

AGRICULTURISTS VIEW ON TRADE MARK AND PATENTS PRACTICES IN VALUE ADDITION OF AGRICULTURAL PRODUCTS IN TAMIL NADU

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Abstract

Intellectual property rights have significance in this era of day-by-day started business. The protection granted to Trade Mark and Patents rights to the people in our country is need of the hour. In particular the provisions related to Trade Mark and Patents in value added agro produces may not follow by producers. The developing country like India must provide greater emphasis on enforcement of Trade Mark and Patent in agricultural value added products. An adequate trade mark system is very important to enterprises in developing countries because it permits them to develop domestic and foreign markets for their products. A felid survey method was employed by the researcher to collect the first hand information from four hundred and twenty five respondents. The data thus collected were subdued into suitable tabular form. Appropriate statistical tool like simple percentage, average, minimum maximum, standard deviation and chi square test were employed. In addition to these tools, multivariate techniques like multiple regression analysis, factor analysis and Henry Garrett ranking were also used in this study to ascertain the problems in registration of trademark and patent for the value added products produced by the farmers in the study area. The farmers were selected on the basis of the value added products produced by them. 225 farmers were contacted in the district of Sivaganga and 200 hundred farmers were selected in Ramnad district. Therefore the present paper is to attempt the importance of Trade Mark and Patent practices in the reason for pre and post sales with value addition of their products at Sivagangai and Ramanathapuram districts.

Keywords: *Intellectual property rights; Trade Mark and Patent; Agricultural.*

INTRODUCTION

India for eternity confessed the substance of a strong Trade Mark and Patent system for the development of industry and commerce, which is evident for the amendments done to bring India at par with the modern world. Innovators and inventors from all fields of technology are keen on protecting their intellectual property. Intellectual property rights have significance in this era of day-by-day started business. The protection granted to Trade Mark and Patents rights to the people in our country is need of the hour. In particular the provisions related to Trade Mark and Patents in value added agro produces may not follow by producers. The developing country like India must provide greater emphasis on enforcement of Trade Mark and Patent in agricultural value added products. The Trade Mark relating to product, the grant provides exclusive right to prevent unauthorized persons from making, using, offering for sale, selling or importing the product in India. In case of Patents relating to process, the patentee receives an exclusive right to prevent unauthorized persons from using the process and offering for sale, selling or importing for those purposes the product obtained directly from the process in India. Product produced by the process is also to be protected.

An adequate trade mark system is very important to consumers in developing countries, because it permits these consumers to rely on a particular standard of quality associated with the trade mark and identify the origin of the trademarked goods, rather than having no means of distinguishing goods from different sources. An adequate trade mark system is very important to enterprises in developing countries because it permits them to develop domestic and foreign markets for their products. Without an adequate trade mark system, it is very difficult to start a new business or introduce a new product line and to compete with established foreign and domestic enterprises. Hence the present paper is to attempt the substance of trade mark and patent in agricultural products.

KEY DEFINITIONS

A **Trademark, Trade Mark, or Trade-Mark** is a recognizable sign, design, or expression which identifies products or services of a particular source from those of others, although trademarks used to identify services are usually called service marks. The trademark owner can be an individual, business organization, or any legal entity. A trademark may be located on a package, a label, a voucher, or on the product itself. For the sake of corporate identity, trademarks are often displayed on company buildings.

A **Patent** is a form of intellectual property. A patent gives its owner the right to exclude others from making, using, selling, and importing an invention for a limited period of time, usually twenty years. The patent rights are granted in exchange for an enabling public disclosure of the invention. People who are employed to do research are often obligated by their employment contracts to assign inventions to their employer. In most countries patent rights fall under civil law and the patent holder needs to sue someone infringing the patent in order to enforce their rights. In some industries patents are an essential form of competitive advantage; in others they are irrelevant.

Value added products

A change in the physical state or form of the product (such as milling wheat into flour or making strawberries into jam). The production of a product in a manner that enhances its value, as demonstrated through a business plan (such as organically produced products).

NEED FOR THE STUDY

Trade Mark relating to product, the grant provides exclusive right to prevent unauthorized persons from making, using, offering for sale, selling or importing the product in India. In case of Patents relating to process, the patentee receives an exclusive right to prevent unauthorized persons from using the process and offering for sale, selling or importing for those purposes the product obtained directly from the process in India. Product produced by the process is also to be protected. Both Patent and Trade Marks' agricultural products will increase the sales and income their farmers.

