



# WIPO Webinar: “Intellectual Property, Traditional Knowledge, and Traditional Cultural Expressions”

VIRTUAL



CARIFORUM



EU-CARIFORUM Regional project, funded by the European Union and implemented by the European Union Intellectual Property Office (EUIPO)

[www.caripi-hub.com](http://www.caripi-hub.com)



# Connecting the Dots: Traditional Knowledge, Traditional Cultural Expressions, Folklore and Plant Varieties Protection



Dr. Wendy Hollingsworth, 18 October 2023



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## Presentation Overview

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About the CarIPI Project: In a Nutshell

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Key Concepts and Linkages

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CarIPI Work – Connecting the Dots

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Kalinago Crafts Example

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## CARIPI IN A NUTSHELL

Covering 16 CARIFORUM countries

Antigua & Barbuda; the Bahamas; Barbados; Belize; Dominica; Dominican Republic; Grenada; Guyana; Haiti; Jamaica; Saint Lucia; St Vincent and the Grenadines; St Kitts and Nevis; Suriname; Trinidad & Tobago; and Cuba

Implementing agency

European Union Intellectual Property Office (EUIPO)

Implementation modality

Indirect management - Contribution Agreement EU-EUIPO

Total duration of the implementation period

54 months (extended and budget added)  
01/11/2019 – 30/04/2024

Total Budget

4,000,000 EUR  
70% EDF  
30% EUIPO contribution



Overall  
objective

To contribute to the **integration of CARIFORUM into the World Economy**, through strengthening the enabling framework that stimulates innovation and competitiveness of the private sector.

Specific  
objective

To further upgrade and harmonise the systems for **IP creation, protection, administration and enforcement** in line with the CARIFORUM-EU EPA provisions, and to contribute **to regional integration** in IPR.



## 4 EXPECTED RESULTS (= CONTRACT)

Increased **awareness** of the value of innovation and IPR to economic and social development, among policy makers, private sector, and general public.

A network of **strengthened and more efficient IP institutions**, delivering high quality IPR administration and enforcement services, benefiting MSMEs in particular

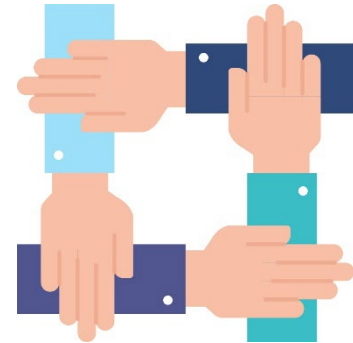
Enhanced **legal and policy frameworks** in the area of TM, Designs and GIs, facilitating the participation in global protection systems in compliance with EPA provisions, and boosting regional harmonisation

**Improved capacity of the productive sector** to create, protect, utilize, commercialize and enforce their IP rights, thus stimulating innovation and new business models

### Context:



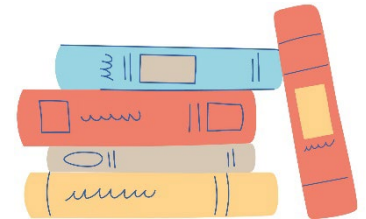
To explore the tangible connection between traditional knowledge, cultural expressions, folklore, and their role in advancing plant breeding, plant protection and commercialization of new plant varieties in the region



### Traditional Knowledge (TK)



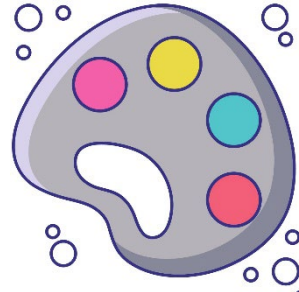
- Traditional knowledge encompasses the wisdom, skills, and practices passed down through generations
- In the context of agriculture, it includes knowledge of crop cultivation, breeding, selection of the best seeds, the use of plant varieties and plant variety management





### Traditional Cultural Expressions (TCEs)

- Traditional cultural expressions encompasses the artistic and cultural manifestations of a community's heritage
- These can include songs, dances, stories, and rituals related to agricultural practices and the use of plant varieties



### Folklore

- Folklore often includes myths, legends, and stories that are passed down orally
- These narratives may explain the origins of specific plant varieties or agricultural practices and how plant varieties are used for food and utility thus adding a cultural and historical dimension to them



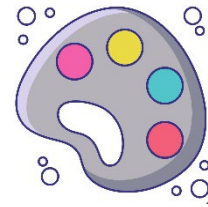
### Protection of Plant Varieties

- Legal mechanism
- The protection of plant varieties refers to safeguarding the intellectual property rights of breeders and farmers
- Can also ensure fair and equitable access to genetic resources and maintaining biodiversity





# What happens when focus is placed on all these Elements?



### Preservation of Plant Varieties



Traditional practices in crop selection and seed-saving techniques contribute to the preservation of plant diversity



### Cultural Significance

- Plant varieties are often deeply ingrained in the cultural, medicinal and spiritual practices of communities
- The rituals, songs, and stories associated with planting, harvesting, and consuming these plants are a form of traditional cultural expression
- These practices strengthen the bond between the community and the plants they cultivate



### Conservation of Biodiversity

The protection of plant varieties and biodiversity are closely linked



Traditional agricultural practices that rely on local plant varieties can help conserve rare and endangered species by maintaining their cultivation

Provide germplasm for breeding new varieties of plants with specific traits



### Benefit-Sharing and Equity



The protection of plant varieties should be accompanied by mechanisms that ensure benefit-sharing with the communities that have conserved and developed these varieties

Recognizing traditional knowledge and cultural expressions in intellectual property rights and access and benefit-sharing agreements helps ensure equity

E.g., GIs





### Legal Frameworks



National and international legal frameworks, such as the Nagoya Protocol and international conventions such as the CBD, are designed to respect traditional knowledge, traditional cultural expressions, and folklore in the context of plant genetic resources.

