may be a creation of human minds, inventions, copyrights on musical, literary, dramatic, artistic works and symbols, names, images used in commerce etc'. IP is important almost in every part of our modern life. Government of India is taking many initiatives to spread awareness about Intellectual Property Rights among the people. In academic world Intellectual Property Right is a very commonly used term now a day. It is expected that the academic world involved in teaching-learning and research should have awareness on Intellectual Property Rights.

In this research article an attempt has been made to have a glimpse on the awareness level on Intellectual Property Rights among the rural and urban college teachers of West Bengal. For this survey based qualitative approach has been adopted.

**Keywords:** Nurtures and encourages; Intellectual Property; Glimpse on the awareness; Qualitative.

**Author's Affiliation:** Assistant Professor, Education Department, Gokhale Memorial Girls' College, Kolkata, West Bengal 700020, India

**Coresponding Author:** Newton Biswas, Assistant Professor, Education Department, Gokhale Memorial Girls' College, Kolkata, West Bengal 700020, India

**E-mail:** [newtanbiswas85@gmail.com](mailto:newtanbiswas85@gmail.com)

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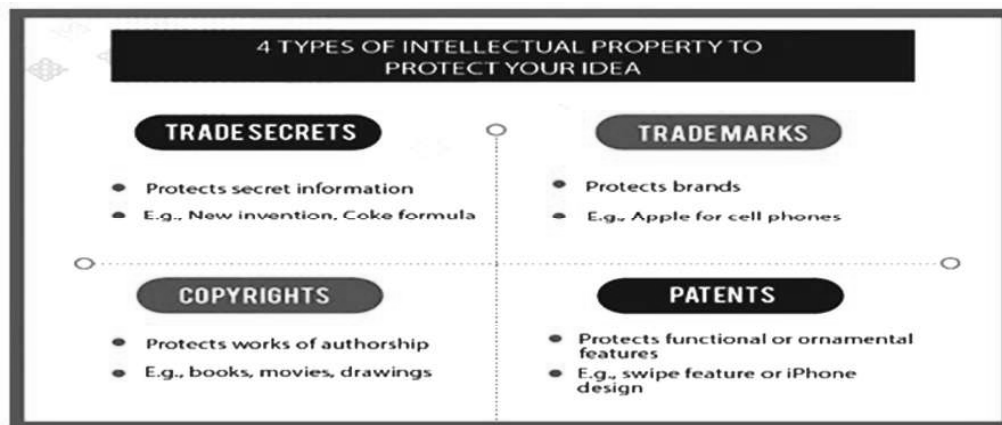
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## INTRODUCTION

In academic world the term 'Intellectual Property' is very important. 'Intellectual Property refers to such property which has both moral and commercial value that comes out from the human intellect that may be a creation of human minds, inventions, copyrights on musical, literary, dramatic, artistic works and symbols, names, images used in commerce etc'. In higher education institutes the academicians are

engage in different research works. The results of their research work are their intellectual property. Basically, Intellectual Property (IP) is divided into two categories: Industrial Property and Copyrights and Rights related to Copyrights deals with; Authors' Literary works (e.g. novels, poems, plays, writings and books), Artistic works (e.g. paintings, sculptures, drawings and photographs), films, computer programs, musical compositions and architectural designs. In this paper the researcher will focus on intellectual property act awareness in the academic world. In academics, from a seminar

paper to highly complicated research, everything is regarded as the author's intellectual property and others are not allowed to reproduce those 'intellectual property' without proper procedure and permission. The academic world must protect their inventions. For this we have Intellectual Property Rights (IPR). It deals with the legal rights granted to protect the creation of the intellect. IPR provides an exclusive right for the limited period of time to the individuals, enterprises and other entities to exclude others from unauthorized use, copy, sell, distribution or license.



(Source: <https://opatentlawyer.com>)

*Intellectual Properties Rights in India are Mainly Governed under the following Acts*

- Trade Marks Act, 1999
- The Patents Act, 1970 (amended in 2005)
- The Copyright Act, 1957
- The Designs Act, 2000
- The Geographical Indication of Goods (Registration and Protection) Act, 1999
- The Protection of Plant Varieties and Farmers Rights Act, 2001
- The Information Technology Act, 2000
- The Patents (Amendment) Act 2005

Unfortunately in the era of rapid development and availability of information and communication technology, intellectual property is being very much misused. Among the so many acts in this paper the main focus will be on The Copyright Act, 1957. There are many examples where it has been found that researcher scholars and professors violated Intellectual property acts.