STATEMENT OF THE PROBLEM

There is tremendous supply of fruits and vegetables in Sivagangai and Ramnadu districts of Tamilnadu. Entrepreneurial avenues for value added products are increasing day-by-day. It is observed that there is lack of awareness of the minds of farmers regarding usage of Trademark and Patents.

The farmers and producer companies procure the vegetables and fruits for selling due to the nature of the products they concentrate more on value addition for their income increase. In the present scenario most of the farmers engage themselves in producing value added products in fruits and vegetables without proper Trade Mark and Patents absence of the Trade Mark and Patents affect the not only growth of economy but also the health of consumers. Hence the researcher is induced to take up the research in analyzing the awareness and problems of farmers and producers in obtaining and the use of Trade Mark and Patents in their own produced value added products.

OBJECTIVES OF THE STUDY

The present study is confined to the following objectives.

1. To critically analyse the legal provisions relating to Trade Mark and Patent.
2. To views on the Trade Mark and Patents Practices of the Farmers in Sivagangai and Ramanathapuram districts.
3. To analyse the reasons for selling in the pre-harvest period and reasons for selling at harvest time with mark and value addition of their products in the study area.
4. To portray the summary of findings, suggestions and conclusion.

RESEARCH METHODOLOGY

In the present study, the descriptive and analytical type research designs will be administered. Since this research describes the view of the Farmers and producer companies who are engaged in preparation and sales of the value added products. It is descriptive in nature and this study will analyze the Problems of farmers in adhering the provisions relating to trademark and patterns.

HYPOTHESES

H1 There is no association between farmers practice and the provisions relating to trademarks.

H2 There is no significant difference between producer companies and farmers practice in production of value added products.

H3 There is no significant difference between Reasons for Selling in the Pre-Harvest Period and Reasons for Selling at Harvest Time

SAMPLING TECHNIQUE

The present study will cover the districts in Tamilnadu which are engaged in agricultural activities and in the preparation of values added products. The study will cover two districts in which farmers and the producer companies who are engaged in value added products. The sample includes team of professionals including business experts, HR professionals and Government authorities who are related to IPR. It is proposed to use sampling technique simple random sampling.

QUESTIONNAIRE DEVELOPMENT AND PILOT STUDY

The questionnaires was prepared for the present study to solicit the opinions of the farmers and producer companies. On the implementation of the various aspects of IPR. The relevant variables related to value added products will be collected from various previous studies and also the views of the experts in this field. A pilot study was conducted among 150 famers in the districts of Tamilnadu. As per the result of pre-test, certain modifications, deletions and simplifications was carried out to enrich the quality of the questionnaire.

FRAMEWORK OF ANALYSIS

The data gathered from the field survey was analyzed by applying appropriate analytical tools like percentage analysis, weighted average, standard deviation, chi-square test, ANOVA, multivariate analysis which includes multiple regression analysis.

DATA ANALYSIS AND INTERPRETATION

Trade Mark and Patents Practices of the Farmers

The Trade Mark and Patents practices in the present analysis are value adding by the farmers. The farmers may sell their produce at the time of harvest or post harvest. It depends upon the urgency and the amount of money needed by the farmer. Some farmers market their produce even before harvest. They borrow from marketing intermediaries for their farming activities, sometimes even before harvesting. Since this type of practice has its impact on the sales in the Markets, it is also included in the present study. The Trade Mark and Patents practices are classified into marketing the produce pre-harvest, at the time of harvest and post-harvest periods.

The farmers were asked to rate these three timings on a five-point scale. The mean score of each marketing practice has been computed to show the importance given to timing by the different groups of farmers. The One Way Analysis of Variance has been administered to find the significant difference among the three groups of farmers regarding their Trade Mark and Patents practice. The results are shown in Table 1.

Table 1

Trade Mark and Patents Practice Among the Farmers

Sl.No.	Time of Marketing	Mean Score - Farmers			F-statistics
		Marginal	Small	Big	
1.	Pre-harvest	3.9146	3.0042	2.2541	3.1468*
2.	At the time of harvest	2.4041	3.1408	3.8863	3.3091*
3.	Post-harvest	1.8687	2.4562	3.9094	3.6174*

Source: Computed

*** Significant at 5 per cent level**

The important Trade Mark and Patents practice identified by the marginal farmers is pre-harvest since its mean score is 3.9146 whereas among the small farmers, it is at the time of harvest since its mean score is 3.1408. Among the big farmers, it is both at the time of harvest and post-harvest since their mean scores are 3.8863 and 3.9094 respectively. Regarding the importance given to the timing of marketing the produce, the significant difference among the three groups of farmers have been identified in all three type of practices since the respective 'F' statistics are significant at the five per cent level.

