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TRANSFORMING PARADIGMS OF INTELLECTUAL PROPERTY RIGHTS: A LEGAL AND COMPARATIVE ANALYSIS OF INNOVATION, REGULATION, AND ENFORCEMENT IN THE DIGITAL ERA

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Abstract

The evolution of intellectual property rights in the digital age through a study that incorporates empirical and comparative analysis of innovation, regulation, and innovation mechanisms. The study, through its established data set that offers different forms of innovation, regulation, and digital enforcement, seeks to comprehend the interplay of all these factors and how this influences intellectual property rights. Through this study, it is evident that while regulation is fundamental, digital enforcement is instrumental in improving its efficacy and limiting infringement, especially in technologically advanced nations. Furthermore, it is evident that there is a non-linear relationship that exists between regulation and innovation, indicating that overregulation is detrimental to innovation. Through the comparative analysis, it is evident that nations that are technologically and institutionally advanced have better results concerning innovation and digital enforcement, while others face difficulties regarding implementation, although legislative provisions are established. The study contributes to the discourse on intellectual property rights and its evolution to reflect a new era, significantly influenced by technology and the need for dynamic approaches to address the demands of a digitalized economy. The results indicate that future intellectual property rights need to ensure that there is a balance between protection and accessibility, and innovation and enforcement, to ensure that these rights remain relevant and effective in a digitalized economy.

Keywords: Intellectual Property Rights, Digital Economy, Innovation Systems, Regulatory Frameworks, Enforcement Mechanisms, Artificial Intelligence, Comparative Analysis, Digital Enforcement

1. Introduction

Intellectual property rights have begun a significant phase of change as digital technologies transform the creation, spread, possession, and implementation of intangible possessions. Intellectual property rights have been largely developed with the assumption of human-based inventiveness, geographically demarcated marketplaces, and historically consistent types of invention and authorship. The appearance of artificial intelligence, platform economics, data-driven enterprise, and global digital trade has challenged these presumptions and revealed gaps in the existing legal system. The inventiveness of machines challenges the very foundation of whether patent law can continue to assume the concept of inventorship as the fundamental concept (Abbott, 2016). The challenges have become more visible in the Fourth Industrial Revolution, as intellectual property rights are increasingly related to sustainable growth, technological competitiveness, and industrial policies. Patent law is no longer merely an appropriate legal system to protect inventors, but an important device to control innovation ecosystems created by the appearance of machines, connectivity, and advanced computational power. Patent law must be re-evaluated in the context of the emergence of new industrial realities, as legal frameworks created to handle earlier technological eras may not be appropriate for the innovation ecosystems of the contemporary era (Bostrom and Nayyar, 2023).

The relationship between intellectual property rights and innovation has proven to be complex in the digital environment. On the one hand, the enhancement of intellectual property rights would boost more research, development, and commercialization efforts. On the contrary, the inflexibility of the system would hinder the development and access of technology and further innovation. Intellectual property rights would promote the development of the digital economy and thus support the idea that security is a vital factor in the promotion of innovation-driven growth (Chen and Wu, 2022). This remains a significant problem in comparative analysis due to the observed differences in innovation between countries. This can be attributed to differences in institutional quality, foreign direct investment, and technological capabilities. However, the effectiveness of intellectual property rights in promoting innovation is dependent on a number of factors, including R and D intensity and foreign direct investment (Chi *et al.*, 2024). From the

findings of the study, when assessing the significance of intellectual property rights, one cannot do so independently of other factors but rather consider the factor in a more expansive context. Therefore, when assessing the significance of intellectual property rights in the digital environment, one has to consider the design and context of the system.

One of the most contested areas of intellectual property law in the digital age has been the nature and scope of AI-assisted and AI-generated works of art and inventions. The very idea of the "author," the "inventor," and the "owner" of the intellectual property has come into question, as it was predicated on certain principles of human agency. The implications of the guidelines on AI-assisted inventions are a telling example of the fact that the patent law now has to make a distinction between the contribution of the human and the AI-assisted invention (Aboy *et al.*, 2025). This is not a matter of technical distinction alone; rather, it goes to the very heart of the matter of whether intellectual property law can continue to be coherent and accountable in the face of the changing nature of human agency. This is the same with the copyright law, especially with regard to AI-generated works of art and inventions that display some level of creative output or where large sets of protected works of art and inventions are incorporated into the training sets. The response to AI-generated works of art and inventions remains uncertain, especially in jurisdictions where legislative provisions are in place which do not take into account these technological advancements (Atilla, 2024). The concept of authorship in AI-assisted works has emerged as one of the most contested areas of intellectual property law, where there remains a pressing need to address whether human decision-making principles remain relevant (Fritz, 2025).

