



INDIAN JOURNAL OF  
LEGAL REVIEW

VOLUME 5 AND ISSUE 12 OF 2025

INSTITUTE OF LEGAL EDUCATION



## INDIAN JOURNAL OF LEGAL REVIEW

APIS – 3920 – 0001 | ISSN – 2583-2344

(Open Access Journal)

Journal's Home Page – <https://ijlr.iledu.in/>

Journal's Editorial Page – <https://ijlr.iledu.in/editorial-board/>

Volume 5 and Issue 12 of 2025 (Access Full Issue on – <https://ijlr.iledu.in/volume-5-and-issue-12-of-2025/>)

### Publisher

Prasanna S,

Chairman of Institute of Legal Education

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 73059 14348 – [info@iledu.in](mailto:info@iledu.in) / [Chairman@iledu.in](mailto:Chairman@iledu.in)



ILE Publication House is the  
**India's Largest**  
**Scholarly Publisher**

© Institute of Legal Education

**Copyright Disclaimer:** All rights are reserve with Institute of Legal Education. No part of the material published on this website (Articles or Research Papers including those published in this journal) may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher. For more details refer <https://ijlr.iledu.in/terms-and-condition/>

## A CRITICAL STUDY ON UNFAIR TRADE PRACTICE: EXAMINING THE IMPACT OF DOHA DECLARATION ON GLOBAL EQUITY

**AUTHOR** – JENAGA VARSHINI B, STUDENT AT SAVEETHA SCHOOL OF LAW, SAVEETHA INSTITUTE OF MEDICAL AND TECHNICAL SCIENCES (SIMATS), SAVEETHA UNIVERSITY, CHENNAI- 600 077.

**BEST CITATION** – JENAGA VARSHINI B, A CRITICAL STUDY ON UNFAIR TRADE PRACTICE: EXAMINING THE IMPACT OF DOHA DECLARATION ON GLOBAL EQUITY, *INDIAN JOURNAL OF LEGAL REVIEW (IJLR)*, 5 (11) OF 2025, PG. 77-96, APIS – 3920 – 0001 & ISSN – 2583-2344.

### ABSTRACT

Unfair trade practices (UTPs) refer to deceptive, fraudulent, or unethical business conduct that distorts competition and harms consumers. The Doha Declaration, adopted during the WTO Ministerial Conference in 2001, primarily focused on public health, trade flexibility, and fair trade practices, particularly concerning intellectual property rights under the TRIPS Agreement. **The aim of the research** paper is to conduct a critical study of unfair trade practices, with a special focus on the Doha Declaration and its impact on global trade regulations, intellectual property rights (IPR), and access to essential goods, especially pharmaceuticals. **The objective** is to examine the concept and types of unfair trade practices in international trade, To analyze the role of the Doha Declaration in addressing unfair trade practices, with a focus on public health and intellectual property rights. **The methodology** of the research is that, This empirical study collected data from 211 respondents in Chennai using convenience sampling. Key variables included age, gender, education, and occupation. The study used cluster graphs, ANOVA, and chi-square tests to assess the necessity of unfair trade protection in ensuring fair and safe trade between consumers and sellers. **The Findings** of the study is that despite the Doha Declaration's intent to promote fair trade, unfair practices persist due to corporate influence, weak enforcement. In the pharmaceutical sector, TRIPS-related patent protections have increased drug prices, limiting access to essential medicines, while developing countries face legal and economic barriers in utilizing compulsory licensing. **The conclusion is** that while the Doha Declaration was a significant step toward addressing unfair trade practices, medicines, as developing nations face economic and political barriers when attempting to use compulsory licensing.

**KEYWORD** :Doha Declaration, Unfair Trade Practices, Trade Regulations, Property Rights, Global Equity.

### INTRODUCTION:

Unfair trade practices encompass a range of unethical business tactics, including price manipulation, anti-competitive behavior, false advertising, and intellectual property rights (IPR) violations. The Doha Declaration was a landmark agreement that emphasized the need for a fair and equitable trade system, particularly in the pharmaceutical sector. Unfair trade practices (UTPs) refer to unethical, deceptive, or anti-competitive business tactics that distort the market and harm consumers,

businesses, and economies. These include false advertising, monopolistic behavior, price manipulation, intellectual property rights (IPR) violations, and trade restrictions. In an increasingly globalized economy, UTPs have emerged as a major concern, affecting international trade and economic development. It emphasized the need for flexibility in implementing the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, particularly to improve access to essential medicines in developing countries.

## EVOLUTION:

Before the Doha Declaration, trade policies were primarily designed to protect business interests, often at the cost of consumer welfare. Developed nations and multinational corporations (MNCs) exert significant control over global trade, leading to High costs of essential medicines due to patent monopolies, Limited trade access for developing countries, Inequality in tariff and non-tariff barriers.

## GOVERNMENT INITIATIVES:

Several international and national initiatives have been implemented to regulate and control unfair trade practices. Globally, institutions like the World Trade Organization (WTO) enforce trade regulations, while agreements like TRIPS and GATT (General Agreement on Tariffs and Trade) work to create a fair trade environment. Additionally, the United Nations Conference on Trade and Development (UNCTAD) provides support to developing nations to achieve trade equality. At the national level, countries have introduced legal frameworks to combat UTPs. India, for example, has implemented The Competition Act, 2002, which prevents anti-competitive practices, and The Patents Act, 1970 (Amended 2005), which allows for the production of generic medicines through compulsory licensing. Similarly, The Consumer Protection Act, 2019 addresses misleading advertisements and unfair pricing tactics, ensuring better consumer protection.

## FACTORS AFFECTING THE TOPIC:

Several factors influence the prevalence of unfair trade practices in global markets. Economic factors, such as market monopolization and price manipulation, allow large corporations to dictate trade terms and restrict competition. Legal and regulatory factors, including weak enforcement mechanisms and strict patent laws, often prevent fair access to goods and services. Technological factors have introduced new challenges, especially in e-commerce, where digital platforms engage in unfair pricing

strategies and counterfeit product sales. Additionally, social and ethical factors like low consumer awareness and weak corporate social responsibility (CSR) initiatives further contribute to unfair trade practices. Addressing these factors requires a combination of strict regulations, ethical business conduct, and increased consumer education.

