INVENTIONS AND ENVIRONMENTAL ISSUES

PATENT AND HUMAN RIGHTS

Inventions and Environmental Issues

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"Development from inventions are necessary but not at the cost of depletion of natural resources and global Pollution."

And

"Mahatma Gandhi's words that there is enough in nature to satisfy man's needs but not greed says it all,"

1. Introduction

The relationship between human rights and contributions to knowledge has been at the centre of important debates over the past several years. The International Covenant on Economic, Social, and Cultural rights is in many ways the most crucial legal instrument through which the relationship between the two fields can be examined.[1] Firstly it recognize for instance the rights to health food, technology, which are some of the rights whose realization can be affected in developing countries that adopt or strengthen intellectual property rights framework based on the commitments they take under the TRIPS(Trade related aspects of Intellectual Property Rights)[2] or other intellectual property. Secondly, it recognizes at Article 15(1) C, the need to reward individuals and groups that make specific intellectual contributions that benefit society.[3]

Another dimension of this paper is that whether Intellectual Property Rights (IPR) is human rights. This questions turns on the interpretation of the human right to "the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author" enshrined in the Universal Declaration of Human rights(UDHR) adopted in1948, and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) adopted in1966.[4]

Since the beginning of these rights has been started with interpretations and further it was discussed that the protection of the moral and material interest of authors cannot be equated

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[1] Dr. Philippe Cullet,Human Rights and Intellectual Property Rights: Need for a new Perspective: at P.1

[2] The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS) is an international agreement administered by the World Trade Organization (WTO) that sets down minimum standards for many forms of intellectual property (IP) regulation as applied to nationals of other WTO Members.[1] It was negotiated at the end of the Uruguay Round of the General Agreement on Tariffs and Trade (GATT) in 1994.

[3] Ibid

[4] Intellectual Property and Human Rights Is the Distinction Clear Now? Policy Brief 3 at P.1

with IP protection, because IP rights are not fundamental and inalienable entitlements of the human person to the protection of moral and material interests of authors and the right to property in the UDHR.[5] Even if IP rights could be recognized as a form of property although property rights are excluded from the ICESCR[6] this latter argument fails to point out that IP rights lack the fundamental characteristics of human rights as they are established by legislative acts, limited I time and can be bought, sold or revoked.[7]

2. The Origin and intention of the Protection of moral and material interest of authors as a human right

The text of Art 27 of (UDHR) 1948 follows[8];

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific and its benefits.
2. Everyone has the right to the protection of the moral and material interest resulting from any scientific, literary or artistic production of which he is the author.

UDHR was more controversial than the right to freely participate in cultural life, or to share in scientific advancement and its benefits. And before drafting the UDHR scrutiny was done to adopt the Art 27 from the American Declaration of Rights and Duties of Man, which includes a provision on "author rights" and in Berne International Copy right Convention that enshrined the concept of author's "moral rights" International copyright law. Further coming into the inventions, According to the capability of the mind and genuine of the brain for an invention can be declared to inventory work of the inventor and remarked for his success on his work for which there should not be any duplication or present of on record document earlier. Then only it will lead to the Intellectual work of an Inventor for his invention.

3. Intellectual property and Intellectual Property Rights (IPR)[9]

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[5] The **Universal Declaration of Human Rights** (**UDHR**) is a declaration adopted by the United Nations General Assembly (10 December 1948 at Palais de Chaillot, Paris). The Declaration arose directly from the experience of the Second World War and represents the first global expression of rights to which all human beings are inherently entitled. It consists of 30 articles which have been elaborated in subsequent international treaties, regional human rights instruments, national constitutions and laws. The International Bill of Human Rights consists of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols. In 1966 the General Assembly adopted the two detailed Covenants, which complete the International Bill of Human Rights; and in 1976, after the Covenants had been ratified by a sufficient number of individual nations, the Bill took on the force of international law.
http://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights

[6] The **International Covenant on Economic, Social and Cultural Rights** (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966, and in force from January 3, 1976. It commits its parties to work toward the granting of economic, social, and cultural rights (ESCR) to individuals, including labour rights and the right to health, the right to education, and the right to an adequate standard of living. As of December, 2008, the Covenant had 160 parties.