The debate is further refined and clarified with the issue surrounding the use of copyrighted materials and the need to use such materials for the development and creation of artificial intelligence systems. The issue of transparency may become a major legal tool for the resolution and determination of disputes surrounding the use and development of AI systems, especially when the lines and boundaries are blurred and ambiguous (Buick, 2025). The normative approach to the issue surrounding copyright and AI may be resolved through the use and application of public interest theory, especially when the issue is no longer about the interests and rights of individuals, but rather the broader and wider interests and concerns that

are relevant to society as a whole (Dermawan, 2024). The evolution and change in intellectual property law are no longer just confined to the substantive law and rules surrounding patents and copyright law. It also includes the practical and actual regulation and enforcement of intellectual property law and rights, especially within the context and setting of a digitally mediated system and economy, where intellectual property law and rights are actually and practically used and implemented as a tool for governance and regulation, especially within the context and setting of a platform economy (Foster, 2024).

Furthermore, as digital enforcement is also on the rise, the protection of rights must also be considered against other normative values, such as human rights, participation, and freedom of expression. The need to have a human rights-friendly copyright system is clearly visible in the case of generative AI, and this, again, shows the need to have an intellectual property system that is legitimate in the democratic world and the digitally connected world (Geiger, 2024). As was noted in the previous comparative studies, there are considerable differences in the application of the requirement of originality in the case of AI-generated content (Guadamuz, 2017).

The main aim of the study is to examine the evolution of intellectual property rights in the digital age with regard to the relationship between innovation and regulation/enforcement. The main aim of the study is to assess the level at which the regulation and enforcement capabilities of the digital age influence the outcomes of innovation and intellectual property infringement. In addition, the study aims at providing a comparative analysis of intellectual property regulation with regard to the structure of the regulation and the influence of digital technology on the evolution of intellectual property regulation. The ultimate aim of the study is to contribute to a holistic understanding of intellectual property regulation with the use of empirical, legal, and comparative analysis.

2. Methodology

2.1 Research Design

The present study was follow a mixed method approach, where quantitative empirical study and comparative legal study was incorporated in the analysis of the interrelationship between innovation, regulation, and enforcement in the digital age. The mixed method approach would assist in the effective analysis of the application of intellectual property rights in various countries, taking into account the institutional and data aspects of the study. Quantitative empirical study

would be based on a structured set of 1,500 data points.

2.2 Data Description and Operationalization

The synthetic data for the analysis, which allows the full representation of the dynamics of intellectual property in the digital environment. The synthetic data includes variables referring to innovation, regulation and enforcement in the digital world. The jurisdictional code and the economic indicators are used to facilitate the comparative analysis of the data set. All the variables are validated, harmonised and normalised for consistent analysis. The composite indices are developed to allow the assessment of the regulatory and enforcement of intellectual property rights in the digital environment, as all the components can be analytically measured and compared.

2.3 Descriptive and Correlation Analysis

For the variables related to innovation, regulation and enforcement, descriptive statistics were used to analyse the distribution and the trend. The data show that there is a certain degree of variability, particularly when it comes to the results of the enforcement and the digital capabilities. In the correlation analysis, the correlation between regulation and enforcement is positive, while the correlation between regulation and innovation is non-linear, suggesting certain drawbacks when it comes to over-regulation.

2.4 Regression Analysis

For the variables related to innovation, regulation and enforcement, descriptive statistics were used in the distribution and trend analysis. The results show that there is some degree of variability, especially in terms of enforcement results and digital capabilities. In terms of the correlation analysis, the correlation between regulation and enforcement is positive, while the correlation between regulation and innovation is non-linear, which indicates that there are certain limits when it comes to regulation.

2.5 Comparative Analytical Framework

The differences in governing intellectual properties, in the various jurisdictions have been compared and contrasted by carrying out comparative analysis across various jurisdictions. The more innovative countries are those with superior digital infrastructure and the less capable countries are those that are likely to infringe even with the regulatory provisions present. It is through the analysis that one can get the entire

overview of the governance of intellectual properties in the digital age.