## CURRENT TRENDS :

Unfair trade practices continue to evolve in response to global events and technological advancements. The COVID-19 pandemic exposed major vulnerabilities in international trade, leading to export restrictions on essential medical supplies and vaccine hoarding by developed nations. The pharmaceutical industry has also been at the center of debates, with many countries advocating for a temporary waiver of TRIPS protections to ensure vaccine equity. Additionally, the rise of digital trade has brought concerns over data privacy, monopolistic behavior by tech giants, and AI-driven price discrimination. Furthermore, a growing trend of protectionism, where countries impose tariffs and subsidies to protect domestic industries, has led to an increase in trade disputes. P

## COMPARISON:

The study is compared with **CPTPP - Comprehensive and progressive Agreement for Trans- pacific Partnership**. While the Doha Declaration prioritizes public health and access to medicines, the CPTPP strengthens corporate patent protections, often limiting access to affordable generics in developing countries. This study highlights that while the Doha Declaration was a major step towards trade justice, continued vigilance is required to prevent unfair trade practices from reversing its progress. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is a free trade agreement among 11 Asia-Pacific countries, signed in 2018 as a revised version of the Trans-Pacific Partnership (TPP) after the U.S. withdrawal. It aims to promote trade liberalization by reducing tariffs

and strengthening intellectual property (IP) protections, including extended patent terms, stricter data exclusivity, and limitations on compulsory licensing. However, these provisions often favor multinational pharmaceutical companies over public health interests, restricting access to affordable generic medicines. In contrast, the Doha Declaration (2001) under the WTO prioritizes public health over patent rights, allowing developing nations to issue compulsory licenses and import cheaper drugs. Thus, while the Doha Declaration supports global equity in medicine access, the CPTPP reinforces corporate control, potentially undermining these public health safeguards.

**THE AIM:** This research paper aims to conduct a critical study of unfair trade practices, with a special focus on the Doha Declaration and its impact on global trade regulations, intellectual property rights (IPR), and access to essential goods, especially pharmaceuticals.

#### OBJECTIVES:

- To examine the concept and types of unfair trade practices in international trade.
- To analyze the role of the Doha Declaration in addressing unfair trade practices, with a focus on public health and intellectual property rights.
- To evaluate the effectiveness of WTO regulations in ensuring fair trade.

#### REVIEW OF LITERATURE:

**Hoekman & Kostecky (2001) – The Political Economy of the World Trading System:** The study **aimed** to analyze the evolution of global trade regulations and their impact on developing economies, particularly in relation to the WTO framework. The authors **found that** trade liberalization under WTO agreements had led to increased market access for developing countries but also created challenges due to strict intellectual property laws. They highlighted how developed nations imposed trade barriers through non-tariff measures and monopolistic control over essential goods, particularly in the

pharmaceutical sector. Hoekman and Kostecky **concluded that** while WTO regulations were designed to promote fair trade, their implementation often favored wealthier nations, leading to inequality in global markets. They argued for more flexible trade policies to ensure developing countries benefit equitably from globalization.

**Gadbaw (2001) – The Political Economy of Intellectual Property Protection: Aimed To** explore the power dynamics in global intellectual property rights (IPR) negotiations and their effects on developing economies.

**Findings** are Developed countries used trade-related IP laws as a bargaining tool, The TRIPS Agreement placed high compliance burdens on developing nations, Multinational corporations (MNCs) influenced global IP policies to maintain monopolies. The study **concluded** that IPR enforcement favored developed nations and contributed to unfair trade practices, requiring policy reforms.

**Correa (2002) – Implications of the Doha Declaration on the TRIPS Agreement and Public Health:** This study **aimed** and examined the legal and economic implications of the Doha Declaration on TRIPS and Public Health, particularly its impact on access to medicines in developing countries.

Correa **found that** the Doha Declaration marked a significant shift in international trade policy by prioritizing public health over patent rights. The study highlighted how the declaration allowed for compulsory licensing, enabling countries to produce generic versions of patented drugs without the patent holder's consent during public health crises. The research **concluded that** the Doha Declaration partially addressed concerns about access to medicines but required stronger enforcement mechanisms. Correa **suggested that** developing countries needed legal and institutional support to implement the flexibilities granted under TRIPS effectively.

**Maskus (2003) – Intellectual Property Rights in the Global Economy:** Maskus **aimed to** explore the impact of intellectual property rights (IPR)

enforcement on international trade and economic development. The study **found that** while strong IPR protections encouraged innovation, they also created barriers to market entry for developing nations, particularly in the pharmaceutical and technology sectors. The research highlighted price monopolies as a key unfair trade practice, where patent holders set excessively high prices for essential products. Maskus **concluded that** the global IPR system disproportionately favored developed nations, restricting access to essential goods. The study recommended a balanced approach to IPR enforcement, allowing for flexibility in patent laws while ensuring fair competition.

#### **Matthews (2005) – WTO Decision on Intellectual Property and Access to Medicines:**

The study **aimed to** examine the effectiveness of the Doha Declaration's provisions on access to essential medicines, particularly in developing countries. Matthews **found that** while the Doha Declaration reaffirmed the right of WTO members to issue compulsory licenses, many developing countries lacked the legal expertise and institutional capacity to take advantage of these provisions. The study also **found that** pharmaceutical companies used legal tactics to delay or challenge compulsory licensing efforts. The research **concluded that** while the Doha Declaration was a step forward, its impact was limited by legal and economic barriers faced by developing nations. Matthews **suggested that** international support mechanisms should be developed to help countries navigate WTO rules and enforce fair trade policies.

#### **Stiglitz (2006) – Making Globalization Work:**

This study **aimed** and analyzed the impact of globalization on developing countries, focusing on trade inequalities and unfair business practices. Stiglitz found that global trade agreements often favored multinational corporations, allowing them to exploit patent laws, manipulate prices, and impose restrictive trade policies. He **highlighted** how pharmaceutical companies used TRIPS regulations to maintain monopolies, limiting

access to life-saving drugs. The study **concluded that** developing nations needed stronger negotiation power within WTO frameworks to ensure fair trade practices. Stiglitz advocated for greater trade flexibility, stricter regulations against monopolies, and stronger consumer protection policies.

#### **Chaudhuri, Goldberg & Jia (2006) – Estimating the Effects of Global Patent Protection in Pharmaceuticals: Aimed To**

analyze the impact of pharmaceutical patent laws on drug pricing and availability. Patented drugs cost 3-5 times more than generics, Compulsory licensing reduced medicine prices by up to 90%. Developing nations struggled to utilize TRIPS flexibilities due to legal pressure. The study **concluded that** stronger domestic policies were needed to fully leverage TRIPS flexibilities.

#### **Sell (2008) – The Global IP Upheaval after the Doha Declaration:**

Sell's study **aimed to** assess the changes in global intellectual property (IP) policies after the adoption of the Doha Declaration. The research **found that** while the declaration allowed developing countries to issue compulsory licenses, pressure from multinational corporations and developed nations often hindered their implementation. The study also **found that** countries like India and Brazil successfully used compulsory licensing to manufacture generic medicines, but faced legal challenges from pharmaceutical giants. Sell **concluded that** corporate lobbying and geopolitical pressures limited the effectiveness of the Doha Declaration. The study **recommended** stronger WTO enforcement mechanisms and support for developing nations to counteract unfair trade practices.

