

## **Conflict between intellectual property and public health**

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There is a conflict between IP (Intellectual Property) and human rights, especially when it comes to public health. Significantly, there was an essential need to safeguard intellectual property nationwide, and the establishment of National Laws to protect those rights was fundamental. The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) is one such effort in this respect. It lays down the minimum standards for the fortification of intellectual property rights as well as the process and solutions for their implementation, which are to be implemented by all the members of the W.T.O.

TRIPS agreement came into effect to correspond the measures of public health and IP rights. WTO Ministerial Conference in Doha, 2001 adopted a special Ministerial Declaration to clarify uncertainties between the essential need for governments to apply the principles of public health and the terms of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Concerns had been growing that patent regulations might control access to affordable medicines for residents in developing countries in their determination to regulate diseases of public health, including HIV, tuberculosis and malaria. The Declaration responds to the concerns of developing countries about the difficulties they encountered when looking to implement measures to encourage an approach to affordable medicines in the concern of public health in a wide-range, without limitation to certain diseases. Public health and IP rights only came into a conflict when it concerned the "Patent Rights". Comprehensive requirements have been made in TRIPS with regard to defending the patents.

Owing to this, with the development of IP in the world, public health of the nations was also influenced. Therefore, giving an answer to that and protecting IP rights of the countries TRIPS agreement came into effect. Therefore, in this research paper I would focus on whether the TRIPS agreement is more concerned about IP rights or whether it gives any release to public health in the world.