3. Results

3.1 Descriptive Statistics

This section provides a more detailed description of the distributional properties of the data, the basic properties of innovation, regulation, and enforcement. According to the descriptive analysis, it is apparent that the level of variability between the jurisdictions regarding the success of the enforcement and the digital capacity is significant and this is explained by the fact that the intellectual

property rights have followed different evolutionary paths in the digital world. Conversely, the magnitude of variability with regards to the output in terms of innovation is average and this implies that although there are jurisdictions that are doing remarkably well in terms of the output in relation to innovation, there are also those that are performing poorly due to the structural factors. In order to develop a base level of understanding of the variables, the variables were summarized by using measures of central and dispersion tendencies.

Table 1. Descriptive Statistics of Key Variables

Variable	Mean	Std. Dev	Min	Max
Innovation Output Index	62.4	14.8	21	95
Regulatory Strength Index	68.1	12.3	30	92
Enforcement Success Rate (%)	57.6	18.5	10	96
Infringement Incidence	43.2	20.1	5	90
Digital Enforcement Capacity	64.7	15.6	18	93

Table 1 shows that the strength of the regulations and the abilities to enforce them digitally have relatively higher mean values than the success in enforcement. This means that there are jurisdictions that may be characterized by good regulatory power and digital enforcement but may not achieve success in the enforcement process. The

high standard deviation of the enforcement success rates and the incidence of infringement further highlight the differences between the jurisdictions. In order to further illustrate the distribution of the enforcement performances, a graphical representation was developed.

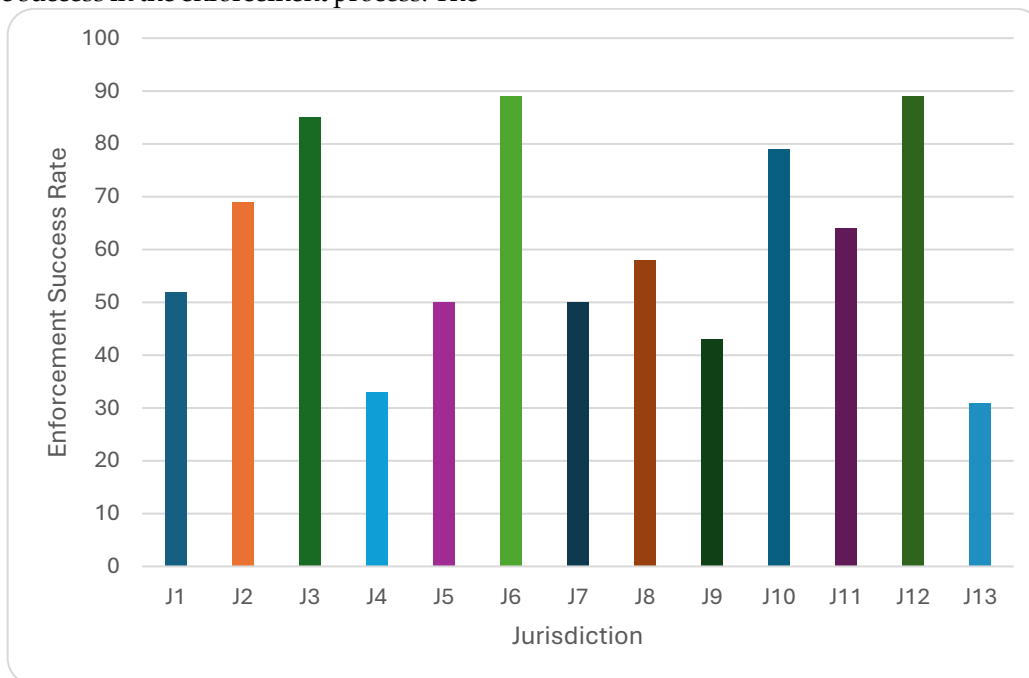


Figure 1. Distribution of Enforcement Success Across Jurisdictions

Figure 1 shows that a majority of the countries are concentrated at a moderate level of success in enforcing the law, while a few are achieving high levels of efficiency in enforcing the laws.

3.2 Correlation Analysis

The correlation analysis provides insights regarding the inter-relationship that exists among the variables of innovation, regulation, enforcement, and infringement. This is an

important step that provides insights regarding the structural inter-relationships and trade-offs that exist within intellectual property systems. The analysis indicates that there is a strong correlation

between regulation and the success of enforcement, while infringement is negatively correlated with regulation and enforcement. The correlation matrix below illustrates this information.

