

## Harmonizing Intellectual Property Protection and Competition Law: Strategies to Mitigate Abuse of Market Power

Sagar Patwardhan\*\*Dr Ramesh Kumar,

Ph.D. Scholar, Amity University Mumbai, Maharashtra

\*\*Assistant Professor of Law -II, Amity University, Mumbai, Maharashtra

[advsagarpatwardhan@gmail.com](mailto:advsagarpatwardhan@gmail.com)

---

**How to cite this article:** Sagar Patwardhan, Dr Ramesh Kumar, (2023) Harmonizing Intellectual Property Protection and Competition Law: Strategies to Mitigate Abuse of Market Power. *Library Progress International*, 43(1), 136-146

---

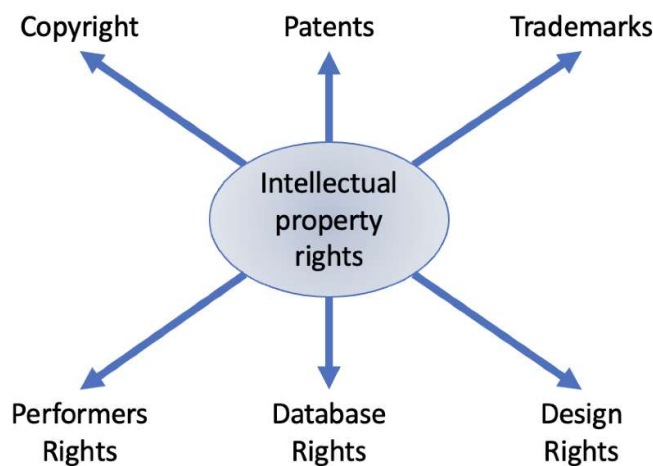
**Abstract:** The relationship between Intellectual Property (IP) protection and competition law poses a challenging dilemma in contemporary market economies. Although intellectual property rights promote innovation and protect the interests of creators, their capacity to cultivate market dominance and suppress competition is concerning. This study examines the conflict between safeguarding intellectual property and fostering fair competition, exploring how the abuse of intellectual property rights can result in anti-competitive conduct and monopolistic behaviors. It analyzes essential legal frameworks and incidents in which intellectual property abuse has compromised market competition, especially in industries such as medicines, technology, and entertainment. The document suggests measures to alleviate market power abuse, such as establishing clearer regulatory frameworks, increasing judicial oversight, and promoting a balanced methodology that stimulates innovation while protecting competitive markets. This article seeks to reconcile the goals of intellectual property protection and competition law, providing solutions for fostering a more equitable and competitive marketplace that promotes innovation and consumer welfare.

**Key words:** Intellectual Property, Competition Law, Market Power, Anti-Competitive Behavior, IP Abuse, Monopolistic Practices

### 1. Introduction

Intellectual property (IP) protection and competition law have grown more interdependent in today's knowledge-driven, globally integrated economy. The primary goal of intellectual property laws is to ensure that companies, artists, and inventors retain full ownership of their creations, innovations, and other forms of intellectual property. In order to encourage innovation, this exclusivity offers financial rewards and market protection. While the goal of intellectual property laws is to encourage innovation and creativity, there is a risk that they may lead to anti-competitive practices by establishing monopolies. The interaction with competition law becomes essential when such market power is abused. The goal of competition law, sometimes known as antitrust law, is to maintain free and fair markets by prohibiting monopolistic activities. Its fundamental goal is to prevent predatory pricing, market splitting, and price fixing, all of which hurt consumers and limit innovation, so that everyone plays by

the same set of rules<sup>1</sup>. The goal of both intellectual property protection and competition law is thwarted when companies utilize their IP rights to limit competition. This can happen when they, for instance, prohibit access to essential technologies, set inflated pricing, or enforce exclusive license agreements. The goal of intellectual property rights is to encourage innovation and growth, but they can backfire if left unregulated, reducing competition in the market and hurting consumers. In industries like medicines, technology, and entertainment, where innovation and the exploitation of secret knowledge are crucial, the conflict between IP protection and competition law is most apparent. Companies with patents or copyrights on ground-breaking items or innovations frequently have a disproportionate amount of influence in these sectors<sup>2</sup>. Although intellectual property protection promotes R&D spending, it can backfire if market power is abused to stifle competition, corner entire industries, or charge more than what is really worth it. The goal of this article is to delve into the nuanced relationship between IP protection and market competitiveness. This will be accomplished by looking at the potential misuse of intellectual property rights and how competition law can help prevent such misuse. Using sectors like software, telecommunications, and medicines as case studies, it will examine how the conflict between these two legal regimes has manifested in actuality. The intricate interplay between encouraging innovation and avoiding consumer-harming market consolidation is shown by these instances<sup>3</sup>.