In such situation the present researcher decided to carry out the present research.

*Objective of the Research*

The main objective of the present research is to find out to what extent the rural and urban colleges teachers of West Bengal are concerned about the intellectual property act specially The Copyright Act, 1957.

## REVIEW OF LITERATURE

1. What is Intellectual Property? World Intellectual Property Organization (WIPO). Switzerland. (Retrieved on 12/03/2019 from [https://www.wipo.int/edocs/pubdocs/en/intproperty/450/wipo\\_pub\\_450.pdf](https://www.wipo.int/edocs/pubdocs/en/intproperty/450/wipo_pub_450.pdf)) In this booklet there is a detail description of what is Intellectual property, types of intellectual property, what is copyright and other related rights, importance of intellectual property rights in our everyday life and how the intellectual property can be saved.
2. V.Manish, M. Tanushree & Vijish G. Kurup. (2017). Intellectual Property Rights and Indian Entertainment Industry: An

Overview. Research Gate. In this research paper the researchers mainly focused on entertainment industry. The main objective of the paper was to develop an understanding about the various areas of infringement of IPRs in Indian entertainment industry, to develop a critical overview of how the violation of IPRs is adversely affecting the basic characteristic of entertainment industry, its creativity and to develop an insight into various issues and challenges of IPR violations on the basis of few cases. The researchers found that violation of IP Right is quite common and lack of knowledge about IP rights is very much prominent in the entertainment industry.

3. S. Chopra (2015). Inadequate Protection Against Piracy: Copyright Amendments Inadequate. The Indian Journal of Intellectual Property Law. HYDERABAD. In this article the author opined that ‘..digital technology enabled piracy of novels, photographs and movies has caused substantial economic loss. At this juncture, Technological Protection Measures (TPM) which can safeguard proprietary works from digital piracy is a welcome and much needed development’. The author suggested ‘The legislature should take cue from the developed nations and further amend the copyright law to incorporate prohibition of trafficking. It would further allow the judiciary to evolve the law based on practical situations, keeping in mind the larger public interest of facilitating access to the public’.

Many such works are there, but there is no research work carried out till date about the intellectual property right consciousness among the rural and urban college teachers of West Bengal.

## METHODOLOGY

Methodology is the most important part in any research work. The present study describes the intellectual property right consciousness specially The Copyright Act, 1957, among the rural and urban college teachers of West Bengal. For this the researchers thought that qualitative research is the best type. It is a descriptive research and qualitative in nature.

### *Population*

The full time teachers teaching in general degree

government or government aided rural and urban colleges in West Bengal are the population.

Teachers those who are teaching and staying in rural area are termed as ‘rural college teachers’ and teachers those who are teaching and staying in urban area are termed as ‘urban college teachers’.

Teachers those who stay in rural area and work in urban area and teachers who stay in urban area and work in rural area are excluded from the present study.

### *Sampling Procedure*

Four districts from West Bengal (Nadia, Murshidabad, South 24 Parganas and North 24 Parganas) are selected first to collect data from the rural and urban college teachers. Purposive sampling procedure has been adopted for the present research.

From each districts 25 (Twenty five) college teachers are taken as sample to collect data. So the total number of sample is: 100 ( $4 \times 25 = 100$ ). Among which 50 college teachers are from rural area and 50 teachers from urban area.

### *Tools and Technique*

- Keeping in mind about the importance and relevance of Intellectual property right (with special focus on The Copyright Act, 1957) in higher education system the researcher made a questionnaire with the help of some experts in the relevant field. The questionnaire consisted of 6 (six) open ended questions.

## DATA COLLECTION

After initial intimation and personal contact about the research work the investigator send the questionnaire to the participants (samples) by hand and e-mail. The researcher gave several reminders to the participants to complete the work and return the answered questionnaire as soon as possible but not in a hurry. After few days the participants returned the filled up questionnaire to the researcher by hand and e-mail according to their convenient period and time.