#### **Hoehn (2009) – The Global Politics of Pharmaceutical Patents: Aimed To**

analyze how WTO and TRIPS policies influenced pharmaceutical access. Developed countries used trade threats to discourage compulsory licensing. Some nations, like Brazil, successfully challenged patent laws to produce generics. WTO dispute resolution mechanisms often

avored wealthy nations. **Conclusion** is that The study called for global patent pooling systems to increase affordability.

**Shaffer & Brenner (2010) – Winning the Battle over Intellectual Property and Development:**

This study **aimed** and examined the role of developing nations in influencing WTO trade negotiations, particularly in shaping IPR policies. Shaffer and Brenner **found that** despite initial resistance, developing countries had gained more influence in trade negotiations after the Doha Declaration. They successfully advocated for greater access to medicines and fairer trade conditions. However, developed nations continued to introduce stricter bilateral trade agreements that undermined the benefits of the Doha Declaration. The study **concluded** that while Doha was a victory for developing nations, the battle for fair trade was far from over. The authors suggested stronger alliances between developing countries and increased participation in WTO policy-making to counteract unfair trade agreements.

**Sandra(2011):** Made a study on unfair trade practice in Indian markets. **The aim of** study was made to find the effect of unfair trade practices in two sectors. The study also **found that** countries like India and Brazil successfully used compulsory licensing to manufacture generic medicines, but faced legal challenges from pharmaceutical giants. A questionnaire was passed to general peoples and a total of 200 samples was collected. This study **found out** that uncertain practices are also spreading in the food sector of the primary sector.

**Moon (2011) – Innovations in Global Health Governance: Doha to the Medicines Patent Pool: Aimed To**

explore the role of the Medicines Patent Pool (MPP) in improving access to generic drugs. **Findings** are MPP allowed generic manufacturers to produce low-cost HIV/AIDS drugs, The Doha Declaration's impact was limited due to corporate legal challenges, Governments needed stronger political will to use TRIPS flexibilities effectively. **Conclusion** is that The study found that voluntary licensing

models like MPP helped mitigate unfair trade practices.

**Pogge (2013) – Pharmaceutical Innovation and Global Justice:**

Pogge **aimed to** explore the ethical and economic implications of pharmaceutical patents in international trade. The study **found that** patent monopolies allowed pharmaceutical companies to set high drug prices, making essential medicines unaffordable for low-income populations. Pogge also highlighted how unfair trade practices, such as price discrimination and market exclusivity, restricted access to generic drugs. The research **concluded that** the current global patent system was ethically flawed and needed reform. Pogge advocated for alternative models of drug innovation, such as publicly funded research and global patent pools to ensure equitable access to medicines.

**Sharad Vadehra(2014):** The author talks about the lack of a global standard definition of "unfair trade practices". However, he notes that a broad definition of unfair trade practices refers to fraudulent, deceptive, or unfair trade Unfair Support. Next, we discuss the history of "unfair trade practices" beginning with the Monopoly and Restrictive Trade Practices Act in and enacted until 2002 to prevent monopoly and restrictive trade practices. Subsequently, in 2002, Competition Act replaced MRTP and the Unfair Trade Practices section was transferred from MRTP to Consumer Protection Act 1986 KOPRA. Finally, the author uses an example to illustrate the benefits of this legal framework

**Drahos (2016) – Intellectual Property, Trade, and Development:**

Drahos **examined** the long-term impact of TRIPS and the effectiveness of Doha Declaration provisions on trade fairness. The study **found that** while developing countries had gained legal flexibilities under the Doha Declaration, enforcement remained weak. Many governments struggled with legal challenges from corporations and lacked resources to implement fair trade regulations effectively. Drahos concluded that trade fairness required greater political commitment, stronger dispute

resolution mechanisms within the WTO, and increased global cooperation. The study **recommended** international support for developing countries to strengthen regulations and combat unfair trade practices.

**Venkatesan .p (2017)** : This study **Aimed at** the gender dimensions of unfair trade practices experienced by women entrepreneurs in Chennai, focusing on challenges such as discrimination, harassment, and unequal access to markets It **examines** the intersection of gender, class, and caste in shaping women's experiences of unfair trade practices and their strategies for coping with and resisting exploitation The study offers **recommendations** for gender-sensitive policies and interventions to promote equitable economic opportunities for women entrepreneurs in Chennai.

**Kumar & Balakrishnan (2018) – Compulsory Licensing in the Indian Pharmaceutical Industry: Challenges and Prospects:** This study **aimed to** evaluate the implementation of compulsory licensing in India, assessing its impact on access to essential medicines and the broader implications for the pharmaceutical industry. Kumar and Balakrishnan **found that** compulsory licensing had improved access to affordable drugs in India. However, they also highlighted significant challenges, including legal disputes with multinational companies and pressure from international trade partners. The study underscored the complex balance between protecting intellectual property and ensuring public health. The authors **concluded that** while compulsory licensing under the Doha Declaration had delivered tangible benefits, clearer guidelines and stronger legal support were necessary to overcome external pressures and fully harness its potential.

**Hemalatha.s (2018):** This literature review **analyses** the role of civil society organisations (CSOs) in Chennai in advocating for consumer rights and combating unfair trade practices. It examines the strategies adopted by CSOs to raise awareness about consumer protection

laws, provide legal assistance to victims of unfair trade practices, and engage with policymakers and regulatory authorities. The review assesses the challenges faced by CSOs in mobilising resources and sustaining advocacy efforts and identifies opportunities for strengthening collaboration between CSOs, government agencies, and other stakeholders in addressing unfair trade practices in Chennai.

**Jain & Rao (2019) – Evaluating Trade Fairness in the Digital Age: Implications for Intellectual Property Rights:** Jain and Rao **aimed to** explore the evolving landscape of intellectual property rights in the digital era and its implications for trade fairness, particularly as digital markets introduce new challenges to traditional trade practices. The study **found that** digital platforms have significantly altered the enforcement of IPR. Although the principles underlying the Doha Declaration remained relevant, their application in the digital space required considerable adaptation. Jain and Rao **concluded that** international trade frameworks must evolve to address the nuances of the digital economy. They recommended incorporating digital-specific provisions into trade agreements to ensure fair competition and robust consumer protection in online marketplaces.

**Rajan .v (2020)** : This literature review **explores** community-based approaches to addressing unfair trade practices in peri-urban areas surrounding Chennai, where informal settlements and marginalised communities are disproportionately affected by exploitative labour practices, environmental degradation, and land grabbing It **examines** initiatives led by community organisations, non-governmental organisations (NGOs), and grassroots movements to empower local residents, build solidarity networks, and advocate for policy reforms The review discusses the potential of participatory research, community mapping, and social mobilisation strategies to strengthen resilience and resistance against unfair trade practices in Chennai's peri-urban areas.