**Fig. 1 Intellectual Property Rights [11]**

To further avoid the misuse of market power while keeping innovation incentives intact, the article will also investigate ways to bring intellectual property protection into line with competition law. In order to find the best ways to handle the IP and competition issue, it is necessary to examine current regulatory frameworks, such as the competition policies of the EU and the antitrust laws of the US. In order to strike a better balance, it will also suggest new policy methods and procedures, such as more transparent standard-setting processes, more regulation of patent settlements, and more explicit rules for licensing activities. This paper's overarching goal is to help lawmakers, regulators, and businesses find a middle ground between

<sup>1</sup>Piechucka, J., Sauri-Romero, L., & Smulders, B. (2024). Competition and industrial policies: Complementary action for EU competitiveness. *Journal of Competition Law & Economics*, 20(4), 384–408.

<sup>2</sup>Verbova, N., & Kryzhna, V. (2024). Combating crimes against intellectual property: Comparative analysis of international best practices. *Law Journal of the National Academy of Internal Affairs*, 2(14), 74–83.

<sup>3</sup>El Khoury, P. (2024). Unfair competition in the Arab world: A remedy completing IP limits? *Journal of Intellectual Property Law and Practice*, 19(2), 162–169.

stifling innovation with overly protective intellectual property laws and fostering a competitive market that is good for everyone. To foster innovation without stifling competition or distorting markets, it is necessary to bring these two important areas of legislation into harmony<sup>4</sup>.

### **1.1 Background**

A major topic of discussion in contemporary market law and economics is the relationship between IP protection and competition law. Despite their differences, both areas strive to benefit society: Competition law aims to maintain fair and competitive market dynamics free from monopolistic exploitation, whereas intellectual property protection encourages innovation by giving creators exclusive rights to their creations. There is no intrinsic conflict between these goals; nonetheless, when put into practice, they frequently give rise to conflicts that require careful navigation. Patents, copyrights, trademarks, and trade secrets are all forms of intellectual property laws that aim to encourage creativity and new ideas by granting artists a temporary, exclusive right to profit from their creations. This monopoly gives innovators a way to get their money's worth, which encourages them to put money into things like new technologies, medications, artistic works, and other advances. Intellectual property rights play a very important role in industries like technology, biotechnology, and pharmaceuticals because they safeguard the massive investments needed to introduce innovative products to consumers.

### **1.2 The Role of IP in Market Dominance**

Achieving and sustaining market dominance is greatly facilitated by intellectual property (IP) rights. Although intellectual property (IP) is mostly intended to encourage innovation by providing inventors with exclusive rights, it is also possible to deliberately use these rights to gain a dominant market position, which can hurt competition. A company's strategic use of intellectual property (IP) has the potential to limit customer choice, access to critical technologies, and hurdles to entry. This section delves into the ways in which corporations gain control of markets, the consequences of monopolies based on intellectual property, and the process by which firms obtain market dominance.

#### **How Market Dominance is Enabled Through the Strategic Use of IP Rights**

Intellectual property rights, such as patents, trademarks, and copyrights, provide companies with a window of opportunity to profit from their creations, innovations, and brands. There are a few strategic approaches to take advantage of this exclusivity and become the market leader:

##### **1. Monopoly Power and Barrier to Entry**

Businesses can keep rivals out of the market or charge them licensing fees if they can get exclusive rights to important items or technologies. Obtaining a crucial patent or trademark, for example, might essentially prevent rivals from providing comparable goods or services in sectors like pharmaceuticals, technology, and entertainment. The longer the exclusivity period, the better the chances of a corporation dominating the market and staying there without much competition<sup>5</sup>.

---

<sup>4</sup>Prasad, R. (2023). Cyber borderlines: Exploring the interplay between e-commerce and international trade law. *Studies in Law and Justice*, 2(4), 1–9.

