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INTELLECTUAL PROPERTY AND ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

EMAN A. DAAS

INTRODUCTION

In 1948, the Universal Declaration of Human Rights ("UDHR") set out for the first time a number of "fundamental human rights" that are to be protected by the countries and states that have signed onto the declaration.[1] Amongst the list of protected rights are intellectual property rights.[2] In two separate paragraphs, Article 27 of the UDHR outlines that individuals have "the right freely to participate in the cultural life of the community, to enjoy the arts

1. G.A. Res. 217 (III) A, Universal Declaration of Human Rights (Dec. 10, 1948).
2. *Id*. at 27.

and to share in scientific advancement and its benefits[,]" and "the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author."[3] The second paragraph of Article 27 seemingly directly highlights that works created by individuals should be protected as a human right.[4] Therefore, this portion of the Article delineates particular individual rights.[5] The first paragraph of the Article, on the other hand prescribes both individual and group rights.[6] The language of the first paragraph stresses that all individuals should therefore have the equal right to the enjoyment of everyday things, such as books or technologies.

Although these protections are within the UDHR, a group of individuals have consistently faced a number of barriers that limit their access to everyday tools.[7] Individuals who are deaf may not go to the cinema because most films do not have closed captions.[8] Individuals who are blind may choose not to eat at restaurants or cafes because of the lack of braille or electronic menu options.[9] These are only two examples of the societal barriers that exist today. This paper will focus on the issues that individuals with disabilities face as a result of the limited nature of intellectual property rights.

Copyright law grants an author legal protection over their work product.[10] Patent law gives "the patent holder the exclusive right to exclude others from making, using, importing, and selling the patented innovation for a limited period of time."[11] Whether it be copyrights or patents there is an accessibility issue that stems directly from granting authors intellectual property protections.

As a result, this paper will focus on highlighting how copyright law can be more inclusive of the rights of individuals with disabilities and how patent applications can be accelerated to allow for more innovation of assistive technologies. Section II of this paper will highlight and discuss the parameters of assistive technologies and the individuals who rely on these tools. Section III will discuss patents and the Accelerated Examination model. Section IV

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3. *Id*.

4. *Id*.

5. Columbia University, *Article 27*, The Universal Declaration of Human Rights, https://ccnmtl.columbia.edu/projects/mmt/udhr/article_27.html (last visited April 24, 2022).

6. *Id*.

7. *The biggest barrier for people with disability is how society disables them*, EPIC Assist (July 22, 2021), https://epicassist.org/the-biggest-barrier-for-people-with-disability/.

8. *Id*.

9. *Id*.

10. Bellingham Technical College, *Who Can Claim Copyright Law? – Copyright Basics*, Library Research Guides (March 29, 2022), https://btc.ctc.libguides.com/c.php?g=473747&p=3241467.

11. Cornell Law School, *Patent*, Legal Information Institute, https://www.law.cornell.edu/wex/patent (last visited April 24, 2022).

discusses copyrights and the Marrakesh Treaty. Lastly, Section V will analyze why one method is more favorable when considering assistive technologies.

ASSISTIVE TECHNOLOGIES AND INDIVIDUALS WITH DISABILITIES

The Scope of Assistive Technology

The passing of the Americans with Disabilities Act ("ADA") in 1990 recognized the rights of individuals with disabilities.[12] The ADA encouraged states and businesses to be more accommodating to individuals with disabilities.[13] The ADA prohibits the discrimination against a person with a disability "in areas such as employment, access to public services, public accommodations, and transportation."[14]

The Technology Related Assistance to Individuals with Disabilities Act of 1988 ("Tech Act") provided the first legal definition of assistive technology.[15] Although the Tech Act did not significantly influence the development of assistive technologies, it is a valuable tool to analyze when determining the meaning behind assistive technologies. The Tech Act has repeatedly been amended since 1988, however the assistive technology definition remains consistent.[16] Per the Tech Act "an assistive technology *device* [is] any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities."[17] Additionally, the Tech Act defined "an assistive technology *service* as any service that directly assists an individual with a disability in selection, acquisition or use of an assistive technology device."[18] Assistive technology covers a broad range of categories including but not limited to mobility aids, such as wheelchairs and walkers, computer software and hardware, such as voice recognition programs and screen readers, and various physical modifications, including ramps and grab bars.[19] Assistive technology is essentially a technology that can be used by an individual with a disability to complete everyday tasks that may otherwise

12. Title 42 U.S.C. § 12101 (1990).

13. *Assistive Technology Act of 1998*, Study.com (Dec. 23, 2021), https://study.com/academy/lesson/assistive-technology-act-of-1998.html.