[7] Ibid at P.2

[8] Intellectual Property and Human Rights Is the Distinction Clear Now? Policy Brief 3 at P.2

[9] Environmental Laws of India; C.P.R. Environmental Education Centre at P.60

Intellectual Property (IP) refers to creations of mind. For example, an invention, a new design, an article, literary and artistic work, symbols/trade marks for ultimate use in commercial and which are not available in the public domain are (IP).

Intellectual Property Rights are statutory rights and allow the creator(s) or Owner(s) of the intellectual property to exclude others from exploiting the same commercially for a given period of time. It allows the commercial exploitation themselves and by their assignees to get benefit from their work because of being the Creator(s)/Owner(s).

IPRs (Intellectual Property rights) are governed in accordance with the provisions of the corresponding legislation and can be monopolized and protected under the provisions of different Acts such as,

1. The Patent Act
2. The Designs Act
3. The Copyright Act
4. The Trademarks Act
5. The Information Technology Act
6. The Geographical Indication Act
7. Protection of Layout Design for Integrated Circuit Act
8. Plant Varieties Protection and Farmers Right Act.

4. What is Patent and it's Term (life)?

According to the section 2(m), Patents Act 1970, patent is an *exclusive monopoly right* granted by the government under the provisions of the patent laws for the discloser of the invention, for using his invention himself and/or by an authorized person(s) and preventing others from making, using and /or selling his invention for the term of a patent. After the expiry of the duration of Patent, anybody can make use of the Patent. The term of the Patent is 20 years from the date of filling. A patent gives an inventor the right to exclude all others from making, using, importing, selling or offering to sell his/her invention for up to 20 years without the inventor's permission. This gives the inventor the opportunity to produce and market his/her idea, or license others to do so, and to make a profit.[10]

4.1. Can an inventor manufacture and sell his Inventions?

Grant of Patent does not mean that the patentee (Inventor) can manufacture and sell all kinds of invention either himself or through authorized persons. For manufacturing and selling the invention the Patentee/inventor has to complete the formalities laid down by the laws in force. But he can definitely stop others from manufacturing and selling his patented invention. For example manufacturing and selling a drug, the patentee has to take a manufacturing license from the controller of drugs and has to complete other formalities required for manufacturing and selling the drug.

4.2. Are all inventions Patentable?

[10] H:\IPR 18-4-11\Money Lessons - Understanding Intellectual Property.hmt

No, all inventions are not patentable. According to the *Sections 3-4*[11], The Patents Act 1970) following inventions are not patentable. And some provisions of USPTO (United States Patent and Trade office) given below.

1. Laws of nature (wind, gravity). An invention which is contrary to well established natural laws.
2. Physical phenomena (sand, water)
3. Abstract ideas (mathematics, a philosophy) the mere discovery of a scientific principle or the formulation of an abstract theory e.g. the theory of relativity is not patentable.
4. Literary, dramatic, musical, and artistic works. (These can be copyright protected.)
5. The USPTO (United States Patent and Trademark Organization) will not patent perpetual motion machines as they are considered impossible.
6. The USPTO excludes the patenting of things useful solely in the utilization of special nuclear material or atomic energy for atomic weapons. Also anything designed for an illegal activity. (The entry of USPTO is here because India has signed in TRIPS agreement.)
7. A method of Agriculture or Horticulture
8. An invention if already known to the public or is in use
9. An invention if already patented anywhere in the world
10. If the Patent application is filed prior than yours (prior claiming) for the same invention.

4.3. Patentable inventions

Inventions which are:

1. Novel or New
2. Non-obvious - This means an invention must be sufficiently different. For example, the substitutions of one material for another, or changes in size, are ordinarily not patentable. So even if the invention you seek to patent has not exactly been made before, if the differences between it and the next similar thing already known are too obvious (too close to being the same) your patent will be refused.
3. Inventions which are useful. Your gadget (work) must do something and serve some practical purpose. And it must be able to perform its declared purpose.

5. Types of Patents

5.1. Three Basic Types of Patents[12]

[11] Except provisions coming under Sec 3 and 4 of the above Act (The Patent Act 1970) all other methods of inventions are Patentable.