<sup>5</sup>Rodrik, D. (2018). What do trade agreements really do? *Journal of Economic Perspectives*, 32(2), 73–90.

**Example:** A pharmaceutical company that owns a patent on a novel medicine can stop other pharmaceutical companies from making cheaper, generic copies of that medicine. As a result, the drug's supply and price are controlled by the patent holder, resulting in a monopoly and, unfortunately, exorbitant prices for customers.

## **2. Exclusivity in Product Differentiation**

Intellectual property rights allow businesses to set their wares apart from rivals in industries where customer loyalty and word-of-mouth are crucial to success. For instance, businesses can control the branding of their products through trademark protection, which increases customer loyalty and decreases the capacity of competitors to supply substitutes. Gaining monopoly status over a product line is possible through the exclusive use of distinctive trademarks or trade dress, which consumers will come to associate with superior quality and desirability<sup>6</sup>.

## **3. Exploitation of Licensing and Cross-Licensing Arrangements**

License agreements are a great way for companies with a lot of intellectual property to make money and get more influence over their rivals. Companies can essentially control how other businesses participate in the market by licensing their intellectual property to them under restricted conditions. One kind of licensing agreement is the cross-licensing arrangement, in which two or more companies exchange rights to use each other's intellectual property in order to fortify their respective positions in the market.

**Example:** Apple, Samsung, and Microsoft are just a few of the large IT corporations that frequently engage in cross-licensing deals with other businesses, leveraging their IP portfolios. There will be less room for disruptive ideas to arise from sources other than the dominant firms if these agreements force competitors to adhere to specific technology standards or practices.

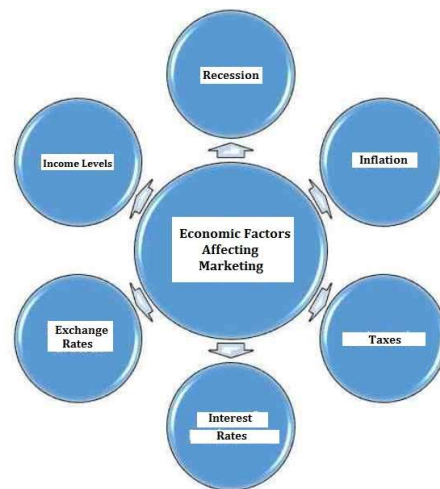
## **The Concept of "IP-Based Monopolies" and Their Implications for Competition**

A monopoly based on intellectual property happens when one company becomes very dominant in the market and then utilizes its IP rights to keep other companies out or to stop new innovations from happening. Although the goal of intellectual property protection is to promote innovation by providing inventors with exclusive rights, these rights can backfire if they are utilized too liberally or abusively, leading to a loss of competition<sup>7</sup>.

---

<sup>6</sup>Diker Vanberg, A., & Ünver, M. B. (2017). The right to data portability in the GDPR and EU competition law: Odd couple or dynamic duo? *European Journal of Law and Technology*, 8(1), 1–22.

<sup>7</sup>Reichman, J. H. (2009). Intellectual property in the twenty-first century: Will the developing countries lead or follow? *Houston Law Review*, 46(4), 1115–1134.



**Fig. 2 Economic Factors Affecting Marketing [12]**

### **1. Patent-Based Monopolies**

Industries such as technology, biotechnology, and pharmaceuticals often experience patent-based monopolies. Patents provide a temporary monopoly by granting the exclusive right to produce, utilize, and sell an invention to the inventor. Companies can limit customer choice and competition when they utilize patents to prolong their monopoly beyond the intended duration (via methods such as patent evergreening).

**Example:** Patent evergreening is a practice in the pharmaceutical business whereby companies secure additional patents for minor adjustments to already-existing medications, such as new formulations, dosage forms, or delivery mechanisms. This strategy prolongs monopolistic dominance over the market by extending the patent protection period and delaying the arrival of generic alternatives<sup>8</sup>.