14. *Id*.

15. *What is Assistive Technology?*, AccessComputing, https://www.washington.edu/accesscomputing/what-assistive-technology (last visited April 24, 2022).

16. *Id*.

17. *Federal Definitions of Assistive Technology*, ECTA Center, https://ectacenter.org/topics/atech/definitions.asp (last visited April 24, 2022).

18. *Id*.

19. *What Are Some Types of Assistive Devices and How Are They Used?*, NICHD (Oct. 24, 2018), https://www.nichd.nih.gov/health/topics/rehabtech/conditioninfo/device.

be difficult. As a result, with the passing of the ADA there has been an increase in the demand for various assistive technologies.[20] For example some workplaces are required to purchase or rent aids that would assist those with the use of devices.[21]

The range of categories covered by assistive technologies is not limited. As individuals continue to innovate new technologies as solutions to modern problems, the number of technologies that fall within the assistive technology realm expands. Some new modern assistive technologies include Nike's FlyEase sneaker, a hands-free shoe that allows for easy wear and removal[22], and Xbox's adaptive controller, which "allows users to connect switches, buttons, [or] joysticks [depending on] their needs and abilities."[23]

Individuals with Disabilities

Before delving into the ways in which copyright and patent law should be updated to create a more accessible society for individuals with disabilities, it is important to highlight who these individuals are and why a change to the legal concepts is needed. The term disability is not based on a medical concept, but rather it was formulated as a legal term.[24] Disability is defined differently under employment laws such as Social Security than it is under the ADA.[25] The more accurate depiction for purposes of this paper is the definition provided by the ADA. The ADA defines individuals with disabilities as individuals with a "physical or mental impairment that substantially limits one or more major life activity."[26] It is important to note that this definition includes individuals who have a recorded disability and those "who do not have a disability but are regarded as having a disability."[27] This section is not meant to place a boundary as to who can be considered to have a disability, but it is meant to highlight how the law may sometimes view individuals with disabilities. Individuals with disabilities are not the only people who benefit from the production of assistive technologies.[28] Individuals who may need these technologies may

20. COMMITTEE ON DISABILITY IN AMERICA, THE FUTURE OF DISABILITY IN AMERICA 194 (Marilyn J. Field & Alan M. Jette eds., 2007).

21. *Id*.

22. *Nike FlyEase*, Nike, https://www.nike.com/flyease (last visited April 24, 2022).

23. *Player Spotlight: Meet Spencer Allen*, Xbox, https://www.xbox.com/en-US/community/player-spotlight/spencer (last visited April 24, 2022).

24. *What is the definition of disability under the ADA?*, ADA National Network, https://adata.org/faq/what-definition-disability-under-ada (last visited April 24, 2022).

25. *Id*.

26. *Id*.

27. *Id*.

28. *Assistive Technology*, World Health Organization (May 18, 2018), https://www.who.int/news-room/fact-sheets/detail/assistive-technology.

include the elderly, individuals with noncommunicable diseases, individuals with mental health conditions, or individuals with gradual functional decline.[29]

PATENTS AND THE ACCELERATED EXAMINATION MODEL

Brief Overview of Patent Law and the Connection to Assistive Technology

The objective behind the patent law system is to provide inventors and innovators with a government-granted monopoly over their work product.[30] The parameters of the rights granted have been modified, expanded, and reduced since the establishment of the patent law system. The origins of the U.S. patent law system can be traced directly back to the U.S Constitution. Article 1, Section 8, Clause 8 of the U.S. Constitution states "[t]he Congress shall have Power . . . [t]o promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."[31] Over time, Courts have recognized that patent rights are the "private property of the patentee" allowing the patentee the right to exclude others.[32]

Businesses and individuals who create assistive technology often choose to patent their inventions. As a result, these creators must follow the standard procedures set out by law to have their invention patented. This means submitting an application to the USPTO with the required materials, such as a description of the invention, how the invention works, and the specifications of the concept the creator wishes to have patented.[33] When the USPTO approves the creator's invention, the creator has the right to exclude others from using their invention for around 20 years depending on the type of patent.[34] Whenever a patent is granted, it is then published and made available to the general public.[35] As a result, when this information becomes public it encourages the sharing of new ideas and innovation.[36]

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29. *Id*.