**Baker (2020) – TRIPS Flexibilities and the Global Response to COVID-19:** Baker's study **aimed** and investigated the role of TRIPS flexibilities in ensuring access to COVID-19 vaccines and treatments. The study **found that** while the Doha Declaration allowed for compulsory licensing, many developing countries faced pressure from pharmaceutical companies and developed nations to avoid using these provisions. Baker **concluded that** the COVID-19 crisis exposed flaws in the global trade system and reinforced the need for stronger enforcement of trade fairness principles. The study suggested expanding TRIPS flexibilities and establishing a global framework for equitable drug distribution.

**Okafor (2021) – Global Trade Dynamics and Public Health: A Critical Analysis of the Doha Declaration's Legacy:** Okafor's study critically **examined** the long-term legacy of the Doha Declaration on global trade dynamics, with an emphasis on its impact on public health in low- and middle-income countries. The research **highlighted** that, although the Doha Declaration had facilitated greater access to essential medicines through compulsory licensing, its benefits were unevenly distributed. Enforcement challenges, coupled with geopolitical pressures, often undermined its potential. The study also noted that high-income countries and large corporations continued to influence trade policies in ways that limited the full realization of Doha's promises. Okafor **concluded that** while the Doha Declaration remains a landmark in trade policy, its effectiveness has been compromised by inconsistent enforcement and power imbalances. He recommended enhanced international cooperation and reform of WTO dispute mechanisms to better protect public health interests.

**Mehta (2022) – The Evolving Landscape of Unfair Trade Practices: From Doha to the Digital Era:** Mehta explored the transformation of unfair trade practices from the era of the Doha Declaration to the emerging challenges posed by the digital economy. The study **aimed to** assess whether traditional trade frameworks

are adequate in addressing modern, digital-related unfair practices. The study **revealed that** while traditional mechanisms like those introduced by the Doha Declaration were effective for regulating physical goods, they have not kept pace with the rapid evolution of digital commerce. Issues such as data privacy breaches, digital monopolies, and algorithmic pricing manipulation were identified as significant new challenges that fall outside the scope of conventional trade policies. Mehta **concluded that** the shift to a digital economy necessitates the development of new legal frameworks that incorporate the fairness principles of the Doha Declaration. The study called for digital trade regulations that ensure equitable access and protect consumers in an increasingly online marketplace.

**Nwankwo (2023) – Trade Equity in a Globalized World: Reassessing the Doha Declaration:** Nwankwo set out to reassess the effectiveness of the Doha Declaration in promoting trade equity over the past two decades, with a focus on its influence on policy reforms in developing regions, particularly Africa. The study **found that** while the Doha Declaration established an important foundation for equitable trade practices, progress has been uneven. Some regions have implemented significant reforms to improve access to essential goods, whereas others continue to struggle with weak legal frameworks and enforcement issues. Persistent disparities remain, largely due to differing levels of economic development and political will. Nwankwo concluded that achieving true trade equity requires ongoing evaluation and adaptation of trade policies. The study **recommended** targeted capacity-building initiatives, stronger regional cooperation, and enhanced support from international organizations to help developing countries fully leverage the flexibilities introduced by the Doha Declaration.

#### **METHODOLOGY:**

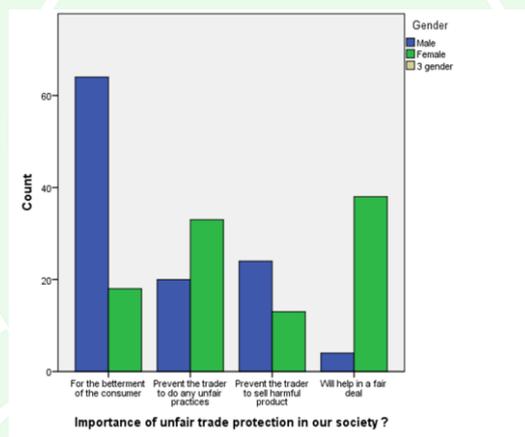
This research method followed here is **empirical research**, utilising both the primary and

secondary data sources. **Primary data** was collected through a **Structured questionnaire**. A total of **211 responses** have been collected where all the samples were collected through **convenience sampling method**. The sample framework was collected from the **public in and around Chennai**. **Secondary data** was sourced from books, journals, article, and electronic resources. A comparative approach has also been adopted, examining the topic in relation to legal frameworks in different countries.

**Independent variables** are age, gender, education qualification, occupation. The **dependent variable**, Why do you think that **ANALYSIS**

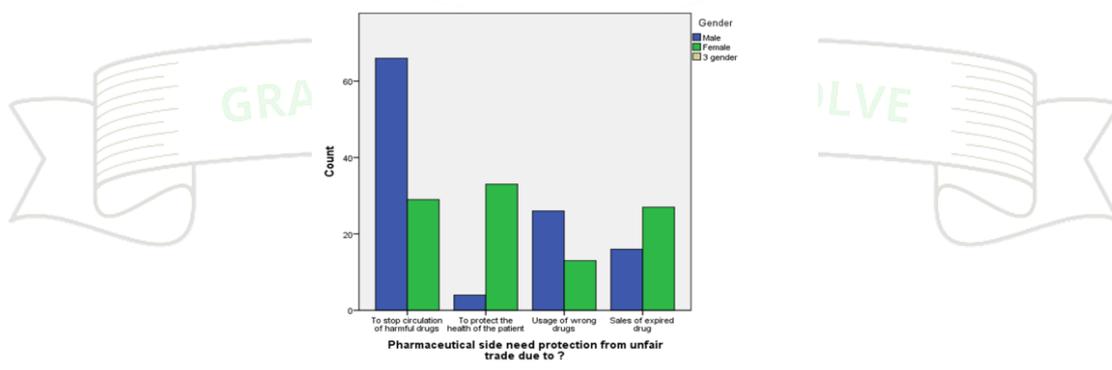
unfair trade protection is important in our society. Do you think unfair trade protection should be implemented in the pharmaceutical side. Pharmaceutical side needs unfair trade protection due to. On the scale of 1 to 10, rate your opinion on the trade protection in Chennai. Unfair trade protection is needed for good and safe trade between consumers and the seller. The statistical tools used in this research is **SPSS** (Statistical package for the social sciences), a widely used software for managing and analysing social science data. are cluster graph, **graphical representation, chi-square tests, correlation test and ANOVA Test** have been applied to insights.