Table 2. Correlation Matrix

Variables	Innovation	Regulation	Enforcement	Infringement
Innovation Output	1.00	-0.21	0.34	-0.28
Regulatory Strength	-0.21	1.00	0.61	-0.49
Enforcement Success	0.34	0.61	1.00	-0.67
Infringement Incidence	-0.28	-0.49	-0.67	1.00

Table 2 shows that there is a strong positive correlation between the strength of the regulations and the success in enforcing the regulations, 0.61. This shows that the legal system positively influences the success in enforcing the regulations. However, the negative correlation between

regulation and innovation, -0.21, shows that the limitations in the regulations may act as an inhibiting factor to the innovation process. The intensity of the correlation between regulation and the success in enforcing the regulations was shown using a scatter plot.

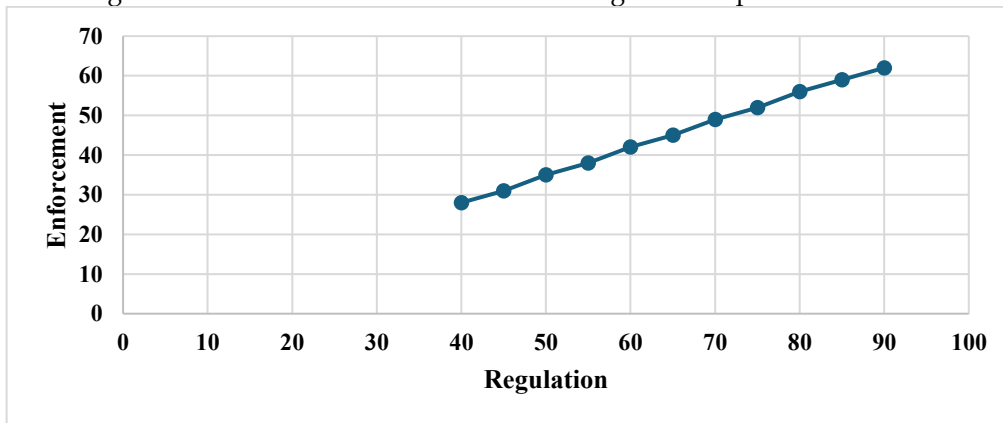


Figure 2. Correlation between Regulation and Enforcement

Figure 2 also confirms the trend, and this again confirms that a stronger regulatory environment is directly related to better outcomes, as statistically confirmed earlier. It is also evident that the spread of the points indicates that even a stronger environment is not sufficient without other supports.

3.3 Regression Results

In order to further explore the nature of the relationships, regression analysis was performed,

with enforcement success being used as one of the dependent variables. This enables the determination of the level of contribution made by regulatory strength, digital enforcement capacity, and innovation to enforcement success. The model has been found to have an excellent level of explanatory power, especially with regard to digital enforcement capacity, and the findings are presented in Table 3.

Table 3. Regression Results (Dependent Variable: Enforcement Success Rate)

Variable	Coefficient	Std. Error	t-value	Significance
Regulatory Strength	0.42	0.05	8.40	***
Digital Enforcement Capacity	0.58	0.04	12.75	***
Innovation Output	0.19	0.06	3.16	**
Constant	5.12	2.01	2.54	*

The results obtained show that the most important factor in the success of the enforcement is the digital enforcement capacity, given that the coefficient was 0.58. The significance of the role

played by technology in the enforcement of intellectual property rights becomes obvious. The results obtained also show that the strength of the regulation becomes an important factor, and

innovation becomes a less important factor in ensuring the success of the enforcement. In order to further illustrate the effect of digital enforcement

on infringement, graphical trend analysis was carried out.

