

MISSION PERMANENTE
DE L'ÉTAT DU QATAR
AUPRÈS DE L'OFFICE
DES NATIONS-UNIES
GENÈVE



الوفد الدائم لدولة قطر
لدى مكتب الأمم المتحدة
جنيف

FAX

Ref: 2/2 - 541

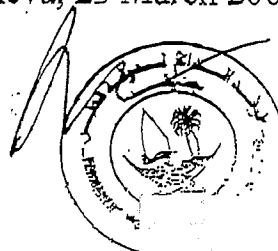
OMPI
26 MARS 2007
49.10

The Permanent Mission of the State of Qatar to the United Nations Office and other International Organizations in Geneva, presents its compliments to the Secretariat of the World Intellectual Property Organization in Geneva, and with reference to the latter's note no C.7412/OMPI-49 dated 26 requesting the submission of any correction to the draft report containing the agreed text of the decision and interventions made to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

The Permanent Mission of the State of Qatar has the honour to forward, herewith, the Qatari Competent Authorities' comments on the draft report mentioned above.

The Permanent Mission of the State of Qatar avails itself of this opportunity to renew to the Secretariat of the World Intellectual Property Organization in Geneva, the assurances of its highest consideration.

Geneva, 23 March 2007



*World Intellectual Property Organization
Secretariat
34, Chemin des Colombettes
1211 Geneva 20
Fax no: 022 733 5428*

A.M

27-29, avenue du Bouchet - 1209 Genève
Tél. 022 798 85 00 - Fax: 022 791 04 85 - E-mail: mission.qatar@tles.itu.ir

DEPARTMENT OF COMMERCE



Ref. :

Date : Mar. 18., 2007

Comments

(1) Traditional Knowledge (TK) is the totality of tradition – based creations of a community, expressed by a group of individuals and recognized as reflecting the Knowledge of a community in so far as they reflect its social experience. Its life practices, standard and values are transmitted orally, by imitation or other means.

It's forms among other :

- TKs and practices concerning nature and universe .
- TKs concern traditional arts and crafts .
- TKs concern agriculture , traditional medicine, culinary, cosmetics and dressings etc ...
- TKs concern decorations and symbols .
- TKs concern constructing and architecture .
- Traditional Law .

(2) (a) Tradition community as the prime holder of rights and ownership or the group members who hold the rights of protectable TK as representative of society or people .

(b) The informant as transmitter of traditions .

(c) The collector who gathered TK and conserved it in archives in good conditions and a methodical manners .

(3) Moral , cultural and economic rights against misuse and robbery or otherwise, either national , international .

(4) Misuse, robbery , unethical infringement, illicit exploitation , prejudicial actions and misappropriation .

(5) For Cultural , educational , research and information purposes and otherwise .

(6) To be discussed in the light of that the TK archive which holding the materials acting as the competent authority and could take the responsibility of granting proper use of TKS.

(7) Existing IPRs are not sufficient according to the nature of TK , It's better to have a sui-generic system for the protection of TK .

(8) It is accepted to benefit from the existing IPRs norms in this matter .

(9) (a) Creating an agreement about the norms of what could be considered as misappropriation, misuse , etc .. of TK .

(b) The difficulties of defining the subject matter , the strength and weakness of existing categories of protection .

(c) The issue of enforcement of norms relating to TK .

(10) The same treatment of native beneficiaries .