Figure 1



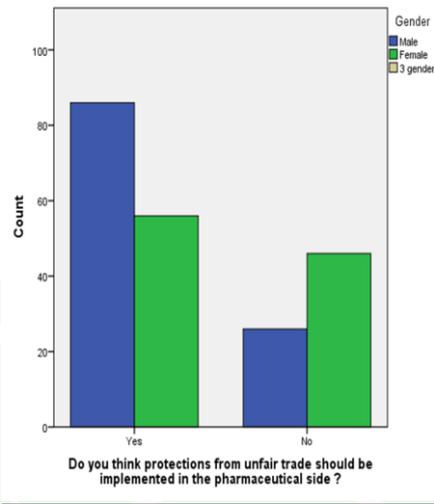
**Legend:** Figure 1 shows the respondent view on “importance of unfair trade protection in our society based on gender”

Figure 2



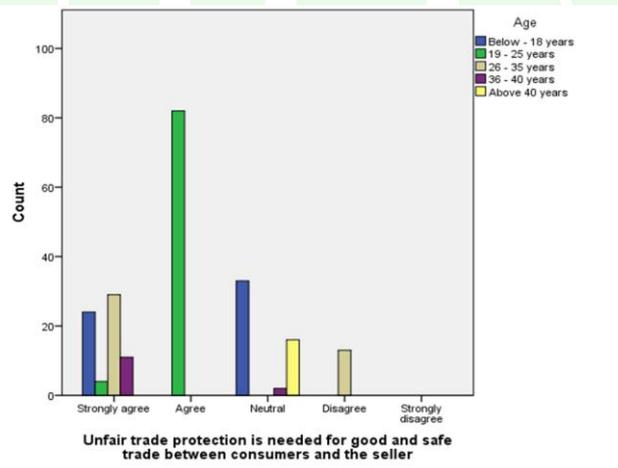
**Legend:** Fig 2 shows the respondent view on “pharmaceutical side need protection from unfair trade due to based on gender”

Figure 3



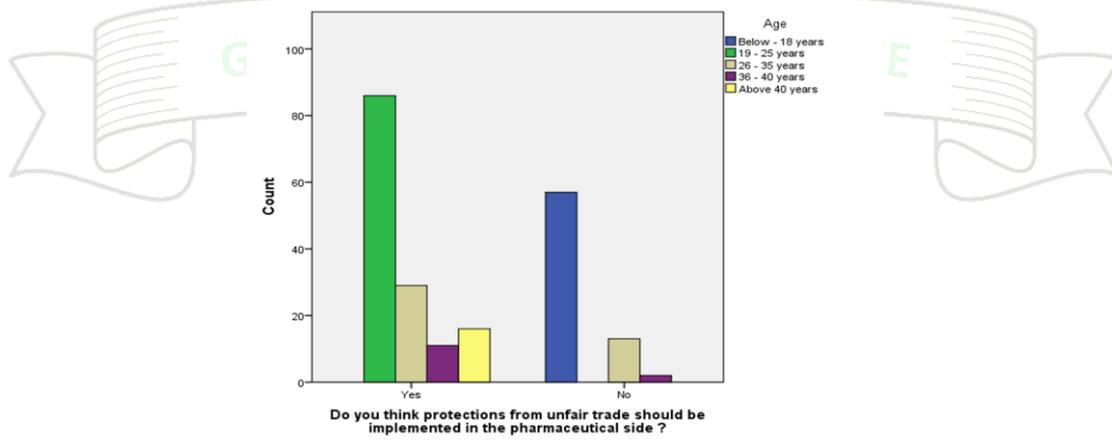
**Legend:** Fig 3 shows the respondent view on “ Pharmaceutical side need the unfair trade protection based age”

Figure 4



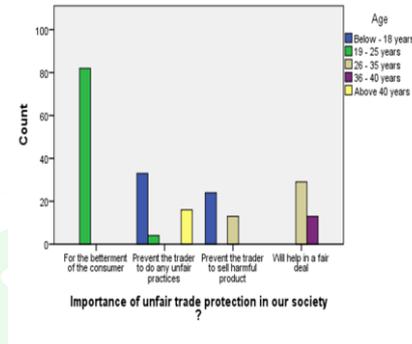
**Legend:** Fig 4 shows the respondent view on “ unfair trade protection is needed for good and safe trade between consumer and the seller based on age”

Figure 5



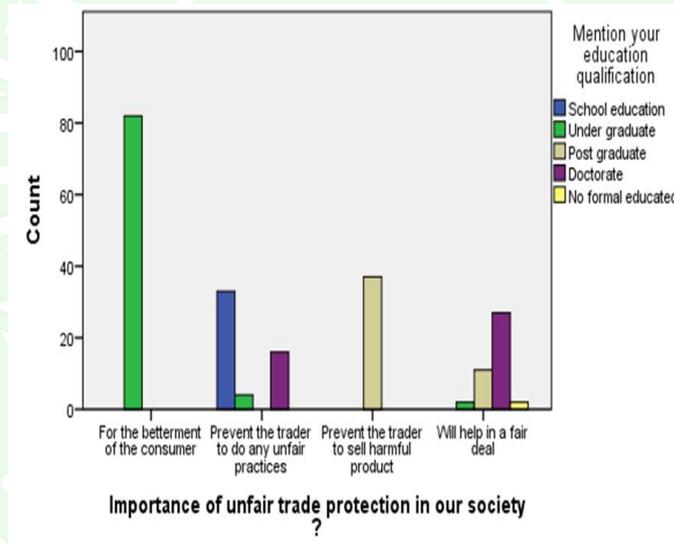
**Legend:** Fig 5 shows the respondent view on “ do you think protection from unfair trade should be implemented in the pharmaceutical side on age “

**Figure 6**



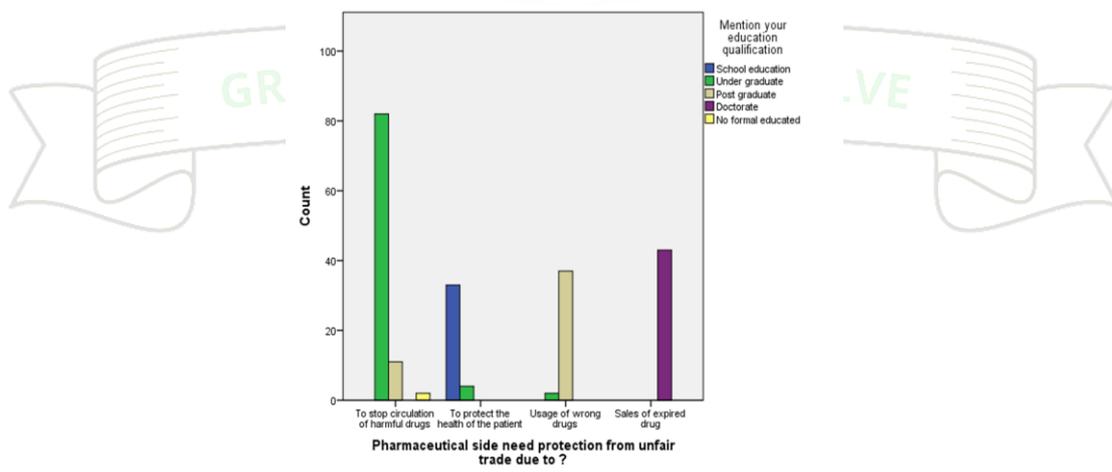
**Legend:** Fig 6 shows the respondent view on “ importance of unfair trade protection in our society based on age “