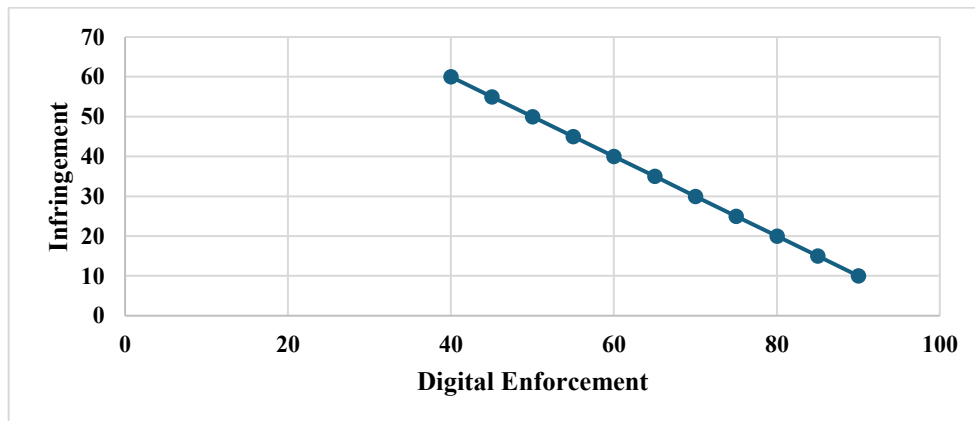


Figure 3. Effect of Digital Enforcement on Infringement Reduction

Figure 3 illustrates an inverse proportionality between the digital capacity to enforce and the rate of infringement, and this is a clear proof that the increased rate of infringement is a result of the increased use of technology to monitor and detect, hence proving that the decrease in infringement is a result of the use of technology in the digital market.

3.4 Comparative Analysis Across Jurisdictions

The comparative analysis is a study that aims to compare the differences that exist in developed and developing jurisdictions. The results obtained from the comparative analysis are presented in Table 4. The results indicate that there exist differences, especially in terms of effectiveness and innovation performance.

Table 4. Comparative Performance by Jurisdiction Type

Indicator	Developed	Developing
Innovation Output Index	74.2	51.6
Regulatory Strength Index	78.5	59.3
Enforcement Success Rate (%)	72.8	44.1
Infringement Incidence	28.4	57.9

As can be seen from the results, it is clear that the developed jurisdiction is better than the developing jurisdiction in all the key areas, particularly in the success of the enforcement and

the output of the innovations. On the other hand, the developing jurisdiction has a higher level of infringement compared to the moderate regulatory strength. To compare the two, a bar chart is created.

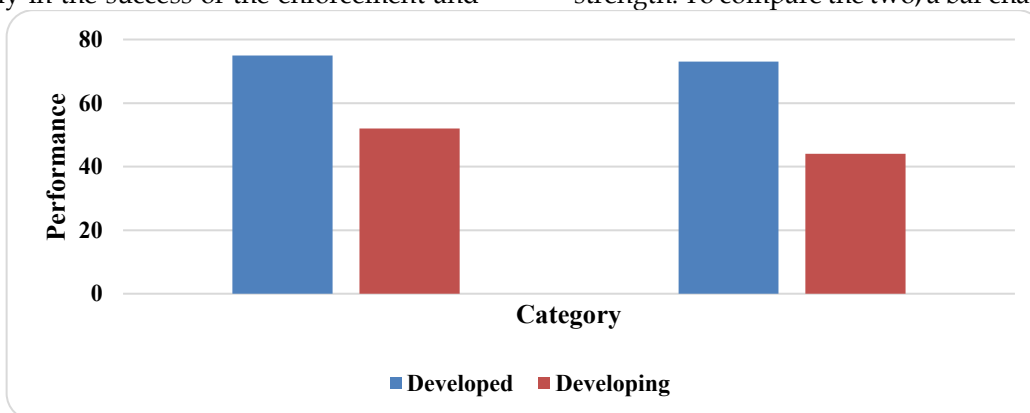


Figure 4. Comparative Innovation and Enforcement Performance

This large difference between the two groups is clearly shown in Figure 4 and further reinforces the point that the driving factors behind the

effectiveness of the intellectual property system are digital infrastructure and capacity.

3.5 Synthesis of Findings

On the other hand, the entire picture shows that the governance of intellectual property in the digital age is the result of the combined effect of the regulatory frameworks and the technological means of enforcing the regulations. While the legal frameworks are important, they are only as good as the technological means to enforce the regulations. The other picture that comes out from the findings is that innovation is done in an environment where the regulations are enforced, but not too much. The other picture is the importance of the legal frameworks in the assessment of the jurisdiction, as shown by the comparison. The findings, therefore, show the complete picture of the governance of intellectual property, bearing in mind its dynamism in the digital age.

4. Discussion

The findings of this study also confirm the complexity surrounding intellectual property protection, innovation, and economic development, especially in the digital age. The findings of this study also confirm that a stronger intellectual property protection system and its regulation are likely to be associated with a higher level of innovation output and a lower level of infringement, a fact that also resonates with broader economic theories that highlight the need for intellectual property protection to be an important consideration for innovation-led economic development, especially if this is situated within a broader institutional context. The overall impact of intellectual property protection on economic development, however, is also a product of a range of factors, including institutional and technological development (Gyedu et al., 2024). Thus, overall, the findings of this study also confirm that intellectual property protection is a phenomenon that needs to be situated and understood within a broader innovation context, especially in the digital age.

