

SNS COLLEGE OF ENGINEERING



Kurumbapalayam(Po), Coimbatore – 641 107

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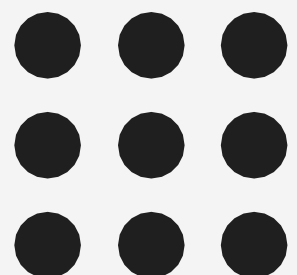
Department of AI &DS

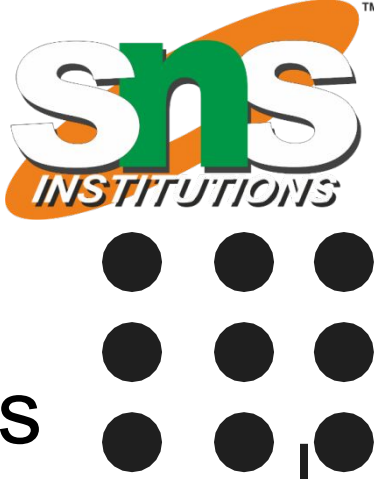
Course Name – 19AD602 DEEP LEARNING

III Year / VI Semester

Unit 4-Legal concepts for the protection of traditional
knowledge

GULSHAN BANU.A/ AP/AI AND DS /Legal concepts for the protection of traditional knowledge/SNSCE





Traditional knowledge (TK) encompasses the wisdom, innovations, and practices developed by indigenous and local communities over generations, forming an integral part of their cultural and spiritual identities. Protecting TK is essential to preserve cultural heritage, promote biodiversity, and prevent misappropriation. Various legal concepts have been developed to safeguard TK, addressing its unique characteristics and the challenges associated with its protection.



One approach involves adapting existing intellectual property (IP) frameworks to accommodate TK. This includes utilizing tools like geographical indications, trademarks, and patents to protect traditional products and processes. However, conventional IP systems often fall short in addressing the collective ownership and intergenerational transmission inherent in TK, necessitating more tailored solutions.



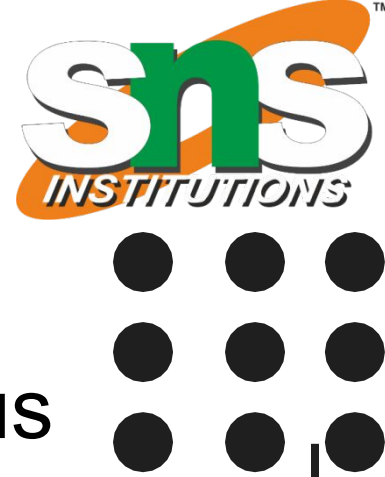
To address these limitations, many countries have developed sui generis systems—unique legal frameworks specifically designed for TK protection. These systems establish criteria for protection, define the rights granted, determine the duration of these rights, outline exceptions, and set enforcement mechanisms. Sui generis approaches offer flexibility, allowing nations to craft legislation that aligns with their specific cultural and legal contexts.



Internationally, organizations like the World Intellectual Property Organization (WIPO) have been instrumental in facilitating discussions on TK protection. WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) has been negotiating legal instruments to safeguard TK, aiming to bridge gaps in international law and provide effective protection against misappropriation.



Legal concepts for the protection of traditional knowledge



Community-based initiatives also play a crucial role in protecting TK. Many indigenous communities have developed protocols and guidelines to manage access to their knowledge, ensuring that any utilization aligns with their cultural values and provides equitable benefits. These community-driven approaches empower indigenous peoples to maintain control over their TK and promote its sustainable use.

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Legal concepts for the protection of traditional knowledge



Despite these efforts, challenges persist, including the need for greater international cooperation, the development of comprehensive legal frameworks, and the recognition of customary laws. Ongoing dialogue among governments, indigenous communities, and international bodies is essential to create effective systems that respect and protect traditional knowledge, ensuring its preservation for future generations.

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