### **2. Implications for Competition**

Several detrimental consequences for competition and consumer welfare can result from monopolies based on intellectual property:

- **Higher Prices:** Using intellectual property to gain a dominant position in the market allows corporations to charge greater prices compared to a competitive market. In industries like pharmaceuticals, where patent holders can charge outrageous rates for essential products due to a lack of competition, this is especially true.
- **Reduced Innovation:** Even though intellectual property is designed to encourage innovation, monopolies have the potential to dampen innovation generally. Stagnation can occur when a dominating corporation owns a lot of intellectual property rights and other companies can't innovate in the same field. Furthermore, smaller businesses may

---

<sup>8</sup>Bird, R. C. (2006). Defending intellectual property rights in the BRIC economies. *American Business Law Journal*, 43(2), 317–363.

be discouraged from joining the market and seeking creative alternatives due to the high costs of licensing intellectual property.

- **Market Entrant Barriers:** Due to the high cost of licensing or the necessity to create workaround technology, new businesses may struggle to compete in areas where IP-based monopolies are prevalent.

### **Mechanisms Such as Patent Thickets, Patent Trolling, and Exclusive Licensing Practices**

Companies can further consolidate market power and hinder competition through several techniques that involve IP rights. Some of the methods that might lead to the formation of monopolies based on intellectual property include patent thickets, exclusive licensing practices, and patent trolling.

#### **Patent Thickets**

An intricate network of interconnected patents owned by many firms, frequently within a certain technical domain, is known as a patent thicket. Patent thickets are a type of corporate barrier to entry that can make it costly or impossible for new companies to enter the market with innovative products. Industries such as software, electronics, and telecommunications are infamous for their patent thickets.

**Example:** Disputes over patents have plagued the smartphone market, involving major players like Apple, Samsung, and Nokia. Each company uses its extensive patent portfolio pertaining to mobile technology to justify its position as market leader. To avoid infringing on the IP rights of established businesses, new entrants must either traverse these overlapping patents or pay large royalties.

## **2. Literature Review**

In order to increase the EU's competitiveness, Piechucka, Sauri-Romero, and Smulders (2024) analyze the interdependent functions of EU competition policy and industrial policy. When correctly applied, competition law, according to the authors, can prevent dominant corporations from abusing their intellectual property rights. Nevertheless, it is crucial to note that competition policy cannot tackle the distinct issues presented by monopolies based on intellectual property on its own. Fostering a competitive market environment without limiting innovation requires a more comprehensive approach that integrates industrial policy and competition legislation. This viewpoint stresses the need for a nuanced strategy to safeguard intellectual property, arguing that although IP rights promote innovation and market vitality, they can also be used to limit competition, especially when market dominance is experienced by a small number of companies.

In their comparative study of worldwide best practices for preventing intellectual property crimes, Verbova and Kryzhna (2024) tackle the problem of IP-related crime prevention. Counterfeiting and piracy are on the rise in today's worldwide economy, and their research focuses on the difficulties various governments encounter in protecting intellectual property rights and fighting these crimes. They draw attention to the fact that different nations' legal systems and enforcement procedures are not uniform; some have robust protections and enforcement regimes, while others are ill-equipped to deal with the complexity of intellectual property infringement in the digital era. The lack of regulatory monitoring in areas with weak IP enforcement allows for the exploitation of IP rights to the disadvantage of competition, and

this research adds to our understanding of how anti-competitive behavior might be related to IP infringement.

To guarantee equitable competition in the marketplace, El Khoury (2024) investigates the necessity for revisions to the intellectual property laws of the Arab world. He contends that current intellectual property regimes are lacking in their ability to curb dominant corporations' exploitative pricing and exclusionary methods, among other anti-competitive IP abuses. El Khoury proposes solving these problems by incorporating remedies for unfair competition into the larger IP framework. A more competitive and fair environment for companies and consumers would result from updating the legal frameworks of the Arab world to reflect contemporary market realities, according to his report, which advocates for more IP and competition law harmonization in the area.

Digital platforms provide unique threats to intellectual property (IP) protection and competition law, which Prasad (2023) examines in detail along with the changing nature of the link between e-commerce and international trade law. The complexity of intellectual property rights in the digital sphere has increased in tandem with the growth of e-commerce. Prasad delves into the ways in which anti-competitive conduct on digital platforms, protection of digital commodities, and cross-border IP infringement are some of the areas where Prasad believes international IP law and global trade agreements need to change to accommodate the growth of online commerce. The study implies that although e-commerce presents new possibilities for innovation and access to markets, it also presents new difficulties for regulators who need to watch out for dominant companies abusing their intellectual property rights to limit consumer choice or market entry. To maintain a competitive digital economy while protecting intellectual property, the author advocates for more international cooperation and legislative reforms.