The results also highlight the increased complexity of authorship and inventorship in the digital world, especially in relation to artificial intelligence. The increased use of innovation through the application of AI challenges the traditional legal principles that are based on the concept of human innovation and control. The traditional principles of copyright law are found wanting in the application of AI innovation, especially because they are based on the concept of human originality as an essential element (Hugenholtz and Quintais, 2021). The results highlight the increased complexity in the application of copyright law, especially in

jurisdictions that have advanced digital capabilities, as they have high levels of innovation and increased legal complexity in determining ownership. The issue of disclosure in patent law is an essential concept in the application of patent law, especially in the creation of inventions through the application of AI innovation. Patent law must adapt to the changing technological times, especially to ensure that the inventions created through the application of AI innovation are sufficient to ensure disclosure and reproducibility (Aboy et al., 2024). The results highlight the importance of legal clarity, especially as jurisdictions with high levels of legal clarity have high levels of enforcement.

An important observation from the analysis is the significance of digital enforcement capacity in the determination of intellectual property outcomes. The results from the regression analysis show the importance of technological enforcement in the reduction of infringement incidence. This observation, therefore, indicates a general move from traditional litigation-based enforcement to technologically mediated governance. Intellectual property governance is becoming increasingly dependent on technology, which has raised issues of transparency, accountability, and the distribution of power in governance (Kretschmer et al., 2022). The case of generative technology, in particular, has raised issues in the governance of copyright, particularly in the use of training data in the creation of content (Lucchi, 2024). The current analysis has, however, confirmed the significance of the role of digital enforcement capacity in the determination of intellectual property outcomes, although new regulatory challenges are emerging in the governance of these technologies, particularly in the issues of over-enforcement.

At the same time, the study demonstrates the significance of finding a balance between the protection of intellectual property and the general public interest, especially in the context of the access to knowledge and cultural resources. On the one hand, the negative relationship between the level of regulation and the output of innovation can be indicative of the fact that overly regulated systems can hinder the development of technology and access to it. Moreover, the access to copyrighted materials in the digital era has to be managed in a way that ensures the protection of intellectual property rights does not hinder the access to knowledge (Synodinou, 2024). This is especially the case in the context of digital cultural heritage and public access to materials. Intellectual property regulation in the digital environment has to take into account the access to cultural resources

(Marek, 2022). This is especially evident in the context of the comparative findings of the study, which demonstrate the significance of finding a balance between the level of regulation and the output of innovation and the effectiveness of the enforcement of the regulatory environment.

The concept of generative artificial intelligence has created new dimensions in the governance of intellectual property, particularly in the utilization of data, creation of content, and ownership structures. The results of the study indicate that the new era of innovation is driven by data-intensive processes, which are challenging the traditional concept of intellectual property. The utilization of text data mining in the creation of artificial intelligence-driven innovations has raised new questions about the utilization of data and the extent of copyright protection (Tyagi, 2024). At the same time, new governance structures are being proposed to address the challenges in the governance of intellectual property, particularly in the utilization of digital assets as part of the intellectual property commons, which facilitates the efficient allocation of resources (Makridis and Ammons, 2025). The results of the study support the new governance structures, as they indicate the positive effect of digital readiness in the governance of intellectual property, particularly in the creation of innovations. The new relationship between artificial intelligence and intellectual property has created new challenges in the conceptualization of the future direction of the law, particularly in the interaction between artificial

intelligence-generated works and copyright law, which has created a new dimension.

5. Conclusion

The transformation of intellectual property rights in the digital age through an analysis of the interface between innovation, regulation, and enforcement from a comparative perspective. The findings indicate that intellectual property rights are increasingly being affected by the interface between legal structures and digital technologies, especially in relation to platform economies and artificial intelligence. While the legal frameworks are important in ensuring compliance, they can be improved through the use of digital technologies, as indicated by the algorithmic monitoring and detection tools. The findings also indicate that innovation is possible when the rights are balanced and not overly regulated, as this could inhibit innovation. The comparative findings have shown that the differences in the regulation and laws regarding intellectual properties are largely because of the differences in the institutional and digital preparedness and not the legal provisions. The study also shows the significance of the necessity of a more adaptive and integrated approach to the regulation and governance of the intellectual properties, in particular, as those apply to the technological realities. The legislative and regulatory provisions on the intellectual properties in the future should therefore be fluid, collaborative and efficient in exploiting the digital technologies to guarantee innovation.

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