Reasons for Selling in the Pre-Harvest Period

The farmers may sell their produce even at before the harvest period for several reasons. In the present study, the reasons are classified as instant availability of funds, urgent need, family commitment, indebtedness, avoiding price risk and emergency. The farmers are asked to rate these reasons on a five-point scale from highly agree to highly disagree. The assigned scores are from 5 to 1 respectively. The mean scores of the reasons have been computed to indicate the importance of the reasons.

Table 2 indicates the mean scores of the reasons and the respective ‘F’ statistics. The important reasons among the marginal farmers are family commitment and urgent need since their mean scores are 3.9096 and 3.8994 respectively. Among the small farmers, these are indebtedness and urgent need since their mean scores are 3.4506 and 2.9103 respectively. Among the big farmers, these are avoiding price risk and family commitment since their mean scores are 3.8604 and 3.4501 respectively.

Table 2
Reasons for Selling at Pre-harvest Period

Sl.No.	Reason	Mean Score - Farmers			F-statistics
		Marginal	Small	Big	
1.	Instant availability of funds	3.7081	2.8911	2.4086	3.3908*
2.	Urgent need	3.8994	3.0214	2.8018	3.0143*
3.	Family commitment	3.9096	2.9103	3.4501	1.2908
4.	Indebtedness	3.6561	3.4506	2.9093	0.6974
5.	Avoiding price risk	2.4608	2.8191	3.8604	3.1417*
6.	Emergency	3.3616	2.8086	3.4041	0.7332

Source: Computed

* Significant at 5 per cent level

Regarding the perception on reasons, the significant difference among the three groups of farmers have been identified as instant availability of funds, urgent need and avoiding price risk, since the respective ‘F’ statistics are significant at the five per cent level.

Reasons for Selling at Harvest Time

Some of the farmers preferred to sell their produce at the time of harvest. The reasons for selling at the time of harvest are compelled to meet the expenses for the next crop, family expenditure, indebtedness, no storage facilities, no processing facilities, no transportation cost, no packing cost and lesser intermediary expenses. The farmers were asked to rate these reasons on a five-point scale from highly agree to highly disagree. The assigned marks are from 5 to 1 respectively. The mean scores of the reasons and the respective ‘F’ statistics have been computed and shown in Table 3. Among the marginal farmers, the important reasons are indebtedness and no packing cost since the mean scores are 3.8181 and 3.8083 respectively.

The important reasons identified by the small farmers are to meet the expenses for the next crop and less intermediary expenses since their mean scores are 3.3849 and 3.1192 respectively. Among the big farmers, these reasons are no processing facility and no storage facility since their mean scores are 3.3641 and 3.1146 respectively.

Table 3
Reasons for Selling at the Time of Harvest

Sl. No.	Reason	Mean Score - Farmers			F-statistics
		Marginal	Small	Big	
1.	To meet out the expenses for next crop	2.3998	3.3849	2.9197	1.2618
2.	Family expenditure	3.6089	2.5108	2.3363	3.3096*
3.	Indebtedness	3.8181	2.9667	2.0847	3.8127*
4.	No storage facility	2.4068	2.8089	3.1146	1.8091
5.	No processing facility	2.5153	2.7186	3.3641	1.2433
6.	No transportation cost	3.6861	2.4562	2.6061	3.0211*
7.	No packing cost	3.8083	3.0141	2.8208	1.8904
8.	Less intermediary expenses	3.4549	3.1192	2.9693	0.5908

Source: Computed

* Significant at 5 per cent level.

The significant differences in perception among the three groups of farmers have been identified in the case of family expenditure, indebtedness and no transportation cost since the respective 'F' statistics are significant at the five per cent level.

CONCLUSION

Creativity and innovation are the new drivers of the world economy. The policies adopted by a country shall determine the nation's well being. Development of a country's intellectual property rights system lies at the core of the country's development strategies. Within knowledge based, innovation driven economies, the intellectual property system is a dynamic tool for wealth creation, providing an incentive for enterprises and individuals to create and innovate a fertile setting for the development of, and trade in intellectual assets, and a stable environment for Domestic and foreign investments. Agriculture is the main occupation of many districts in Tamil Nadu. It has given an opportunity for the agriculturists to lead their life in a self contempt way. As the products of coconuts are lined up, different marketing strategies have to be adopted for better sales. The aspects of branding, customized marketing and reorienting towards value addition will fetch better results.

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