30. Kenneth Jost, *Patent Controversies*, CQPress Researcher (Feb. 27, 2015), https://library.cqpress.com/cqresearcher/document.php?id=cqresrre2015022703.

31. U.S. CONST. art. I, § 8, cl. 8.

32. Oil States Energy Servs., LLC v. Greene's Energy Grp., LLC, 138 S. Ct. 1365, 1375 (2018).

33. Heidi M. Berven & Peter David Blanck, *The Economics of the Americans with Disabilities Act Part II-Patents and Innovations in Assistive Technology*, 12 NOTRE DAME J.L. ETHICS & PUB. POL'Y 9, 26 (1998).

34. *Practical Law Intellectual Property & Technology, Patent: Overview,* Thomas Reuters Practical Law, https://us.practicallaw.thomsonreuters.com/8-509-4160 (visited Mar. 6 2023).

35. *Innovation and Intellectual Property*, WIPO, https://www.wipo.int/ip-outreach/en/ipday/2017/innovation_and_intellectual_property.html (last visited April 24, 2022).

36. *Id*.

However, the patent application process is not a fast one. The entire application process usually takes more than two years, but from current trends, it is likely that the process would take "significantly longer" than two years.[37] This time period is relevant because when it comes to assistive technology creators should be encouraged to continue to innovate and dedicate their time and money towards these technologies. However, if the USPTO takes a significant amount of time to approve assistive technologies, innovators could be deterred away from creating these products.

The Accelerated Examination Model and the Green Technology Pilot Program

With technology becoming more specialized, the USPTO reviews patent applications based on the kind of technology and the date the application was submitted.[38] However, although the USPTO follows this process for a majority of patent applications, there is a procedure in place that would allow the USPTO to review applications in a different order than they were received.[39] This process is the Accelerated Examination procedure.[40]

Since 1959, it has appeared that the patent rules have adopted a version of an accelerated examination process.[41] Originally, an accelerated review was granted if there was an order from a commissioner or the particular patent was relevant to a specific governmental branch.[42] Other exceptions that would allow for an accelerated review may include the declining health of the applicant, "inventions that materially enhance the quality of the environment, contribute to the development or conservation of energy resources, and contribute to countering terrorism."[43] Exceptions have also been granted to patent applications for inventions regarding health and biotechnology.[44] The USPTO revisited this concept in 2006, with a focus on allowing certain patents to be reviewed within twelve months.[45] The update to the Accelerated Examination program included requirements such as limiting the application to

37. Practical Law, *supra* note 34.

38. Amanda Patton, *When Patent Offices Become Captain Planet: Green Technology and Accelerated Patent Examination Programs in the United States and Abroad*, 3 INTELL. PROP. BRIEF 30, 30 (2012).

39. *Accelerated Examination*, USPTO, https://www.uspto.gov/patents/initiatives/accelerated-examination (last visited April 24, 2022).

40. *Id*.

41. Patton, *supra* note 38 at 31.

42. *Id*.

43. *Id*.

44. *Id*.

45. Changes to Practice for Petitions in Patent Applications To Make Special and for Accelerated Examination, 71 Fed. Reg. 36,323, 36,323–24 (June 26, 2006).

a single invention and providing the USPTO with Examination Support Documents (ESD) that provided extensive information about the invention.[46]

In 2009, the USPTO launched the Green Technology Pilot Program.[47] Under this program, the USPTO accepted 3,000 applications with no fee for inventions that had to do with green technology.[48] More specifically one of the requirements was that "[t]he claims must be directed to a single invention that materially enhances the quality of the environment, or that materially contributes to: (1) The discovery or development of renewable energy resources; (2) the more efficient utilization and conservation of energy resources; or (3) greenhouse gas emission reduction."[49] This program ran from December 7, 2009, through March 30, 2012.[50] There was a steady and significant growth in green technology patent applications filed between 2010 to 2013, but applications regarding green technology have steadily decreased after the program ended.[51] However, it is important to note that although the number of green technology applications have steadily decreased over the last several years, there has been a steady increase in the number of green technology patents granted by the USPTO.[52]

