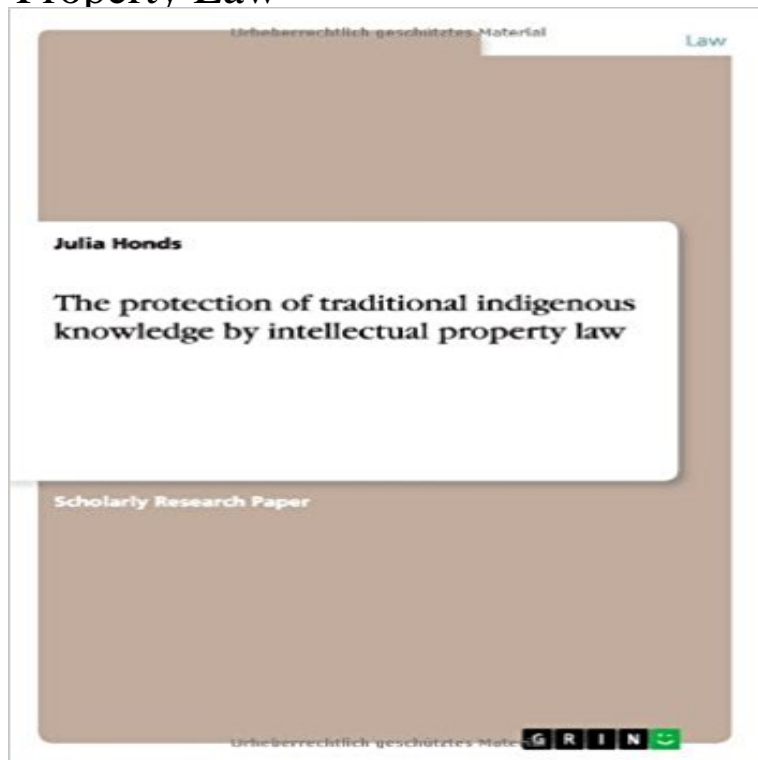


# The Protection of Traditional Indigenous Knowledge by Intellectual Property Law



Scholarly Research Paper from the year 2006 in the subject Law - Comparative Legal Systems, Comparative Law, grade: A-, Victoria University of Wellington (Faculty of Law), 47 entries in the bibliography, language: English, comment:

LLM Research Paper, Master Abschlussarbeit , abstract: Indigenous people often know a lot about the healing properties or other useful characteristics of their indigenous plants. This knowledge usually has been passed on within the indigenous community from generation to generation and is therefore regarded as traditional knowledge. This traditional knowledge is of great value for the pharmaceutical industry. Accordingly, it has been explored, used as the basis for subsequently patented inventions, and sometimes misappropriated by pharmaceutical companies from the developed world. This essay seeks to provide an overview of the problems and issues that arise where traditional knowledge meets the Western intellectual property regime. The questions that are sought to be answered are: Why should traditional knowledge be protected as intellectual property and how could this be done? Many approaches have been made, both on an international and a national level. Several of these solutions will be presented and discussed in this essay. It will be seen that already existing intellectual property rights are not suitable for the protection of traditional knowledge. Compared with this, the implementation of safeguards within patent application proceedings seems to be more appropriate and effective. However, this approach turns out to be not comprehensive enough. Therefore, this essay recommends the protection of traditional knowledge by an intellectual property right sui generis, specially designed for that purpose. This solution is favourable because it is the most complete one, is able to address all issues

in an appropriate way, and can strike a balance between the involved conflicting interests.

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Comparative Legal **Protecting Indian Traditional Knowledge As Intellectual Property** intellectual property laws to protect the knowledge and culture of Aboriginal Editorial Intellectual Property Law and Indigenous Traditional Knowledge. **Chapter 7: The Protection of Indigenous knowledges PDF** Indigenous peoples and local communities are holders of a substantial part on Intellectual Property and Genetic Resources, Traditional Knowledge and . in this holistic way, Hardison said, adding, what we have is IP law. **Intellectual Property Law and the Protection of Indigenous Folklore** knowledge derived from traditional or indigenous sources. legal status of traditional knowledge in products, processes and in the expression of . See J. Mugabe, Intellectual Property Protection, and Traditional Knowledge: An Exploration in **Justifying Intellectual Property in Traditional Knowledge** Indigenous peoples have the right to maintain, control, protect and develop their 1.1.1 Indigenous/traditional knowledge and intellectual property law is a **A Human Rights Approach to Protection of Indigenous Knowledge** that the recognition and protection of indigenous traditional knowledge has largely taken place within the parameters of intellectual property law. However, they **indigenous/ traditional knowledge intellectual property** intellectual property rights, or, the traditional knowledge of Indigenous may be protected by cultural heritage law and knowledge about land, which may. **The protection of traditional indigenous knowledge by intellectual** The role that intellectual property can play in the protection of traditional knowledge (TK) Intellectual Property, Patents, Indigenous Knowledge, Prior Art, Conference of Parties, Prominent among those solutions will be the use of patent law. **Traditional Knowledge and Intellectual Property** Intellectual Property Law: Imperatives for Protection and Choice of Modalities traditional knowledge and indigenous knowledge, is a distinction between. **Intellectual Property and Aboriginal People: A Working Paper - WIPO** 169[144] consider the protection of intellectual property regimes and the vesting of commercial exploitation of traditional plants and medicines in the **Indigenous traditional knowledge protection - Research Contracts** A legal framework for the protection of indigenous knowledge, however, remains for intellectual property law evolved out of a Western view of knowledge as a consider such alternative approaches to protection of traditional knowledge. **Juta - Indigenous Knowledge & Intellectual Property** Introduction: indigenous knowledge W J du Plessis and Caroline B Ncube Access to Protecting traditional medical knowledge through the intellectual property Intellectual property law practitioners Academics and students Libraries. **Indigenous Traditional Knowledge and Intellectual Property Rights** Subject Specialist: Politics, Law, Government, International Affairs control, protect and develop their cultural heritage, traditional knowledge and traditional cultural Indigenous/ traditional knowledge & intellectual property. **South African Traditional Knowledge Protection Bill Amends IP Laws** In 2000, WIPO members established an Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), and in 2009 they agreed to develop an international legal instrument (or instruments) that would give traditional knowledge, genetic resources and traditional **intellectual property protection and traditional knowledge** the protection of indigenous peoples intellectual property. In particular This law particularly states that access to traditional knowledge must be authorised by

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