

The Role of Intellectual Property rights in Promoting Creativity and Business: An Indian Perspective

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Abstract

This paper examines the tactical role of Intellectual Property Rights (IPR) in encouraging creative expression and business growth in the Indian economic scenario. As India travels towards a knowledge-driven economy, legal contexts governing patents, trademarks, copyrights and geographical indications have become important instruments for encouraging innovation. Using a qualitative, secondary-data-based socio-legal approach, the study contemplates recent policy developments, including the National IPR Policy (2016) and IP facilitation measures for startups, together with trends in the technology, entertainment and manufacturing sectors. The analysis indicates that effective IPR protection can inspire internal research and support ventures; however, patent-processing stays, limited IP awareness among micro, small and medium enterprises (MSMEs), and the cost of lawsuits can restrict effective marketable use of intellectual property. The paper concludes that sturdier links between IP creation and commercialization, supported by efficient administrative procedures, affordable dispute-resolution mechanisms and wider IP literacy, are important for strengthening India's creative and entrepreneurial potential.

Keywords: Intellectual Property Rights, Innovation, Commercialization, Indian Economy, National IPR Policy.

Introduction

In an progressively globalized and technology-driven economy, intellectual possessions have become major sources of commercial value and economic growth. Intellectual Property Rights (IPR) provide creators, inventors and businesses with legal shield for impalpable formations and novelties, empowering them to derive lucrative value from their work while limiting unlicensed manipulation. In India, the relationship between IPR and economic

development has received increasing policy attention. Initiatives such as "Make in India," "Startup India," and the National IPR Policy seek to create an environment in which innovation and intellectual-property creation can contribute more effectively to economic development.

At the same time, IPR protection must be balanced with wider public-interest concerns, including access to inexpensive medications, educational materials and digital funds. Achieving this balance remains an important legal and policy come across. Against this circumstantial the present study examines how India's evolving IPR framework supports domestic creativity and business development, encourages investment in emerging enterprises, and responds to enforcement challenges across major commercial sectors.

Literature Review

The literature on intellectual property law in India regularly deliberates two related objectives: providing inducements for makers and visionaries while safeguarding the interests of the wider public. Ramanna (2002) scrutinized India's changeover towards a TRIPS-compliant patent regime and the implications of patent-law reform for sectors such as agriculture and pharmaceuticals. Ganguli (2007) deliberated the altering Indian IPR milieu and the contests associated with developing a stronger culture of intellectual-property creation and management. Basheer (2012) also contributed to debates surrounding patent reform and policy. Taken together, this literature points to the importance of improving IP awareness and institutional capacity, particularly among domestic enterprises.

More recent policy developments have placed greater emphasis on managerial reform, digital filing and enablement of intellectual-property applications. Nonetheless, there remains scope for a broader examination of how these developments affect different parts of the economy, including creative industries, technology-based startups and traditional businesses. The present study brings these areas together by considering regulatory developments, selected legal and institutional issues, and their implications for creativity and commercial activity in India.

Methodology

This study uses a qualitative, socio-legal and descriptive research design based on secondary sources. The materials considered include Indian intellectual-property statutes, such as the

Patents Act, 1970, the Copyright Act, 1957, the Trade Marks Act, 1999, and the Geographical Indications of Goods (Registration and Protection) Act, 1999, together with relevant judicial and institutional developments.

For the debate of economic and business inferences, the study draws on official reports and statistics, including material published by the Office of the Controller General of Patents, Designs and Trade Marks (CGPDTM), NITI Aayog and the World Intellectual Property Organization (WIPO), as well as relevant legal and business literature. These sources are examined descriptively to identify developments in IP filings, policy implementation, commercialization and innovation-related inducements.

Results and Discussion

Policy procedures introduced in India have been to go together with a considerable rise in intellectual-property filings. Reduced filing fees for eligible startups and small entities, together with procedures intended to speed up inspection, have sought to make the formal IP system more reachable to native trendsetters.

