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**A STUDY OF INTERSECTION OF COMPETITION LAW AND
INTELLECTUAL PROPERTY RIGHTS IN INDIA**

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ABSTRACT

The intersection of competition law and intellectual property rights (IPR) in India represents a complex relationship between fostering innovation and ensuring a competitive marketplace. Intellectual properties rights, including patents, trademarks, and copyrights, provide creators with exclusive rights to protect their innovations, encouraging research and development. However, these rights can sometimes lead to monopolistic practices, potentially stifling competition. To address such challenges, the Competition Act, 2002, plays a vital role by regulating anti-competitive behavior and abuse of dominance. This intersection is particularly significant in industries like pharmaceuticals, technology, and media, where innovation is driven by strong IPR protection, but excessive control can limit access and fair competition. The Competition Commission of India (CCI) has been pivotal in addressing cases where IPR owners exploit their market power, such as through unfair licensing terms or refusal to license essential technologies. For instance, the CCI has examined cases of patent abuse and standard-essential patents (SEPs) in the technology sector to balance innovation incentives with market fairness. India's approach reflects a nuanced understanding of this interplay. While respecting the exclusivity granted by IPR, competition law ensures that such rights do not harm consumer welfare or hinder innovation by promoting access, fair practices, and a level playing field.