

Protection of Traditional Cultural Expressions: Practical Initiatives and Projects

WIPO Virtual Regional Seminar on
Copyright and Traditional Cultural
Expression

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LAWYERS 4 ALL

WHO WE ARE

- IP Lawyers 4 All is an initiative of ADALPI (The International Society for the Development of Intellectual Property)
- ADALPI is a not-for-profit organisation based in Geneva which brings together experienced professionals who share an interest in promoting the value of creativity and innovation
- ADALPI's activities are manifold:
 - informal exchange of know-how and expertise,
 - practical support provided upon request from national or regional governments, public institutions, IGOs, NGOs and other professional organisations representing the private sector in the areas of arts and culture, science and research

STEERING COMMITTEE

Representatives of IPLawyers4All:

- Carlo Scollo Lavizzari, co-chair
- Roger Chevallaz, co-chair
- Louis van Wyk, advisor

WHAT WE DO INCLUDES..

- Match eligible IPR-holders in developing countries with select participating IPR-Lawyers in developed countries
- Reduce barriers of access to justice
- Enable to contribute to a fairer, more attractive global IPR system
- Provide IP-holders, IP lawyers, the IPR system and the larger public interest of increasing the legal use of IPRs

WHO IS THE TARGET

- For inventors, authors, creators, artists, practitioners of traditional knowledge, IP holders
- For individuals or SMEs owning IP
- If your IP is used or abused abroad in ways that are not approved by the owner
- If you seek legal advice or representation but cannot afford to pay

Protectability of Traditional Cultural Expressions (TCE)

- Identification of type of TCE
- Identification of type of use
- Check protectability under IP rights in home country and also in country of use/destination/place of infringement
- Check absence/presence of contracts
- Develop alternative legal arguments

Protectability of TCE (contd.)

- Localize practitioner of TCE
- Localize community from which TCE emanates
- Check available remedies in country of infringement, e.g. disclosure requirements
- WPPT: protects recordings of folklore
- Nagoya Protocol: protects traditional knowledge and genetic resources
- Bespoke avenues
- Ethical standards in industry

Q&A

*"If your plan is for one year
plant rice. If your plan is for ten years
plant trees. If your plan is for one hundred years
educate children."*

Confucius

Thank you!

Carlo

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