### *Data Interpretation and Analysis*

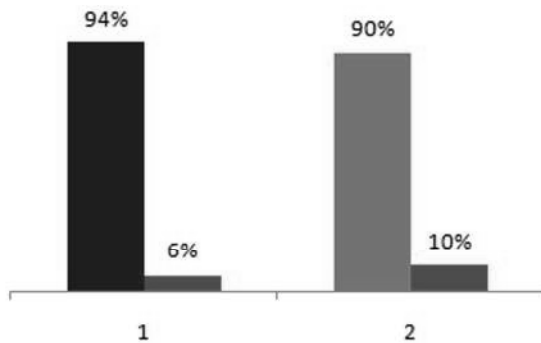
After receiving data, the data is systematically and intensively analyzed sentence by sentence and open coding is done in every reply sheet. After that, the key concepts are classified into different categories.

And at last core category is formed by comparing

the entire questionnaire cum reply sheet.

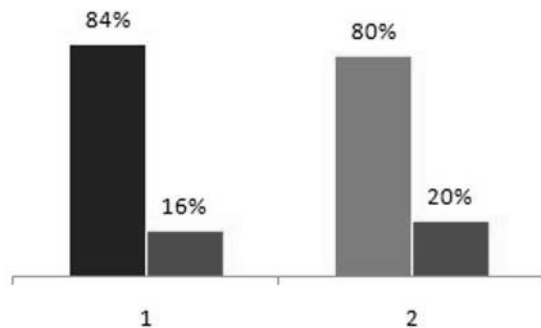
1. In urban Bengal 94% and in rural Bengal 90% teachers are aware of Copyright act. In table 1 the number 1 is representing the data of urban West Bengal and the number 2 is representing the data of rural Bengal. In the table the red columns are indicating negetivity, which is quite alarming. Only 6% and 10% college teachers of urban and rural area respectively are unaware of copyright act.

**Table 1:** Copyright Act Awareness.



2. 84% teachers of urban West Bengal and 80% teachers of rural Bengal admitted that plagiarism must not be done. In table 2 the number 1 is representing the data of urban Bengal and 2 is representing the data of rural Bengal. In the table the red columns are indicating negetivity, which is not accepted. 16% college teachers of urban Bengal and 20% teachers of rural Bengal respectively are quite lenient about plagiarism. The researchers found that mainly due to lack of proper knowledge about intellectual property rules the teachers replied negetively.

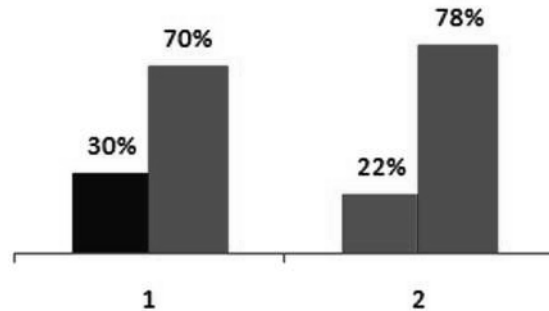
**Table 2:** Plagiarism Awareness.



3. Only 30% college teachers teaching in urban Bengal and only 22% teachers teaching in rural Bengal are aware of the Copyright

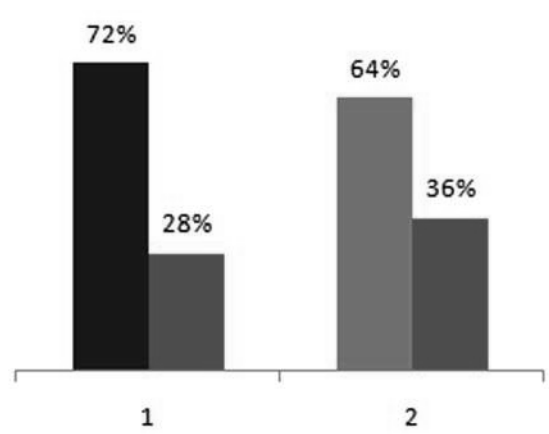
registration procedure. In table 3 the number 1 is representing the data of urban Bengal and 2 is representing the data of rural Bengal. In the table the red columns are indicating negetivity, which is not accepted. It is quite unfortunate that huge number of college teachers (70% in case of urban Bengal and 78% in case of rural Bengal) don't know the proper procedure of Copyright registration.