The interaction between global trade frameworks, intellectual property rules, and competition laws can be better understood in light of Rodrik's (2018) analysis of trade agreements. Although trade agreements generally aim to liberalize markets and integrate economies, he says that they also pose problems with intellectual property protection and competitiveness. Trade agreements, according to Rodrik, can make matters worse by benefiting wealthy economies and multinational firms at the cost of poorer nations, thus widening the gap between intellectual property rights and competition law. In emerging nations, where industries are susceptible to monopolistic practices, he stresses the importance of trade agreements that are more inclusive and strike a balance between protecting intellectual property and promoting fair competition. This understanding is crucial for comprehending the impact of international trade policies on intellectual property (IP) and competition laws, and for advocating changes that will allow developing nations to reap the benefits of trade without becoming engulfed by the ill consequences of IP-based monopolies.

Taken as a whole, these studies shed light on the many nuances of the interplay between competition law and intellectual property protection. Intellectual property rights are crucial for fostering innovation and economic growth, but they can also be used to limit competition and establish monopolistic market situations, according to the literature. In order to guarantee a competitive, equitable, and accessible economy while also protecting intellectual property, a right balance is required. El Khoury (2024) and Piechucka et al. (2024) both argue that in order to stop the misuse of intellectual property rights, regulatory changes, industrial policy, and competition law should all work together. In order to fight intellectual property crimes and

avoid anti-competitive activities, especially in online marketplaces, Verbova and Kryzhna (2024) and Prasad (2023) stress the significance of bolstering enforcement mechanisms and global collaboration. Last but not least, Rodrik (2018) stresses the importance of revising trade agreements to strike a balance between IP protection and competition, with the ultimate aim of making these frameworks work for innovation, consumer welfare, and market fairness.

### **3. Methodology**

#### **Research Design**

This qualitative study titled "Harmonizing Intellectual Property Protection and Competition Law: Strategies to Mitigate Abuse of Market Power" will combine doctrinal legal research, case studies, and comparative legal analysis to provide a comprehensive understanding of the topic. Legal precedents, rules, and statutes pertaining to IP and competition law will be the primary foci of the doctrinal study. The study will examine the frameworks that deal with or do not deal with abuses of market power by looking at important intellectual property laws like trademarks, copyrights, and patents as well as important antitrust statutes like the Sherman Act and EU Competition Law. To gain insight into the ways in which courts have handled problems between IP protection and market competition, this article will analyze case studies of well-known antitrust challenges pertaining to intellectual property rights. These instances include Microsoft, Google, and pharmaceutical patent lawsuits. The study will also use comparative legal analysis to learn about other countries' approaches to harmonising IP protection with competition legislation, particularly looking at the EU and the US.

#### **Theoretical Analysis**

Intellectual property protection and competition law are two sides of the same coin, and the theoretical analysis will cite a number of legal and economic ideas to back up its claims. Protecting intellectual property gives inventors the legal right to profit from their creations, which is why it encourages innovation, according to ideas in economics like the Incentive Theory and the Public Goods Theory. The foundation of the justification for protecting intellectual property as a means to promote innovation and economic development rests on these notions. The dangers of intellectual property misuse, such as monopolization and market inefficiency, which hurt consumers and restrict competition, are, nevertheless, brought to light by competition law's Monopoly Theory and Market Failure Theory. The research will also take into account the Balance of Interests Theory, which aims to discover a compromise between safeguarding intellectual property and guaranteeing fair market practices. To determine if the convergence of intellectual property and competition law benefits or hurts consumer welfare and market efficiency, this study will use theories from the Chicago School of economics to the question of how market dominance affects competitive tactics.