It is important to note that effective September 24, 2021, the USPTO has started the Prioritized Patent Examination Program (also known as Track One), that allows for the accelerated examination of certain plant or utility patents.[53] This program, however, is slightly different to the Accelerated Examination and Green Technology programs discussed above.[54] Through this program an applicant is required to pay a fee for the accelerated review, but is subject to fewer requirements when compared to the other programs.[55]

Adopting An Accelerated Examination Program for Assistive Technology

It would be beneficial for the USPTO to adopt an accelerated examination program for assistive technologies. Assistive technologies can be said to be analogous to medical devices and green technology as for some individuals it

46. Patton, *supra* note 38 at 31.

47. *Id*. at 32.

48. *Id*.

49. *Id*.

50. Parker Brogdon, *Green Technology at the USPTO*, Juristat, (June 11, 2020), https://blog.juristat.com/green-tech.

51. *Id*. (showing chart on percentage of green technology applications filed).

52. *Id*. (showing chart for issued patents for green technology).

53. *USPTO's Prioritized Patent Examination Program*, USPTO, https://www.uspto.gov/patents/initiatives/usptos-prioritized-patent-examination-program (last visited April 24, 2022).

54. *Id*.

55. *Id*.

is a necessity. Per the World Health Organization (WHO), only one in ten people with a need for assistive technologies have access to these technologies.[56] As it turns out, "[t]he assistive products industry is currently limited and specialized, primarily serving high-income markets."[57] With the lack of state funds, there is little drive for research and development of new inventions and products. However, even if there is an under investment in assistive technologies the social benefit greatly outweighs the market benefit provided.

If the USPTO adopts an accelerated examination program for assistive technologies, it would help close the gap by increasing the number of available products. Although there are several other socioeconomic factors to consider, this program is a step in the right direction. As shown by the Green Technology Pilot Program, there was a significant increase during the running of the program where inventors and businesses submitted applications for green technology patents.[58] One would hope that if the USPTO were to adopt a program similar to the pilot program for assistive technologies, there would be an incentive for innovators to create more assistive technologies. With this program, the USPTO should choose not to place a fee on the accelerated examination of the applications like it did with the pilot program. Additionally, the program should also properly define assistive technologies, so as to be consistent with the assistive technology definition derived from the Tech Act. However, the USPTO should be careful as to not make the parameters too broad or too narrow which could ultimately dilute the application pool.

Ultimately this recommendation does not focus on changing the patent law system, but rather it takes a look at the programs that are a product of the system and makes a recommendation as to how the USPTO can promote inclusivity through innovation.

COPYRIGHTS

Copyrights and Assistive Technology

Similar to the patent law system, the origins of copyright laws can be traced back to Article 1, Section 8 of the U.S. Constitution.[59] Additionally, as outlined in the U.S. Constitution the purpose behind copyright law is to "promote the Progress of Science and useful Arts."[60] Although, the purpose is to promote

56. Assistive Technology, *supra* note 28.
57. *Id*.
58. Brogdon, *supra* note 50.
59. U.S. CONST. art. rI, § 8, cl. 8.
60. *Id*.

knowledge and sharing of ideas, copyright law is important because it protects the interests of the authors and creators of copyrightable works.[61] Ultimately, "[c]opyright is a type of intellectual property that protects original works of authorship as soon as an author fixes the work in a tangible form of expression."[62] Unlike patent law, copyright law offers authors protection over a wide range of works such as movies, books, photographs, paintings, and computer programs.[63]

Any person or company can be a copyright owner.[64] The individual or entity who creates an original work must fix or capture their work product in some form such as a photograph, song, or book.[65] Copyrights provide the author of the work with a number of rights including the right to reproduce, create derivative works, and display the work publicly.[66] If a work was created on or after January 1, 1978, the copyright protection lasts for the life of the author plus an additional 70 years.[67]

How Copyright Law Has Already Made Works Accessible

There are currently three examples of current procedures that have allowed copyright law to make works more accessible. These procedures include the Chafee Amendment, the Digital Millennium Copyright Act (DMCA), and the Marrakesh Treaty. This section will introduce each of these procedures and provide examples as to how each procedure can be updated to be more inclusive of rights of individuals who rely on assistive technologies.

