

THE COMPREHENSION OF CREATIVITY IN THE CONTEXT OF INTELLECTUAL PROPERTY LAW

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ABSTRACT: *Intellectual property laws seek to secure and enforce the rights over the creative outcomes of the mental capacity of human being. The regimes of intellectual rights take on multifarious social and economic functions most significant of which is holding the balance between social benefit and the right holder's benefit meanwhile not impeding the ambition for further creativity. Tough, the promotion of creativity demonstrates a universal objective of IP laws; legal scholarship tends to abstain from elaborating this phenomenon. Yet, beyond any doubt, the cognition of creativity is equally important as intellectual property law and policy making in order to go beyond the generic statement that IP laws aim to promote creativity. This study, therefore, aimed at describing the creativity notion within the legal context in consideration of various psychological, social and economic perspectives. The study, in this way, seeks to discuss outstanding theories as to the justification of intellectual property rights and their relevance to existing IP regimes. Secondly, to mention the general perception of creativity and the nature of creative activities on the basis of contemporary businesses and industries. Finally, in a bigger picture, we tend to illustrate the impact that IP laws figure over creativity.*

KEYWORDS: *intellectual property, creativity, justification theories of IP rights, promotion of creativity*

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