#### **Ethical Considerations**

Evaluation of the effects on consumers, companies, and society as a whole of the interplay between IP protection and competition regulation must take ethical factors into account. The study's overarching goal is to analyze the moral quandaries that develop in industries like technology and medicines when intellectual property rights are utilized to corner the market and deny consumers access to necessities. Market abuses, such as artificially high prices or limited product availability, can have a negative impact on customers, so the consumer welfare concept will play a key role in our analysis. When powerful companies use intellectual property



to limit competition and lower market efficiency as a whole, ethical questions arise. This is something that the study will also look into. We will also examine the moral dilemmas that arise when trying to decide how to fairly distribute innovations, especially in areas that are key to public health, and how to strike a balance between innovators' rights and the greater good of making sure people can buy these essential goods. In order to assess and resolve possible IP rights abuses in an ethical manner, promote innovation, and ensure fair competition, the research will propose standards for regulators to follow.

**Table 1: Interaction Between Intellectual Property Protection and Competition Law: Challenges and Strategies for Harmonization**

Aspect	Intellectual Property (IP) Protection	Competition Law	Challenges and Concerns	Strategies for Harmonization
<b>Objective</b>	Encouraging innovation and creativity through exclusive rights to creators.	Ensuring fair market competition and preventing market abuses.	Potential for abuse of IP rights to suppress competition.	Balancing innovation incentives with market fairness.
<b>Impact on Market Power</b>	Grants exclusive control over innovations, potentially leading to monopolies.	Restricts monopolistic practices and dominance in the market.	IP rights can create monopolistic control that stifles competition.	Implementing checks on the use of IP rights to prevent monopolies (e.g., regulatory oversight).
<b>Examples of Abuse</b>	Patent thickets, patent trolling, excessive licensing fees.	Price fixing, market allocation, and abuse of dominant position.	Abuse of IP rights can lead to anti-competitive practices.	Regulating the strategic use of IP rights and enforcing antitrust measures to prevent abuse.
<b>Economic Rationale</b>	Stimulating innovation by granting creators temporary monopoly rights.	Enhancing market efficiency, lowering prices, and fostering consumer welfare.	IP protection can limit market entry and raise prices.	Adjusting competition law to accommodate IP rights while preventing anti-competitive effects.
<b>Regulatory Mechanisms</b>	National and international IP laws, patents, trademarks, copyrights.	Antitrust regulations, market investigations, and competition commissions.	Differing legal frameworks and jurisdictional complexities.	Coordinated efforts between IP and competition regulators at national and international levels.
<b>Global Considerations</b>	International treaties (e.g.,	International agreements on	Global inconsistencies	Harmonizing international IP

---



---

	TRIPS, WIPO), regional agreements.	trade and competition law.	in IP protection and competition law enforcement.	and competition policies to reduce cross-border legal conflicts.
--	---	----------------------------------	--	---

#### 4. Finding & Discussion

##### Findings

Research on the relationship between IP protection and competition law has shown that although IP rights are crucial for fostering innovation and economic development, they also have the potential to be abused by powerful entities, resulting in anti-competitive actions. Examples of how powerful companies have manipulated software standards or exercised patent control to limit competition can be seen in case studies of big companies like Google and Microsoft. In addition, tactics such as patent trolling and patent thickets significantly reduce competition. Frivolous litigation or overlapping patents make it difficult for smaller competitors to enter the market. Despite intellectual property's intended purpose of encouraging innovation, these results show that its abuse can hinder competition, drive up costs, and prevent consumers from getting their hands on necessities<sup>9</sup>.

##### Discussion

The results stress the importance of striking a fair balance when bringing IP protection and competition regulation into harmony. While intellectual property rights are important for encouraging innovation, studies show that more regulations and more monitoring are needed to avoid the misuse of these rights. When it comes to intellectual property (IP), competition legislation needs to be able to tackle market dominance without reducing innovation incentives. Potential solutions to the problems caused by IP monopolies include non-exclusionary licensing, more transparent restrictions on exclusive rights, and global cooperation on IP standards. A fair marketplace that permits the progression of technology and science can be achieved by making sure that competition law prioritizes consumer welfare, as is the case in EU competition frameworks. To ensure that innovation can flourish without limiting competition, a strong and adaptable strategy is required to harmonize the aims of the two legal systems.

