

Human Rights Perspective of Intellectual Property Rights of Technology Innovators: A Systematic Literature Review

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Abstract

In the last few decades, technological advancement fueled the demands for extended protection to intellectual property (IP) by technology innovators. On the other hand, the increasing inequality in the access to socially beneficial innovations to the people of developed and not so developed economies stimulated the debate on human rights implications of IPRs. The profound inequalities in the access to COVID-19 vaccine is a glaring example. Civil society groups, business firms, policy makers and global trade authorities have taken an opposite stand for implications of IPR on fundamental human rights such as the right to public health, food, knowledge, and education, etc. Following these developments, the intersection between IPRs and HRs became the subject of scholarly discourse. To understand the scholarly opinion on this pertinent issue and to examine the scholarly approach to the crossroads between IPRs and HRs this study conducted a systematic literature review of 94 published research papers. Our review reveals the polarization of scholarly view on the human rights perspective of IPRs. By synthesizing and analyzing the scholarly research on the crossroad between IPRs and HRs, this study revealed critical conflict areas, and collated the justifications of opposing approaches to provide inputs to international organizations, policymakers, and governments for the enforcement of IPRs from the perspective of human rights.

Keywords: Intellectual property rights, Human rights, Intellectual property systems, TRIPS, Systematic literature review.