

Sub-regional Conference on
Intellectual Property and Digitization
of Intangible Cultural Heritage
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Wrap Up Session

Jessyca Van Weelde
Traditional Knowledge Division, WIPO

Towards a digitization toolkit...

■ Terminology

- “preservation” vs. “protection”
- “documentation” and “digitization”
- “intangible” cultural heritage
- “public domain” works

■ Objectives

- Why digitize an ICH collection?
- Relation with mandate of cultural heritage institutions?

■ Funding

- Is there enough financial resources for digitization?
- How to raise funding? Where to begin?

Towards a digitization toolkit...

■ Identification and assessment

- Which ICH collection should be digitized?
- What are the selection criteria?
- Who should document/digitize?
- Role of the tradition-bearers

■ IT tools

- What types of IT tools should be used?

■ Creation of “new” IP rights

- Who are the rights holder(s)?
- What about the “underlying” ICH?

What next...?

Towards a digital database of ICH...

■ “IP rights”

- Creation and management of an IP portfolio

■ “access”

- Who may have access?
- How should access be accorded – electronically, open or limited, on the internet, against payment?
- Should there be “layers” of access?

■ “use”

- Who may use the digitized collection?
- On what terms and conditions?

The use of “practical” measures to effectively control access to and use of digitized ICH and to ensure equitable benefit-sharing

Overview of conventional IP protection

- What type of protection could the conventional IP system provide to ICH?
 - copyright for **contemporary adaptations** and interpretations
 - copyright for **unpublished and** works of **unknown authors** (Berne Convention, art. 15.4)
 - related rights protection of **recordings** of ICH and for “**performers** of expressions of folklore” (WPPT)
 - **databases** and compilations of ICH can be protected (WCT)
- Other IP tools to consider by cultural institutions:
 - Trade marks
 - Domain names

Possible outcomes of the Conference

- Development of a **digitization toolkit** on intangible cultural heritage and intellectual property management
- **Publication** of Conference materials on UNWE and WIPO websites
- Organization of a possible **follow up** workshop in 2011
- Making available of **WIPO distance learning** course on intellectual property in Bulgarian

THANK YOU !