[12] J:\IPR 18-4-11\Money Lessons - Patents and Inventions.mht

Utility patents protect useful processes, machines, articles of manufacture, and compositions of matter, or improvements to any of the above. Examples: fiber optics, computer hardware, medications.

Design patents guard the unauthorized use of new, original, and ornamental designs for articles of manufacture. The look of an athletic shoe, a bicycle helmet, and the Star Wars characters are all protected by design patents.

Plant patents are the way from one protects invented or discovered asexually reproduced plant varieties. Hybrid tea roses, Silver Queen corn, Better Boy tomatoes are all types of plant patents. One can file for both a ***utility*** and a ***design*** patent for the different aspects of the same invention**.**Mainly Patents may be divided into two kinds (1) ***Product Patents*** and ***Process Patents*****.** [13]This includes the three basic patents given above altogether.

5.1. 2. Product Patents

A product patent provides monopoly rights to the patentee for restricting others from manufacturing or producing the same product by any means. It relates to the design and utility patents also.

5.1.3. Process Patents

A process patent provides monopoly rights to the patentee to restrict others manufacturing the product by the same process for which he has got a Patent. It mainly relates to the Utility patents.

6. Patents for Inventions

The provisions on patents for inventions of the TRIPS Agreement define, to a large extent, the legal conditions applicable to genetic resources and TK.[14] The provisions of the TRIPS Agreement considerably enhance the protection for breeding and genetic engineering, and have changed the legal relationship between genetic resources and TK on the one hand, and newly appropriated technological advances on the other. They are of considerable significance not only for the chemical and pharmaceutical industries, but also for all other sectors with active patent-oriented strategies. In the field of biotechnology, the limitation of patentability to microorganisms reflects the minimal consensus in a worldwide controversial discussion, which will continue as the present state of the law neither satisfies the long-term needs of the industry nor of developing countries.

6.1. General and special exemptions from TRIPS

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[13] Environmental Laws of India; C.P.R. Environmental Education Centre at P.61.

[14] Traditional knowledge (TK), indigenous knowledge (IK), traditional environmental knowledge (TEK) and local knowledge generally refer to the long-standing traditions and practices of certain regional, indigenous, or local communities. Traditional knowledge also encompasses the wisdom, knowledge, and teachings of these communities. In many cases, traditional knowledge has been orally passed for generations from person to person. Some forms of traditional knowledge are expressed through stories, legends, folklore, rituals, songs, and even laws. Other forms of traditional knowledge are often expressed through different means.

The TRIPS Agreement recognizes general exceptions from patenting in order to protect the *order public* and morality, including the protection of human, plant and animal life and health or to avoid serious prejudice to the environment. Importantly, exceptions can only operate if at the same time the Member prohibits commercial Exploitation of the product. On the other hand, it is not sufficient to preclude patenting only because the law prohibits the exploitation of the invention. Beyond these general exceptions, the TRIPS Agree meant recognizes special exemptions for which Members may qualify, Negotiations on these points were extremely difficult, And they resulted in what was considered a provisional solution. Plants and animals other than microorganisms, and essentially biological processes for the production of plants and animals, may be excluded from Patentability. But there is an obligation to grant patent protection of inventions relating to microorganisms and essentially biological processes. It entails an obligation to provide an effective *sui generis*[15] protection for plant varieties. Members may choose to operate under the UPOV[16] Convention. They may choose to design new and innovative schemes of protection, taking into account considerations of benefit sharing and access regulation under the CBD.[17]

Finally, they may, in addition, opt for special or general patent protection, either exclusively or in accumulation. We shall return to these distinctions in a close examination of patenting of life forms in different countries (see Section 2.4). Article 27.3(b) was meant to be of a provisional nature and the provision was subject to a review 4 years after the entry into force of the TRIPS Agreement in 1995.The review has not produced any substantive results.

6.2. Review in the Implementation of the TRIPS Agreement

TRIPS, in pursuing its work and programme including under the review of Article 27.3(b), review the implementation of the TRIPS Agreement under Article 71.1 and the work foreseen pursuant to paragraph 12 of this declaration, to examine, *inter alia*, the relationship. Between the TRIPS Agreement and the Convention on Biological Diversity, the protection of traditional knowledge and folklore, and other relevant new developments raised by Members pursuant to Article 71.1. In undertaking this work, the TRIPs Council shall be guided by the objectives and principles set out in Articles 7 and 8 of the TRIPS Agreement and shall take fully into account the development dimension.[18]

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[15] ***Sui generis*** is a Latin expression, literally meaning *of its own kind/genus* or unique in its characteristics. The expression is often used in analytic philosophy to indicate an idea, an entity, or a reality which cannot be included in a wider concept. http://en.wikipedia.org/wiki/Sui_generis.