These frameworks aim to prevent biopiracy and protect the rights of indigenous and local communities

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### REGIONAL LEGAL FRAMEWORK – GR, TK, TCEs

- Article 64 Revised Treaty of Chaguaramas – R&D
- Section 6 –



*COTED shall co-operate with the Member States and competent organisations to devise means of protecting, developing and commercialising local knowledge about the value and use of the Region's biodiversity for the benefit of their populations, especially their indigenous peoples.*

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## REGIONAL LEGAL FRAMEWORK – GR, TK, TCEs

- Article 66 Revised Treaty of Chaguaramas – Protection of IPRs



*COTED shall promote the protection of IPR within the Community by:*

*(iii) the legal protection of the expressions of folklore, other traditional knowledge and national heritage, particularly of indigenous populations in the Community*

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## REGIONAL LEGAL FRAMEWORK – GR, TK, TCEs

- CARICOM Charter of Civil Society – Article XI – Rights of Indigenous Peoples



*The States recognise the contribution of the indigenous peoples to the development process and undertake to continue to protect their historical rights and respect the culture and way of life of these peoples*

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## CARIPI'S INTERVENTIONS



1. PVP
  2. GIs
  3. Genetic Resources, TK, TCEs, FL
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# CARIPI

## PVRs



CWA 2021 & 2023



## Caripi Actions: GI Mentorship



### FIRST COHORT

9 producer groups + 1  
individual producer

8 countries: DM, LU,  
TT, BB, JM; GD, BZ;  
HT

### SECOND COHORT

11 producer groups

5 countries: LU, TT,  
GD, SV, BAH

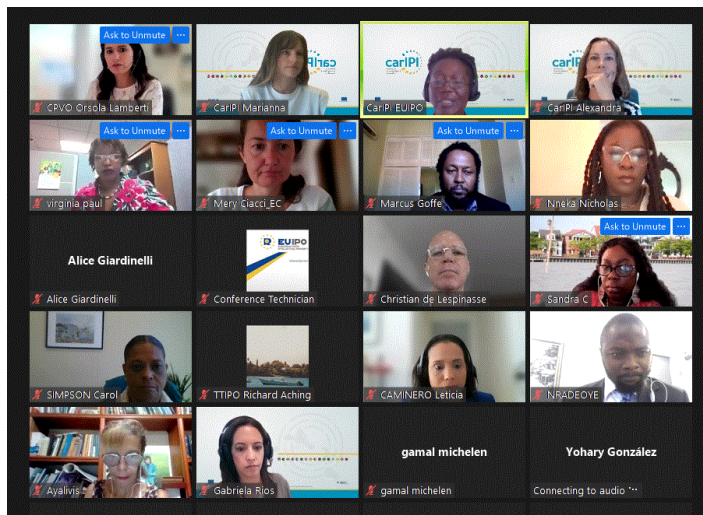
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# Traditional Knowledge, Traditional Cultural Expressions – Regional Perspective

## CarIPI's Interventions - GRTKF

Webinar – 20 September 2022

- Protecting plant genetic resources, traditional knowledge and folklore: global and regional perspectives
- Continued to work with CS re: GRTKF based on their identified needs





## CONNECTING THE DOTS: A CASE FOR KALINAGO CRAFTS



1. **TK, TCEs, FL** – related to the craft & unique weave and processing of the raw materials including dyeing
  2. **Biodiversity** – the Larouma reed, believed to have come from South America 1000 years ago used in weaving baskets, bags, hats etc.
  3. **IP protection:** PVRs systems, GIs
  4. **Plant Breeding:** Agroforestry, new plant varieties through breeding
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## CARIFORUM Intellectual Property Rights and Innovation

Innovation and creativity are the core drivers of sustainable economic development, and intellectual property rights are the key tools to generate value from intangible assets.

A strong enabling environment for IP creation, protection, administration and enforcement will boost the participation of CARIFORUM countries in the world economy, and stimulate innovation and competitiveness of the private sector.

Bringing together stakeholders from the CARIFORUM countries, from the European Union, and relevant international organisations, our main goal is to:

- create stronger IP offices offering high quality, state of the art services to users
- ensure availability of effective IPR enforcement mechanisms
- contribute to the development of a sustainable and innovative private sector
- make doing business between the EU and CARIFORUM, and particularly within the CARIFORUM region easier.

[Read more...](#)

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# Thank you \* Gracias \* Merci \* Bedankt

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