**Figure 7**



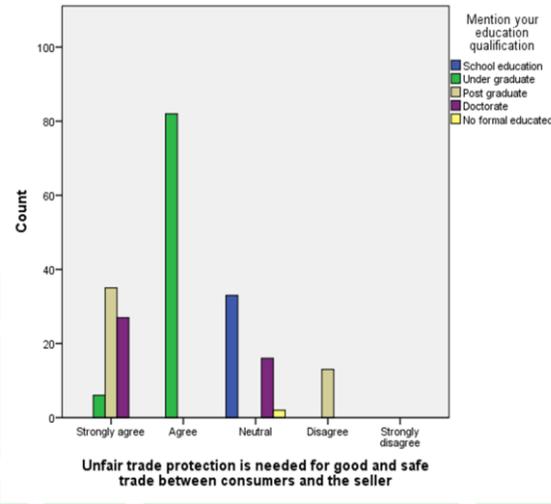
**Legend:** Fig 7 shows the respondent view on “ importance of unfair trade protection in our society based on education qualification “

**Figure 8**



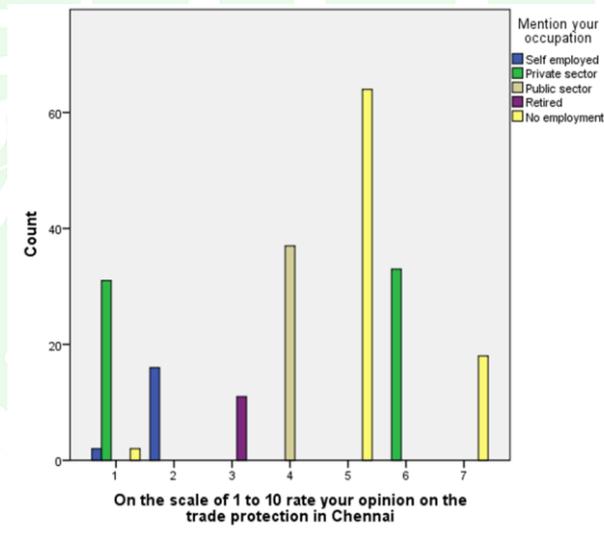
**Legend:** Fig 8 shows the respondent view on “ pharmaceutical side need protection from unfair trade due to based on education qualification “

**Figure 9**



**Legend:** Fig 9 shows the respondent view on “ unfair trade protection is needed for good and safe trade between consumer and seller based on education qualification “

**Figure 10**



**Legend:** Fig 10 shows the respondent view on “ on the scale of 1 to 10 rate your opinion on the trade protection in chennai based on occupation “

Figure 11

**ANOVA**

Mention your education qualification

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	186.077	3	62.026	414.519	.000
Within Groups	31.423	210	.150		
Total	217.500	213			

**Null hypothesis:** There is no significant difference between pharmaceutical side need protection from unfair trade due to education qualification .

**Alternative hypothesis:** There is a significant difference between pharmaceutical side need protection from unfair trade due to education qualification .

**Interpretation**

The calculated p value is 0.000 . Since the p value is <0.05 , null hypothesis is rejected so there is significant different so we can see that most of the respondent suggests that consumer protection is the important aspect in the pharmaceutical industry

Figure 12

**ANOVA**

Age

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	63.273	3	21.091	20.556	.000
Within Groups	215.461	210	1.026		
Total	278.734	213			

**Null hypothesis:** There is no significant difference between the importance of unfair trade practice in our society based on age .

**Alternative hypothesis:** There is a significant difference between the importance of unfair trade practice in our society based on age .

**Interpretation**

The calculated p value is 0.000 . Since the p value is <0.05 , null hypothesis is rejected so there is significant different so we can see that most of the respondent agreed that consumer projection is an important aspect of the society

Figure 13

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Mention your education qualification * Do you think protections from unfair trade should be implemented in the pharmaceutical side ?	214	100.0%	0	0.0%	214	100.0%

Mention your education qualification \* Do you think protections from unfair trade should be implemented in the pharmaceutical side ? Crosstabulation

Count		Do you think protections from unfair trade should be implemented in the pharmaceutical side ?		Total
		Yes	No	
Mention your education qualification	School education	0	33	33
	Under graduate	88	0	88
	Post graduate	11	37	48
	Doctorate	43	0	43
	No formal educated	0	2	2
Total		142	72	214

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	176.020 <sup>a</sup>	4	.000
Likelihood Ratio	221.669	4	.000
Linear-by-Linear Association	13.857	1	.000
N of Valid Cases	214		

a. 2 cells (20.0%) have expected count less than 5. The minimum expected count is .67.

**Null Hypothesis** : There is no association between protection of unfair trade practice should be implemented in pharmaceutical side with respect to education qualification

**Alternate Hypothesis** : there is association between protection of unfair trade practice should be implemented in pharmaceutical side with respect to education qualification

**Interpretation**

The calculated p value is 0.000 . Since the p value is <0.05 , null hypothesis is rejected at 5% level of significance . So there is a relation between protection of unfair trade practice should be implemented in pharmaceutical side with respect to education qualification

Figure 14

Case Processing Summary

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Age * Pharmaceutical side need protection from unfair trade due to ?	214	100.0%	0	0.0%	214	100.0%

Age \* Pharmaceutical side need protection from unfair trade due to ? Crosstabulation

Count

		Pharmaceutical side need protection from unfair trade due to ?				Total
		To stop circulation of harmful drugs	To protect the health of the patient	Usage of wrong drugs	Sales of expired drug	
Age	Below - 18 years	0	33	24	0	57
	19 - 25 years	82	4	0	0	86
	26 - 35 years	0	0	15	27	42
	36 - 40 years	13	0	0	0	13
	Above 40 years	0	0	0	16	16
Total		95	37	39	43	214

Chi-Square Tests

	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	353.840 <sup>a</sup>	12	.000
Likelihood Ratio	390.277	12	.000
Linear-by-Linear Association	28.843	1	.000
N of Valid Cases	214		

a. 6 cells (30.0%) have expected count less than 5. The minimum expected count is 2.25.

**Null Hypothesis** : There is no association between pharmaceutical side need protection from unfair trade due to based on age

**Alternate Hypothesis** : there is association between pharmaceutical side need protection from unfair trade due to based on education qualification age

**Interpretation**

The calculated p value is 0.000 . Since the p value is <0.05 , null hypothesis is rejected at 5% level of significance . So there is a relation between pharmaceutical side need protection from unfair trade due to education qualification age

**.RESULT**

**Figure 1**, it is clear that 21.15% of the male respondents chose for the betterment of the consumer and 22.15% female respondents chose to prevent the trade to do any unfair practices.

**Figure 2** it is clear that 31.2% of the male respondent chose to stop circulation of harmful drugs and most 35.5% of the female respondent chose sales of expired drugs .

**Figure 3** it is clear that most of the 25.5% male respondents choose yes and most 25.6% of the female respondent choose on the scale .