[16] The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland). UPOV was established by the International Convention for the Protection of New Varieties of Plants. The Convention was adopted in Paris in 1961 and it was revised in 1972, 1978 and 1991. The objective of the Convention is the protection of new varieties of plants by an intellectual property right.

[17] The Convention on Biological Diversity (CBD), known informally as the Biodiversity Convention, is an international legally binding treaty.

[18] The Current Law of Plant Genetic Resources and Traditional Knowledge P.77 and 78.

7. Environmental issues from the Inventions and Solutions

7.1. Patent Rights Regimes over Biological Resources – India's Proposed Legislative Framework

India is in the process of implementing its obligations under the Biodiversity Convention and the TRIPS Agreement. The Biodiversity Bill, the Patents Amendment Bill and the Plant Variety Bill are currently under consideration in Parliament. All three will have significant impacts on the management of biological resources, in particular through the property rights regime they envision. Each of the bills has been drafted more or less independently even though they have overlapping concerns.

The resulting proposed regime is a direct reflection of the international obligations the bills seek to implement, including a reflection of the apparent contradictions between the Biodiversity Convention and the TRIPS Agreement. Indeed, India is caught in a situation where it is very difficult not to implement WTO related obligations but the Government would also like to preserve its control over the exploitation of biological resources. Further, in the course of the attempt to satisfy its international obligations and its desire not to lose control, the Government is proposing a regime which generally favours the private sector and the state to the detriment of most local managers of biological resources.

7.2. Human Rights and Intellectual Property Protection in the TRIPS Era

Human rights and intellectual property protection are two distinct fields that have largely evolved separately. Their relationship needs to be re-examined for a number of reasons. First, the impacts of intellectual property rights on the realization of human rights such as the right to health have become much more visible following the adoption of the TRIPS Agreement. Second, the increasing importance of intellectual property rights has led to the need for clarifying the scope of human rights provisions protecting individual contributions to knowledge. Third, a number of new challenges need to be addressed concerning contributions to knowledge, which cannot effectively be protected under existing intellectual property rights regimes.

This article examines the different aspects of the relationship between intellectual property rights, human rights, and science and technology related provisions in human rights treaties. It analyzes existing knowledge protection-related provisions in human rights treaties. It also examines some of the impacts of existing intellectual property rights regimes on the realization of human rights. Further, it analyzes the recently adopted General Comment 17 on Article 15(1) c of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and proposes an alternative broader reading of this provision focusing on traditional knowledge.

7.3. Technology Transfer in UNCED (United Nation Convention on Environmental development)

Although the Rio Earth Summit recognised that the transfer of environmentally sound technology (EST) was essential for to enable the South, there has since been little or no progress on this issue. The fact that the patents for such technologies are mainly held by TNCs in the North has also frustrated attempts by the South to develop such technologies independently. The main obstacle is the stringent intellectual property regime imposed by the TRIPs agreement under the WTO.

UNCED recognised that technology transfer was essential for developing countries. Indeed, it was one of the two critical cross-cutting issues in the North-South compact, the other being financial resources. In the UNCED process, the key issue in technology transfer was intellectual property rights. The South argued that IPRs had to be relaxed in the case of environmentally sound technology (EST), [19] for otherwise IPRs would hinder the South's access to such technology.

The Northern delegations were very sensitive on this point and refused to concede. Whilst agreeing that concessional terms should be encouraged for the transfer of ESTs, the Northern governments insisted that IPRs (such as patents) be applied and that an exception should not be made in IPR regimes on such technologies.

Finally, the Agenda 21 chapter on technology called for action to promote and finance the access to and transfer of environmentally sound technologies to developing countries on favourable (including concessional and preferential) terms. But it also says these terms must be 'mutually agreed' upon and also take into account the need to protect intellectual property rights.

