

A Theoretical and Comparative Study of Intellectual Property Rights in the Field of Biotechnologies

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Received: Jun. 29, 2019

Accepted: Sept. 4, 2019

Keywords:

Biotechnology, Intellectual property rights, Material ownership, Patent

To cite this article:

Rasekh M, Sharifi S, Rahmatollahi A. Theoretical and Comparative Study of Intellectual Property Rights in the Field of Biotechnologies. Iran J Biomed Law Ethics. 2019; 1(1):81-97.

Abstract

Background: The production of knowledge and technology in the field of biological sciences has raised challenges for legal protection of intellectual property rights of knowledge and technology owners. The difficulty in responding to such challenges is mostly dependent on the quiddity of the produced knowledge and the product. Can biotechnology products, which are often the result of research on human biological components, be protected by intellectual property rights? It seems that granting intellectual property rights to researchers in the field of biotechnology depends on answering such questions.

Methods: The data of this paper is based on the study of the legal system of different countries and the international legal system. The authors have tried to investigate different opinions and verdicts related to intellectual property rights and their supporting evidence in various legal systems and make them a blueprint for studying the domestic legal system in Iran.

Results: The findings of this study show that different countries, have recognized the intellectual property rights of the owners of knowledge in the field of biotechnology, so that human knowledge will not lag behind the new technological advances.

Conclusion: The most important aspect of intellectual property in biotechnology is the focus on human inherent value and the prohibition of slavery. In addition, the focus should be on distributive justice and the return of its profits from the intellectual property of these technologies to the community.

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