



# **SNS COLLEGE OF ENGINEERING**

Kurumbapalayam (Po), Coimbatore – 641 107

**An Autonomous Institution**

Accredited by NBA – AICTE and Accredited by NAAC – UGC with 'A' Grade  
Approved by AICTE, New Delhi & Affiliated to Anna University, Chennai

**DEPARTMENT OF COMPUTER SCIENCE AND DESIGN**

**COURSE NAME : 19MC003 ESSENCE OF INDIAN TRADITIONAL KNOWLEDGE**

**III YEAR / VI SEMESTER**

**Unit III- Legal framework and TK**

**Topic 1 : Legal framework and TK**



# Legal Framework and Traditional Knowledge (TK)

## Introduction

- Definition of Traditional Knowledge (TK)
- Importance of protecting TK
- Overview of legal frameworks governing TK



## Understanding Traditional Knowledge (TK)

- Knowledge, innovations, and practices of indigenous and local communities
- Examples: medicinal plants, cultural expressions, agricultural practices
- Threats to TK (biopiracy, misappropriation)

## Legal Framework for TK Protection

- International and national mechanisms for TK protection
- Role of intellectual property (IP) laws



## International Legal Frameworks

- **Convention on Biological Diversity (CBD) (1992)**
  - Access and Benefit Sharing (ABS)
- **Nagoya Protocol (2010)**
  - Strengthening the ABS principle
- **World Intellectual Property Organization (WIPO)**
  - Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge, and Folklore (IGC)
- **UNESCO and Traditional Cultural Expressions (TCEs)**



## National Legal Frameworks

- Examples of countries with TK protection laws
- India: Biological Diversity Act (2002) and Traditional Knowledge Digital Library (TKDL)
- Peru: Law on the Protection of Indigenous Peoples' TK
- Australia: Indigenous Knowledge Protection Act

## Intellectual Property Rights (IPR) and TK

- Patents, copyrights, and trademarks
- Challenges in using conventional IP laws for TK
- Defensive and positive protection strategies



## Challenges in TK Protection

- Lack of legal harmonization
- Difficulties in defining ownership
- Documentation vs. oral traditions
- Ensuring equitable benefit sharing

## Case Studies

- Neem patent case (India)
- Basmati rice controversy
- Hoodia plant and San community (South Africa)



## Future Directions

- Strengthening international cooperation
- Developing sui generis (customized) protection systems
- Role of digital tools in TK preservation
- Raising awareness and capacity-building efforts

## Conclusion

- Need for balanced legal frameworks
- Importance of recognizing and respecting indigenous knowledge
- Call for stronger community participation in policymaking



Any Query????

Thank you.....