**Figure 4**, it is clear that most of the 23.4% 26 – 35 years respondent disagree on the scale and 32.3% below 18 years respondent strongly agree on the scale.

**Figure 5**, it is clear that most of the 23.60% 19 – 25 years choose yes and most of the 30.9% below 18 years respondent choose no.

**Figure 6**, it is clear that most of the 30 % 19 – 25 year for the betterment of the consumer and 24 % below 18 year choose prevent the trader to do any unfair practices.

**Figure 7**, it is clear that most of the 34 % undergraduate respondents choose for the betterment of the consumer and 14% postgraduate respondents choose to prevent the trader from selling harmful products.

**Figure 8**, it is clear that most of the 34 % undergraduates choose to stop the circulation of the harmful drug and most of the 36 % doctorate choose sale of expired drugs.

**Figure 9**, it is clear that most of the 21 % undergraduate choose agree and most of the 23% school education choose neutral.

**Figure 10**, most of the no employment choose 5 on the scale and most of the private sector 6 on the scale .

## DISCUSSION

**Figure 1**, the responses highlight distinct concerns among male and female respondents regarding consumer protection. Male respondents chose to focus on the betterment of the consumer, while a slightly higher percentage, female respondents emphasized the importance of preventing unfair trade practices. This suggests that while both genders are concerned with consumer welfare, women tend to prioritize safeguarding consumers from unfair practices a bit more than men. The males prioritizing consumer betterment reflects a broader desire to improve the overall quality of goods and services offered to the public. This could point to a focus on enhancing the consumer experience, ensuring accessibility,

and improving the overall standard of living for consumers.

**Figure 2**, reveals distinct priorities between male and female respondents when it comes to addressing issues within the pharmaceutical industry. Among the male respondents, selected the issue of stopping the circulation of harmful drugs as a key concern. This highlights a significant awareness of the dangers posed by drugs that can harm consumers' health. The priority placed on this issue suggests that male respondents may be particularly focused on ensuring that drugs distributed in the market are safe, effective, and free from harmful side effects. The attention to halting the circulation of such drugs reflects a broader concern for public health and the prevention of potential harm from unsafe pharmaceutical products.

**Figure 3**, reveals a small but notable difference in how male and female respondents approach the survey question, with male respondents selecting "yes" and female respondents opting for "on the scale." While these percentages are very close, the slight divergence in response choices could offer insight into different attitudes or understandings between the two groups. For the male respondents who chose "yes," this response likely indicates a clear affirmation of a certain viewpoint, decision, or action related to the survey's topic. The consistency in male respondents' choice of "yes" suggests that a portion of the male group may have a stronger or more definitive stance on the matter being surveyed.

**Figure 4**, reveals interesting generational differences in how respondents from different age groups perceive the issue at hand. Specifically, respondents in the 26–35-year age group selected "disagree on the scale," while respondents below 18 years old chose "strongly agree on the scale." For the 26–35-year-old respondents, the choice to "disagree on the scale" suggests a more cautious or critical stance toward the matter being evaluated. This age group may be more skeptical or less likely to fully embrace the issue, indicating that they

may either have doubts about its validity or are less inclined to agree with the scale or measure presented. This could reflect a more analytical or questioning approach to the subject, possibly due to their broader life experiences or greater exposure to varying perspectives.

**Figure 5**, highlights a clear contrast in how different age groups responded to the survey question, with respondents aged 19–25 selecting "yes" and those below 18 years choosing "no." This discrepancy between the two age groups suggests different attitudes, priorities, or levels of understanding regarding the issue at hand. For the 19–25-year-old respondents, the who chose "yes" could indicate a more favorable or affirmative stance toward the subject of the survey. This age group may be more likely to agree with or support the issue, potentially reflecting a sense of independence, a desire for change, or a more optimistic view of the topic. Being in a phase of emerging adulthood, individuals in this group might be more willing to embrace new ideas, policies, or solutions, possibly influenced by evolving societal trends, greater exposure to diverse viewpoints, or a more developed sense of personal agency.

**Figure 6**, reveals distinct preferences among different age groups concerning issues related to consumer protection. This could reflect a concern for improving the quality of products and services, making them more accessible, or ensuring that consumer rights are upheld. Individuals in this age range, often at the threshold of entering the workforce or pursuing higher education, may have a heightened awareness of the importance of consumer welfare, possibly influenced by their own experiences as consumers or their increasing engagement with markets and services.

**Figure 7**, illustrates a notable contrast in the concerns of undergraduate and postgraduate respondents regarding consumer protection. Specifically, undergraduate respondents chose "for the betterment of the consumer," while postgraduate respondents selected "to prevent

the trader from selling harmful products." For the undergraduate respondents who prioritized "for the betterment of the consumer," this suggests that they are more focused on improving the overall consumer experience. Undergraduate students are often in a stage of personal growth and are more likely to be thinking about the future and their role in society. Their focus on consumer welfare may reflect a broader concern for ensuring that consumers have access to better quality products, services, and protections. This group may value initiatives aimed at improving consumer choice, accessibility, and overall satisfaction in the marketplace. Their response could also reflect a broader, idealistic approach to societal issues, driven by the opportunities for learning and personal development they are encountering during their academic journey.

**Figure 8**, highlights key differences in the priorities of undergraduate and doctorate respondents when it comes to issues in the pharmaceutical industry. Specifically, undergraduate respondents chose "to stop the circulation of harmful drugs," while doctorate respondents selected "sale of expired drugs." For the undergraduate respondents who chose to stop the circulation of harmful drugs, this reflects a strong concern for public health and consumer safety. Undergraduates may be particularly sensitive to the dangers of unsafe medications, as they may have a more general, idealistic outlook on public welfare. Their choice could also indicate a desire for broad reforms in the pharmaceutical industry to protect consumers from dangerous substances, suggesting an awareness of ethical issues and the potential long-term consequences of unsafe drugs.

**Figure 9**, reveals interesting insights into how respondents from different educational backgrounds view the issue at hand. Specifically, undergraduate respondents chose "agree," while respondents with school education selected "neutral." For the undergraduate respondents who chose "agree," it indicates that this group tends to have a more

positive or supportive view of the issue presented in the survey. Undergraduates, being in an academic environment, are often exposed to a variety of ideas, discussions, and critical thinking, which could explain their inclination to agree with the proposal. Their choice might reflect a more informed, proactive stance on the issue, possibly driven by their exposure to education, social issues, and emerging perspectives on societal challenges. This group might have developed a stronger sense of advocacy or belief in the importance of the topic being discussed.

**Figure 10**, presents distinct patterns in responses between individuals with no employment and those in the private sector, specifically regarding their choices on the scale. This choice suggests that individuals in this group may feel somewhat neutral or ambivalent about the issue being surveyed, possibly indicating a more cautious or less definitive stance. Those who are unemployed may have more immediate concerns, such as job security or financial stability, which could lead them to perceive the issue in a more measured or less enthusiastic way. Their position on the scale might reflect a sense of uncertainty or lack of strong opinion, perhaps due to limited engagement with the specific topic being addressed.