7.4. IPRS AS OBSTACLES TO TRANSFER OF ENVIRONMENTAL TECHNOLOGY

Since Rio, there has also been little or no progress on facilitating the transfer of environmentally sound technology to the South. Instead, the international IPR regime has become much stricter, especially through the TRIPs Agreement in the WTO, which will have to be translated to policies and laws at national level. Evidence is also emerging that the IPR regime can prevent developing countries from having effective access to environmentally

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[19] **Environmentally Sound Technologies**

The definition of Environmentally Sound Technologies (ESTs) is based on Agenda 21, which arose from the UN Conference on Environment and Development (UNCED), otherwise known as the Earth Summit, held in 1992. Chapter 34 of Agenda 21 defines ESTs as technologies which:

- protect the environment;
- are less polluting;
- use all resources in a more sustainable manner;
- recycle more of their wastes and products; and
- handle residual wastes in a more acceptable manner than the technologies for which they are substitutes.

ESTs are therefore technologies that have the potential for significantly improved environmental performance relative to other technologies. Environmentally Sound Technologies for Sustainable Development, International Environmental Technology Centre Division of Technology, Industry and Economics United Nations Environment Programme at P.2 http://www.unep.or.jp/ietc/techtran/focus/SustDev_EST_background.pdf

sound technologies (ESTs). Holders of the patents to these technologies, which are usually Northern-centered TNCs,[20] can refuse to grant permission to companies in the South to use the technologies, even if they are willing to pay market prices; or else the technologies may be made available at high prices (due to the monopoly enjoyed by the patent holders). Companies in the South may not afford to pay at such prices, and if they do their competitiveness could be affected. As a result, developing countries may find difficulties in meeting their commitments to phase out the use of polluting substances under international environment agreements. Third World firms find it difficult or impossible to have access to substitutes for chlorofluorocarbons (CFCs), chemicals used in industrial processes as a coolant, that damage the atmosphere's ozone layer. This hinders the South's ability to meet commitments under the Montreal Protocol, which obliges countries to phase out the use of CFCs and other ozone-damaging substances by certain target dates. According to the Indian Commerce Ministry, developing countries like India that manufacture products (such as refrigerators) with CFCs are finding it very difficult to phase out the use of these substances because of the lack of access to environmentally acceptable substitutes controlled by Northern multinationals.

7.5. Risks for the Indian Companies

There are five Indian companies that are major manufacturers of products that depend on the use of CFCs and must phase these out by 2010. However, the pledged technology transfer on fair and most favourable terms has not materialised. Three of the Indian companies formed a consortium to commission a local institute of technology to produce a substitute for **CFCs.** The research is at an advanced stage and India now has a real possibility of locally producing the substitute substance**, HFC 134a.** [21] However, the implementation of this plan faces a major obstacle because patent rights to the substitute are held by a few multinational companies. Some of the Indian companies are willing to pay the market price or even higher for the technology. But a multinational holding the patent has refused to license it unless it can take a majority stake in the companies' equity.

This example shows how much the developing countries have been put on the spot. By joining international environmental agreements they commit themselves to change their economic policies or production methods. Financial aid and technology transfer on fair and most favourable terms are promised during the hard negotiations, to persuade the South

[20] Transnational corporations, those corporations which operate in more than one country or nation at a time -- have become some of the most powerful economic and political entities in the world today. From Joshua Karliner, in his book, , we can gleam a host of fundamental realizations, including the fact that many of these companies have far more power than the nation-states across whose borders they operate. *The Corporate Planet: Ecology and Politics in the Age of Globalization* [Sierra Club Books, 1997]. http://www.halexandria.org/dward318.htm

[21] HFC-134a, is a haloalkane refrigerant with thermodynamic properties similar to R-12 (dichlorodifluoromethane), but with less ozone depletion potential. It has the formula CH_2FCF_3, and a boiling point of −26.3 °C (−15.34 °F) at atmospheric pressure.

countries to sign on. Then, when the agreements come into force, the funds are far from the promised level, and technology transfer fails to materialise. Meanwhile in another forum like the WTO, other treaties such as TRIPs are negotiated which produce an opposite effect, i.e. to block the South's access to environmental technology. Yet, when the time comes, the South can be expected to be pressured or coerced to meet their full obligations. There is thus an unfair imbalance. The North does not follow its obligation to help the South, but the South has to meet its commitments, which because of the lack of aid and technology will cause economic dislocation. One remedy being proposed by some public interest groups and developing countries is to change the international laws on patents so that the full weight of IPRs is not applied to environmentally sound technology.