##### 5. Conclusion

Finally, to make sure that both frameworks perform as intended without affecting market dynamics, it is necessary to harmonize IP protection with competition law. Intellectual property rights are crucial for encouraging innovation, encouraging creativity, and propelling economic growth. However, when they are abused, they can cause major imbalances in market power, which in turn reduces competition and harms consumer welfare. Microsoft and Google are only two examples of how powerful companies have abused their intellectual property rights to stifle rivals, form monopolies, and restrict customer choice. By erecting arbitrary obstacles to new entrants in the market, patent thickets and patent trolls make these problems even worse. To reduce the risk of abuse, this study recommends a middle ground approach that combines

---

<sup>9</sup>Reichman, J. H. (1998). Securing compliance with the TRIPS Agreement after *US v. India*. *Journal of International Economic Law*, 1(4), 585–601.

measures like non-exclusionary licensing to encourage competition while safeguarding innovation with stricter regulatory requirements and better monitoring of intellectual property transactions. Responsible use of intellectual property rights and lessening of disputes over who has jurisdiction are two further benefits of international collaboration to harmonize IP and competition rules across borders. Aligning intellectual property (IP) with competition legislation can encourage innovation, fair competition, and societal benefits by focusing on consumer welfare and establishing a competitive marketplace<sup>10</sup>.

## Reference

- [1] Piechucka, J., Sauri-Romero, L., & Smulders, B. (2024). Competition and industrial policies: Complementary action for EU competitiveness. *Journal of Competition Law & Economics*, 20(4), 384–408.
- [2] Verbova, N., & Kryzhna, V. (2024). Combating crimes against intellectual property: Comparative analysis of international best practices. *Law Journal of the National Academy of Internal Affairs*, 2(14), 74–83.
- [3] El Khoury, P. (2024). Unfair competition in the Arab world: A remedy completing IP limits? *Journal of Intellectual Property Law and Practice*, 19(2), 162–169.
- [4] Prasad, R. (2023). Cyber borderlines: Exploring the interplay between e-commerce and international trade law. *Studies in Law and Justice*, 2(4), 1–9.
- [5] Rodrik, D. (2018). What do trade agreements really do? *Journal of Economic Perspectives*, 32(2), 73–90.
- [6] Diker Vanberg, A., & Ünver, M. B. (2017). The right to data portability in the GDPR and EU competition law: Odd couple or dynamic duo? *European Journal of Law and Technology*, 8(1), 1–22.
- [7] Reichman, J. H. (2009). Intellectual property in the twenty-first century: Will the developing countries lead or follow? *Houston Law Review*, 46(4), 1115–1134.
- [8] Bird, R. C. (2006). Defending intellectual property rights in the BRIC economies. *American Business Law Journal*, 43(2), 317–363.
- [9] Reichman, J. H. (1998). Securing compliance with the TRIPS Agreement after *US v. India*. *Journal of International Economic Law*, 1(4), 585–601.
- [10] Drahos, P. (1997). Thinking strategically about intellectual property rights. *Telecommunications Policy*, 21(3), 201–211.
- [11] [https://external-content.duckduckgo.com/iu/?u=https%3A%2F%2Fpub.mdpi-res.com%2Falgorthms%2Falgorthms-15-00418%2Farticle\\_deploy%2Fhtml%2Fimages%2Falgorthms-15-00418-g001.png%3F1667886663&f=1&nofb=1&ipt=360ffa8f2fad9dcccbb3924f5d57cf344499ea3f9d9774964485f8d00e58af9f&ipo=images](https://external-content.duckduckgo.com/iu/?u=https%3A%2F%2Fpub.mdpi-res.com%2Falgorthms%2Falgorthms-15-00418%2Farticle_deploy%2Fhtml%2Fimages%2Falgorthms-15-00418-g001.png%3F1667886663&f=1&nofb=1&ipt=360ffa8f2fad9dcccbb3924f5d57cf344499ea3f9d9774964485f8d00e58af9f&ipo=images)
- [12] <https://external-content.duckduckgo.com/iu/?u=https%3A%2F%2Fstudiousguy.com%2Fwp-content%2Fuploads%2F2018%2F05%2FEconomic-Factors-Affecting-Marketingss.jpg&f=1&nofb=1&ipt=ec5d1639e79d0c1d123c283e12154ef5c9a8f3f8a7870c83e304411bf16e0acc&ipo=images>

---

<sup>10</sup>Drahos, P. (1997). Thinking strategically about intellectual property rights. *Telecommunications Policy*, 21(3), 201–211.