

## **Intellectual Property Law Vs Human Rights Law: A Re-Examination of the Relationship Between Two Distinct Legal Regimes in Light of Digitalization and Sustainability**

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### **Abstract**

In simple terms, intellectual property rights are rights that recognize and provide incentives for inventions connected to social development. On the other hand, human rights are basic natural rights that are inheritable and contingent upon human dignity. While the right to protection of the “moral and material interests” of an individual’s intellectual product is enshrined in the canon of international human rights, it could be argued that the dominant regime of intellectual property rights has historically come into conflict with other fundamental human rights of ordinary customers of intellectual property. The paper, hence, re-examines their relationship; firstly, for the impacts of intellectual property rights on the realization of human rights such as the right to health, which has become much more visible following the adoption of the ‘TRIPS’ Agreement and digitalization, and secondly, due to the increasing importance of intellectual property rights that has led to the need for clarifying the scope of human rights provisions protecting individual contributions to knowledge, while drawing a distinct line between intellectual property rights that protect and grant exclusive rights to new creators and the possible infringements it may cause for individual human rights of ordinary customers, and proceeds to identify that in relation to human rights, two strains of intellectual property thoughts have become increasingly prevalent: the first deals with the integration of human rights, while the second explores the possibilities of intellectual property as a mechanism of social justice and sustainability. The information necessary to conduct the study was collected through statutory analysis, while library research, provides secondary information by analogies of relevant scholarly articles and books. The paper in conclusion proves that intellectual property protection of the future must protect fundamental human rights by ensuring access to life-saving and life-improving technologies with sustainability while continuing to respect the material and moral interests of the individuals behind these vital innovations in a digitalized world.

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