

Examining Efficacy of Legal Regime Related to Intellectual Property Rights of Architects from Vedic till Contemporary Times

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Abstract: In this research journey the author has made humble attempt to trace intellectual property rights of architects from Vedic till contemporary times. Domestic structured legal regime relating to intellectual property rights in architecture is traceable in post-independence era. At the very onset the researcher acknowledges absence of formal, legal code encompassing intellectual property rights of architects in Vedic era; but sporadic instances of intellectual property rights of architects can be traced to Mahabharata era and so on. Town planning references can be traced in works of Kautilya also. Relevant international legal framework is examined in this research paper. Comparative analysis between domestic and off shores statutory frameworks is attempted. Specific reliance is placed on judicial pronouncements for the purpose of tracing efficacy of legal mechanism in safeguarding intellectual property rights of architects. Grassroots level perceptions are also gathered in this study vide e surveys. Both doctrinal and non-doctrinal research methodologies are adopted in this study. After comparative analysis of domestic and international instruments, lacuna if any existing in our legal regime related to IPRs of architects is traced. Roots of IPRs of architects can be traced to Vedic times. Our legal regime related to IPRs of architects is at par with relevant global regime. Lacuna in our domestic legal regime related to protection of IPRs of architects can be addressed by exploring a sui generic mechanism or amending existing laws. Vedic roots of IPRs of architects are scientifically traced and their relevance in safeguarding IPRs of architects can be explored in contemporary times.

Keywords: Intellectual Property Rights of Architects, Vedic Times