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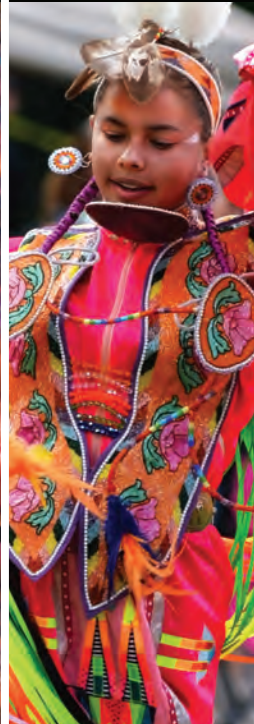
FOULSTON SIEFKIN LECTURE

APRIL 12, 2018, 12:10 P.M.

The Right to Own?: Protecting Indigenous Peoples' Knowledge in the Age of Intellectual Property

Ruth Okediji

Jeremiah Smith, Jr. Professor of Law
Harvard Law School



About the Lecturer

RUTH OKEDIJI

JEREMIAH SMITH, JR. PROFESSOR OF LAW
HARVARD LAW SCHOOL



BIOGRAPHY

Ruth Okediji is a renowned scholar in international intellectual property (IP) law and a foremost authority on the role of intellectual property in social and economic development. She has advised inter-governmental organizations, regional economic communities, and national governments on a range of matters related to technology, innovation policy, and development. Her widely cited scholarship on IP and development has influenced government policies in sub-Saharan Africa, the Caribbean, Latin America, and South America. Her ideas have helped shape national strategies for the implementation of the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). She works closely with several United Nations agencies, research centers, and international organizations on the human development effects of international IP policy, including access to knowledge, access to essential medicines, and issues related to indigenous innovation systems.

ABSTRACT

Many indigenous groups possess economically valuable knowledge, developed over generations — so-called “traditional knowledge” — about the medicinal or therapeutic applications of plant genetic resources on their land. There is some consensus that these groups are entitled to challenge patents or other intellectual property rights granted by other countries on inventions based on such knowledge. There is far less agreement, and indeed significant skepticism, that the “traditional knowledge” produced by indigenous peoples should be the subject of property rights, rather than constitute part of the public domain. This lecture will explore recent developments in international law to grant entitlement rights to indigenous groups and implications for the intellectual property system.

FOULSTON SIEFKIN

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has sponsored this lecture series since 1978 to enrich the quality of education at Washburn University School of Law.

Articles derived from the lectures are published by the *Washburn Law Journal* and are available at washburnlaw.edu/wlj/.

The *Washburn Law Journal* has been Washburn University School of Law's flagship publication since 1960. The *Journal* is edited by a board of ten to twelve editors and typically has a membership of thirty-five students per year. Membership is based on a combination of law school grades and a writing competition. On average, the *Washburn Law Journal* publishes between eight and fourteen student Notes and Comments in each volume. Each year, three to six students present their work in a well-attended scholarly forum that generates lively discussion.

The *Washburn Law Journal* produces three issues a year, which make up one volume. One issue traditionally takes the theme of the annual Foulston Siefkin Lecture, which since 1978 has been sponsored by the Wichita-based firm of Foulston Siefkin LLP. A second issue usually falls under the Board of Editors' creative control; and the third issue takes the theme of the Law School's annual symposium, which is co-sponsored by the *Journal*. The *Journal* is frequently cited by the Kansas Supreme Court and Court of Appeals, as well as by numerous other scholarly publications.

Cover images, from left:

Hoodia gordonii - *The San people of Namibia chew the bitter stems of the Hoodia to suppress hunger and thirst during long hunting trips or periods of food scarcity. This use has led to the development of "Hoodia extract" widely used as an appetite suppressant or weight loss supplement. Source: Amusan., Afr J Tradit Complement Altern Med., (2017) 14 (1): 103-109*

Detail of Australian Aboriginal artwork on didgeridoo - *Indigenous Australians' oral tradition and spiritual values are based upon belief in the Dreamtime—a sacred era when ancestral spirit beings created the world and laid down patterns of life for the Aborigines, as illustrated in abstract dot and circle paintings depicting the arrangements of objects and the stories they tell. Source: aboriginal-art-australia.com*

Māori man with tā moko - *Tā moko, often referred to as Māori tattoo, is the traditional permanent marking of the body and face through carving withuhi (chisels) instead of puncturing with needles. Though tā moko is a core component of Māori cultural identity, the practice and stylistic elements are appropriated into Western tattoo and fashion. Source: maori.com/tattoo*

Dancer at Summer Solstice Aboriginal Arts Festival in Ottawa, Canada - *Indigenous dances, songs, handicraft, designs, ceremonies, and tales are considered protectable Traditional Cultural Expressions (TCE) by the World Intellectual Property Organization (WIPO). Source: wipo.int, "Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions"*

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