The Chafee Amendment

Although copyrights provide protection and legal rights to an author for their work, copyrights can limit accessibility for individuals with disabilities. Over time, copyright law has been assessed to better recognize the equal rights of these individuals. First, the Chafee Amendment allows an authorized entity to reproduce or distribute in the United States copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation if such copies or phonorecords

61. Southern Illinois University, *Purpose of Copyright Law*, Morris Library, https://lib.siu.edu/copyright/module-01/purpose-of-copyright-law.php (last visited April 24, 2022).

62. *What is Copyright?*, U.S. Copyright Office, https://www.copyright.gov/what-is-copyright/ (last visited April 24, 2022).

63. *Id*.

64. *Id*.

65. *Id*.

66. *Id*.

67. *Id*.

are reproduced or distributed in accessible formats exclusively for use by eligible persons.[68]

The Chafee Amendment defines eligible persons as individuals who have a visual impairment.[69] Although this amendment is intended to promote the accessibility of copyrighted works, the terminology is too narrow.[70] The vagueness of the term "authorized entity", as well as the limited scope of the copyrighted work covered by the amendment, show that this amendment falls short of making most copyrightable works available to all individuals.[71]

The Chafee Amendment, although beneficial is too narrow to significantly impact all individuals with disabilities. The amendment places the duty on an entity to make literary works accessible.[72] By placing this duty on an entity, it makes it difficult for individuals with disabilities to have the personal discretion over the sort of works they would prefer to have access to. Additionally, by placing this duty on a preexisting organization, the organization would not have a significant interest in promoting literary works for the disabled as that is not their primary goal as an entity.

The Digital Millennium Copyright Act

Another example of copyright law recognizing the rights of those with disabilities was the adoption of exemptions to the Digital Millennium Copyright Act (DMCA) such as the "prohibition against circumventing technological protection measures (TPM)."[73] The goal of the TPM is to reduce the infringement of copyrighted works by placing technological restrictions on protected digital works.[74] In October 2021, the U.S. Copyright Office issued a final rule that included the following exemption to the TPM regulations: "[a]ssistive technologies for literary works distributed electronically for persons who are blind, visually impaired or have print disabilities."[75] Although this exemption to the DMCA rules is helpful, it again is too narrow because its primary focus is on electronically distributed literary works.

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68. 17 U.S.C. § 121.

69. *Id*.

70. Maria Scheid, *Copyright and Accessibility*, The Ohio State University, University Libaries (Aug. 28, 2015), https://library.osu.edu/site/copyright/2015/08/28/copyright-and-accessibility/.

71. *Id*.

72. *Id*.

73. Practical Law Intellectual Property & Technology, *US Copyright Office Adds and Expands DMCA Anti-Circumvention Exemptions After Eighth Triennial Rulemaking*, Thomas Reuters Practical Law(Oct. 27, 2021), https://www.westlaw.com/w-033-1578?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0.

74. *Copyright and Permissions: Technical Protection Measures (TPM)*, American University of Beirut, https://aub.edu.lb.libguides.com/c.php?g=688358&p=6032491 (last visited April 24, 2022).

75. Practical Law, *supra* note 73.

The exemption to the DMCA rightfully and purposefully highlights assistive technology to promote access to individuals with disabilities.[76] But, again this exemption is built to be too narrow because it only focuses on electronically distributed works. Although this exemption would allow certain disabled individuals to access the work, it leaves out a large number of individuals who may not have access to advanced technological resources.

The Marrakesh Treaty

Probably the most important instrument used to promote access to copyrighted works is the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled ("Marrakesh Treaty)".[77] This treaty was adopted to solve the book famine crisis.[78] According to the World Intellectual Property Organization (WIPO), "of the millions of books published worldwide, only 1–7 percent are made available to the 285 million persons in the world who are blind and visually impaired, 90 percent of whom live in low-income settings in developing countries."[79] The Marrakesh Treaty is the first copyright treaty that includes a human rights component to its goal.[80] The Marrakesh Treaty requires all states who sign onto the treaty to fulfill two obligations.[81] The obligations are as follows.