7.6. Ecosystems Integrity

Development can be described as a complex process of purposeful change in the attitudes, behaviours, and institutions of human societies. An ecological viewpoint is essential to any valid concept of development because the development process itself is inherently ecological. In other words, it is a process of purposeful change in the systematic interrelationships of living and inanimate things as they have evolved and continue to evolve in a biosphere dominated by human society. Development, when based on incomplete initial assessment, may fail to achieve its objectives, and may also produce costly and damaging consequences. Conversely, although development may attain its goal, the process of attainment may entail unforeseen harmful ecological side effects. Throughout the development process, ecological deterioration may coexist with technical success. Indeed, for some countries, quality of life and the possibilities of future opportunities may actually decrease as gross national product increases.

7.7. Trips and the Environment issues at WTO

In the WTO's Committee on Trade and Environment (CTE)[22], the 'TRIPs and environment' is being discussed, under two issues: (a) the relationship of TRIPs agreement to access to and transfer of technology and the development of environmentally sound technology; and (b) the relationship between the TRIPs agreement and MEAs (Means of Transport)which contain IPR-related obligations. A key issue, as defined by NGOs and some Southern governments, is an important clause in the TRIPs agreement relating to patentability and non-patentability of biological materials, i.e. the issue of 'patenting of life forms'. On patents, for technologies harmful to the environment, measures needed to discourage their global use may include exclusion from patentability (so that incentives are not given to generate such technologies) and ban of their use or commercial exploitation.

7.8. India proposes some points for environmentally beneficial Technologies

[22]The 1994 Ministerial Decision on Trade and Environment created the WTO's Committee on Trade and Environment (CTE), which is open to the entire WTO membership, with some international organizations as observers. The committee's mandate is broad, and it has contributed to identifying and understanding the relationship between trade and the environment in order to promote sustainable development. http://www.wto.org/english/tratop_e/envir_e/envir_e.htm

For environmentally beneficial technologies, to encourage their global use, and in cases where other measures for technology transfer are not possible, India proposes three points:

(a) Members may have to exclude from patentability to allow free production and use of such technologies as are essential to safeguard or improve the environment. Such exclusion is not incompatible with TRIPs and may have to be incorporated through a suitable amendment;

(b) For currently patented technologies, Members may revoke patents already granted, if this is done in consonance with the Paris Convention and must be subject to judicial review;

(c) To encourage the use of environmentally beneficial technology, Members should be allowed to reduce the term of patent protection from the present minimum of 20 years to say 10 years, 'so as to allow free access to environmentally-beneficial technologies within a shorter period'.

7.9. Trips and Biological Materials

Another key aspect of technology transfer and IPRs is the TRIPs provision in relation to biological materials. It requires governments to afford patent protection for microorganisms and biological processes involving them, which include genetic engineering processes and genetically engineered animals and plants. It also requires that intellectual rights on plant varieties be protected either through patenting or an 'effective sui generis system of protection'. This raises concerns that the knowledge of Third World farmers and indigenous communities that has mainly contributed to the development of crops and the use of plants will not be legally recognised, whilst the corporations which genetically engineer biological resources will be unfairly rewarded.

8. Conclusions

For every invention the Requirements of all contradictory issues are to be foreseen and pretended that it should not become the peculiar and frivolous inventions that would harm the human and environment at the same time. And also the main and specific agenda is that according to the TRIPs Agreement the need of inventions are necessary for a development of a Country but it should handled without care while coming into the issues Intellectual Property Rights of an Patentee and also the Human Rights. Therefore as we see that the Conventions on Biological Diversity and Environmental Development, Sustainable Development are taken as the main agenda. For every inventions there will be some Environmental issues that should be considered as a main frame and it should be solved accordingly to the norms and legal strategies to minimize the losses and benefit the environment more with extended scientific researches to make environment healthy and pollution free for the present and future generations as main concept this Article.