#### LIMITATIONS:

The Doha Declaration on the TRIPS Agreement and Public Health, adopted in 2001, aimed to balance intellectual property rights with public health needs by allowing measures like compulsory licensing to improve access to essential medicines. However, its impact has been limited due to challenges such as the incorporation of TRIPS-plus provisions in subsequent agreements, which impose stricter intellectual property rights and undermine the Declaration's flexibilities. Additionally, persistent inequities in access to medicines, particularly in low- and middle-income countries, highlight ongoing disparities. Implementation hurdles, including limited legal and technical expertise

and political pressures, have further constrained the effective use of the Declaration's provisions. Moreover, unresolved issues in global trade practices, such as agricultural subsidies, continue to perpetuate inequities, limiting the Declaration's effectiveness in promoting global equity.

#### SUGGESTIONS

To enhance the depth of this study on unfair trade practices with special reference to the Doha Declaration, the scope can be expanded beyond pharmaceuticals to include sectors like agriculture, technology, and digital trade, where unfair practices persist. A comparative analysis of country-specific case studies, such as India's successful use of compulsory licensing, Brazil and South Africa's legal battles over patents, and the U.S. and EU's stricter IPR enforcement, can provide valuable insights. The study should also examine modern unfair trade practices, including algorithmic price discrimination, data-driven monopolies, and environmental trade injustices. Additionally, evaluating WTO reforms and alternative solutions, such as stronger dispute settlement mechanisms and global patent pooling systems, would add policy relevance. The impact of the COVID-19 pandemic, especially regarding vaccine access and TRIPS waiver debates, should be assessed to highlight the ongoing challenges in global trade fairness. Finally, proposing a revised framework that balances innovation with accessibility, ensures fair competition in digital and pharmaceutical markets, and protects developing nations from trade retaliation will strengthen the study's policy contributions.

#### CONCLUSION:

This research paper **aims to** conduct a critical study of unfair trade practices, with a special focus on the Doha Declaration and its impact on global trade regulations, intellectual property rights (IPR), and access to essential goods, especially pharmaceuticals. In the pharmaceutical sector, TRIPS-related patent protections continue to restrict access to essential medicines, as developing nations face

economic and political barriers when attempting to use compulsory licensing. **The research method** followed here is empirical research. A total of 211 have been collected where all the samples were collected through convenience sampling method. The sample framework was collected from the public in and around Chennai. Independent variables are age, gender, education qualification, occupation. **Current trends is that,** Beyond pharmaceuticals, unfair trade practices have expanded into digital markets, where tech giants manipulate prices, control data, and create anti-competitive barriers. To achieve a truly equitable global trade system, stronger enforcement of fair trade regulations, a global patent pooling system, and updated policies addressing digital trade challenges are essential. Additionally, enhanced South-South cooperation among developing nations can provide collective strength against unfair trade policies imposed by dominant economies. Ultimately, comprehensive reforms and global cooperation are necessary to uphold the principles of fair trade and ensure that the benefits of globalization are more evenly distributed. It is **suggested** that To enhance the depth of this study on unfair trade practices with special reference to the Doha Declaration, the scope can be expanded beyond pharmaceuticals to include sectors like agriculture, technology, and digital trade, where unfair practices persist. The study **concludes** that while the Doha Declaration was a significant step toward addressing unfair trade practices, its impact has been limited by corporate influence, legal complexities, and weak enforcement mechanisms.

## REFERENCE

1. Hoekman, B. M., & Kosteki, M. M. (2001). The political economy of the world trading system: The WTO and beyond. Oxford University Press.
2. Gadbow, R. M. (2001). The political economy of intellectual property protection. Duke Journal of Comparative & International Law, 11(2), 389-406.
3. Correa, C. M. (2002). Implications of the Doha Declaration on the TRIPS Agreement and public health. World Health Organization.
4. Maskus, K. E. (2003). Intellectual property rights in the global economy. Peterson Institute for International Economics.
5. Matthews, D. (2005). WTO decision on intellectual property and access to medicines: What does it mean? Intellectual Property Quarterly, 3, 245-257
6. Stiglitz, J. E. (2006). Making globalization work. W.W. Norton & Company.
7. Chaudhuri, S., Goldberg, P. K., & Jia, P. (2006). Estimating the effects of global patent protection in pharmaceuticals: A case study of quinolones in India. American Economic Review, 96(5), 1477-1514.
8. Sell, S. K. (2008). The global IP upheaval after the Doha Declaration. Minnesota Journal of Law, Science & Technology, 9(1), 1-22.
9. Hoen, E. 't. (2009). The global politics of pharmaceutical monopoly power: Drug patents, access, innovation, and the application of the WTO Doha Declaration on TRIPS and public health. AMB Publishers.
10. Shaffer, G., & Brenner, S. (2010). Winning the battle over intellectual property and development: Lessons from the Doha Declaration. Minnesota Journal of International Law, 19(2), 459-533.
11. Moon, S. (2011). Innovations in global health governance: From the Doha Declaration to the Medicines Patent Pool. Global Health Governance, 3(2), 1-23.
12. Pogge, T. (2013). Pharmaceutical innovation and global justice: Who owns the knowledge economy? In M. Rimmer

- (Ed.), Patent law and theory: A handbook of contemporary research (pp. 333–352). Edward Elgar Publishing.
13. Drahos, P. (2016). Intellectual property, trade, and development: Strategies to optimize economic development in a TRIPS-plus era. Edward Elgar Publishing.
  14. Baker, B. K. (2020). TRIPS flexibilities and the global response to COVID-19: Lessons from HIV and H1N1. *Journal of International Economic Law*, 23(3), 679–694.
  15. Okafor, O. C. (2021). Global trade dynamics and public health: A critical analysis of the Doha Declaration's legacy. *Journal of World Trade*, 55(1), 1–24.
  16. Mehta, K. (2022). The evolving landscape of unfair trade practices: From Doha to the digital era. *International Trade Journal*, 36(2), 123–145.
  17. Nwankwo, B. (2023). Trade equity in a globalized world: Reassessing the Doha Declaration. *Global Trade and Customs Journal*, 18(4), 150–167.
  18. Shaffer, G., & Brenner, S. (2010). Winning the battle over intellectual property and development: Lessons from the Doha Declaration. *Minnesota Journal of International Law*, 19(2), 459–533.
  19. Moon, S. (2011). Innovations in global health governance: From the Doha Declaration to the Medicines Patent Pool. *Global Health Governance*, 3(2), 1–23.
  20. Pogge, T. (2013). Pharmaceutical innovation and global justice: Who owns the knowledge economy? In M. Rimmer (Ed.), *Patent law and theory: A handbook of contemporary research* (pp. 333–352). Edward Elgar Publishing.