The first is to provide for a **limitation or an exception to copyright** in order to allow "beneficiaries" and "authorized entities" to undertake any changes needed to make a copy of a work in an accessible format for persons with a print disability. The second is to allow the ***exchange across borders*** of those accessible copies produced according to the limitations and exceptions provided in the Marrakesh Treaty, or in accordance with the operation of law.[82] (emphasis in original). Although this treaty is only a recent development, the WIPO predicts that if a state adopts the treaty, it will reap a number of benefits.[83] The benefits may include "[i]mproved awareness of the challenges faced by the print-disabled community and persons with disabilities[,]"

76. *Id*.

77. *Summary of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (MVT) (2013)*, WIPO, https://www.wipo.int/treaties/en/ip/marrakesh/summary_marrakesh.html (last visited April 24, 2022).

78. WIPO, Main Provisions and Benefits of the Marrakesh Treaty (2013), (2016), https://www.wipo.int/edocs/pubdocs/en/wipo_pub_marrakesh_flyer.pdf.

79. *Id*.

80. *Id*.

81. *Id*.

82. *Id*.

83. *Id*.

"[g]reater access to education[,]" and "[e]nhanced social integration and cultural participation."[84]

The Marrakesh Treaty was adopted in 2013, and became effective on September 30, 2016 with 48 member countries.[85] In January 2019 the United States ratified the Marrakesh Treaty, "which allows limited copyright exceptions for the reproduction of published works in formats accessible to the blind and visually impaired."[86] Although, the Marrakesh Treaty has many benefits and seems to have a significant international impact, it still lacks broader authority and inclusivity.

The Marrakesh Treaty has shown to be one of the most impactful and most on point to addressing the issues some individuals with disabilities face when it comes to accessing copyrightable works. It is important to note that the Marrakesh Treaty is a good starting point. However, the Marrakesh Treaty currently only focuses on individuals who are blind and does not address individuals with other disabilities. Additionally, the Marrakesh Treaty does not create an obligation on all member countries to require that all books be made more accessible to individuals with disabilities, but instead encourages and advocates for making books more accessible.

Ultimately, it is recommended that these legislative instruments be expanded and broadened to better achieve the goal of making copyrightable work more accessible to individuals with disabilities. There needs to be a focus on all disabilities. Encouraging inclusivity, allows for more innovations and sharing of ideas to create a more accessible framework for all. Additionally, it may be beneficial to advocate for the promotion of making a significant percentage of books immediately upon publication accessible to individuals with disabilities. As a result, these individuals would not be limited in options as to what materials they can read and instead would have more individual rights to make decisions on their own.

Expanding Current Copyright Instruments to Promote Accessibility

As stated in the previous section, copyright law has taken active steps to be more inclusive of those individuals with disabilities. Each and every one of the instruments presented above proves that there is a need for more accessibility. Additionally, lawmakers are open to adopting new changes to the laws. These instruments have and will continue to promote inclusivity and be the foundation of disability rights within copyright law. The different processes listed above

84. *Id*.

85. *U.S. Ratification of the Marrakesh Treaty*, USPTO (Jan. 30, 2019), https://www.uspto.gov/about-us/news-updates/us-ratification-marrakesh-treaty.

86. *Id*.

provide a foundational base that must be built upon to minimize the difficulty individuals with disabilities have in their everyday lives and encourage a more inclusive society.

CONCLUSION

Around 26% of adults in the U.S. currently live with a disability.[87] As we continue to see developments in the law and innovation, this group of individuals can sometimes be overlooked and therefore not included when products or works are designed. As a result, there needs to be a more active effort for a more inclusive legal system to promote the rights of these individuals. Patents and copyrights can be incredible tools to take advantage of to ensure core human rights are allotted to all individuals. Patents can be made to promote more innovation and products into the economy for individuals with disabilities. Copyrights can be used to promote access to information and resources for individuals with disabilities.

87. *Disability Impacts All of Us*, CDC (Jan. 5, 2023), https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html.