Table 1: CGPDTM Annual Report Summary (2024–25)

Category	Applications Filed	YoY Growth	Key Highlights & Statistics
Patents	1,10,375	+19.75%	• Crossed 1.1 lakh applications for the first time. • 68,201 domestic filings (61.79% of total). • 33,504 patents granted. • Tamil Nadu led domestic filings (15,440).
Trade Marks	5,52,190	—	• 156,403 applications examined. • Registrations increased by 36.86% YoY. • 13,730 Madrid Protocol IRDIs examined.
Designs	43,005	+41.52%	• 38,009 applications examined. • 30,349 designs registered.

Note on Grant Standards: The Patent Office maintains a two-tier examination framework ensuring criteria like novelty, inventive step, and industrial applicability are met, alongside provisions for pre-grant and post-grant oppositions.

Source: Compiled from CGPDTM annual reports.

The upsurge in filings by national candidates suggests a mounting responsiveness among Indian visionaries and businesses of the value of intellectual-property protection. Such protection can support commercialization, licensing, business valuation and competitive aligning, although filing numbers alone do not establish the economic value of the rights obtained.

Creative and Commercial Impact across Key Sectors

1. **Technology and Startups:** Intellectual property can be an important business asset for technology startups. Patents, trademarks, copyright and other forms of protection may help a young enterprise distinguish its products, protect original work, support licensing and strengthen its position during investment discussions. For software and Software-as-a-Service (SaaS) businesses, copyright protection for computer programs and related intellectual makings forms one part of the wider legal schema within which digital businesses function.
2. **Entertainment and Media:** Copyright is central to the vendible functioning of film, music and digital-content industries because it provides a legal basis for regulatory and licensing protected works. Copyright societies, including the Indian Performing Right Society (IPRS), have a role in the management of certain rights and royalties. At the same time, digital piracy and unauthorized distribution continue to make effective enforcement important for creators, performers and media businesses.
3. **Traditional Business and Geographical Indications (GI):** Geographical indications can protect products whose qualities, reputation or other characteristics are linked to their geographical origin. Indian examples include Darjeeling Tea and several provincially identified handicraft and agricultural products. Effective GI protection can help producer societies differentiate authentic goods in the market and may contribute to reputation, market access and value addition. The commercial benefits, however,

depend on effective organization, quality control, marketing and implementation as well as registration itself.

Figure 1 presents a simplified pathway through which intellectual-property protection may contribute to commercialization and wider economic activity.

[Inventions & Creative Ideas]

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[Statutory IPR Protection]

(Patents, Trademarks, Copyrights)

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[Commercialization & Licensing]

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[Venture Funding & Scale-Up] —► [Economic Growth & Job Creation]

Figure 1: Conceptual Framework of IP-Driven Commercial Growth.

Notwithstanding these progresses, important challenges persist. Delays in the examination and examination of applications can affect the timely use of intellectual-property rights, while implementation through litigation may be costly for smaller enterprises. Limited awareness of IP management and commercialization can create additional difficulties, particularly for MSMEs and individual creators.

Conclusion

Intellectual Property Rights can play a significant role in inspiring creativity, shielding innovation and supporting competitive business activity in India. Recent institutional and policy procedures have sought to make the IP system more reachable to startups, small enterprises, artisans and individual innovators. At the same time, the economic value of

intellectual property depends not only on obtaining legal protection but also on the ability to manage, commercialize and enforce those rights effectively. Further improvement in examination measures, stronger links between academic world and industry, wider IP learning, and affordable mechanisms for determining disputes would help creators and smaller businesses make better use of the system. A well-adjusted and reachable IPR framework can therefore bequeath to India's ongoing expansion as an economy based progressively on innovation, knowledge and enterprise.

Acknowledgements.

The author acknowledges the publicly available reports and statistical resources of the Office of the Controller General of Patents, Designs and Trade Marks (CGPDTM) and other public institutions consulted in preparing this study.

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