**Table 3:** Copyright Registration Procedure Awareness.



4. 72% college teachers of urban Bengal and 64% college teachers of rural Bengal have clear idea about infringement of copyright act. The number 1 is representing the data of urban Bengal and 2 is representing the data of rural Bengal in Table 4. In the table the red columns are indicating negetivity, which is not accepted ethically. 28% teachers in urban Bengal and 36% teachers in rural Bengal do not have clear idea about infringement of copyright act.

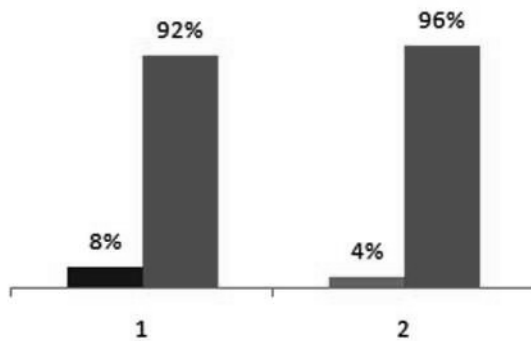
**Table 4:** Infringement of copyright Act Awareness.



5. In urban Bengal 92% and in rural Bengal 96% College teachers opined that the copyright act is not strongly implemented in the state. In Table 5, number 1 is representing the data of urban Bengal and 2 is representing

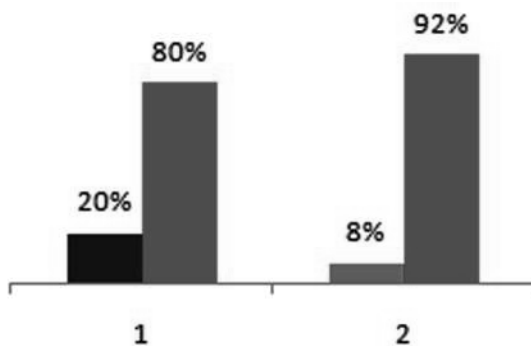
the data of rural Bengal. In the table the red columns are indicating negetivity, which is not accepted ethically. The administration of the state should take more strict action against the violation of this law. Only 8% and 4% teachers of urban and rural Bengal replied positively.

**Table 5:** View on Copyright Act Implementation.



6. 80% college teachers of urban Bengal and 94% college teachers of rural Bengal don't have any clear idea about the penalty or punishment in case of violation of copyright act. In table 6 the number 1 is representing the data of urban Bengal and 2 is representing the data of rural Bengal. In the table the red columns are indicating negetivity, which is very alarming. Only 20% and 08% teachers of urban and rural Bengal replied positively.

**Table 6:** Awareness on Violation of Copyright Act.



**FINDINGS**

- In urban Bengal 94% and in rural Bengal 90% teachers are aware of Copyright act.
- 84% teachers of urban Bengal and 80% teachers of rural Bengal admitted that plagiarism must not be done.
- Only 30% college teachers teaching in urban

Bengal and only 22% teachers teaching in rural Bengal are aware of the Copyright registration procedure.

- 72% urban college teachers and 64% rural college teachers of West Bengal have clear idea about infringement of copyright act.
- In Urban Bengal 92% and in rural Bengal 96% College teachers opined that the copyright act is not strongly implemented in the state.
- 80% college teachers of urban Bengal and 94% college teachers of rural Bengal don't have any clear idea about the penalty or punishment in case of violation of copyright act.

**SUGGESTIONS**

Intellectual Property Right is very important for the academic world specially those who are engaged in research work. As per the UGC regulation research is an inseparable part of a college and university teacher. So, it is expected that a college teacher must have a clear view about Intellectual Property Right, especially copyright act. The followings are some of the suggestions to improve the situation:

- Higher educational institutes can organize more seminer and workshops on Intellectual Property Rights.
- Apart from teaching community, police and bereaucrats also should participate in those workshop and seminners.
- The judicial system and administration must be stricter to prohibit plagiarism.
- The college administration can motivated the teachers to learn IPR properly including the technical side as well as types of penalty if law is broken.

**CONCLUSION**

Though Intellectual Property Right is an essential part for the college teachers, it is quite unfortunate that the college teachers of both rural and urban Bengal do not have clear view about this act. Most of the college teachers are famier only with the term but most of them don't have any technical idea about the IPR as well as Copyright act. More or less the condition is quite same. If we need to take our higher education in the international standered then consciousness about IPR among the college teachers is must.

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