

*STATE SERVICE OF INTELLECTUAL PROPERTY  
AND INNOVATION UNDER THE  
GOVERNMENT OF THE KYRGYZ REPUBLIC  
(KYRGYZPATENT)*

# **Legal Protection of Traditional Knowledge in the Kyrgyz Republic**

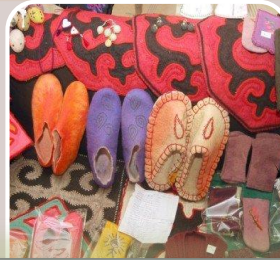


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Traditional Knowledge

# Traditional knowledge (TK)



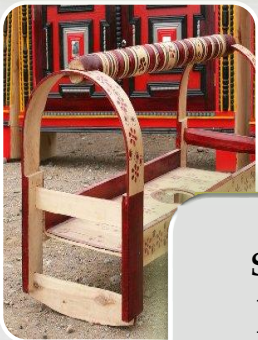
foods and  
drinks



tangible and  
intangible culture



medicine



shelter and  
household  
items



agriculture





✧ TK and associated genetic resources, as the commercial benefit from the use of TK and genetic resources is obvious



# What for the legal protection of TK is needed?



- conservation for the future generations of accumulated knowledge and experience related to the use of biological diversity and genetic resources , which emphasize the uniqueness of the people;

- holders of traditional knowledge should receive fair benefits from use by third parties of their knowledge.



# Law of the Kyrgyz Republic " On the Protection of Traditional Knowledge"

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Adopted on July 31, 2007 , the law regulates the relations connected with the protection and use of TK in Kyrgyzstan. The main purpose of the Act is to prevent illegal patenting of TK



# Law of the Kyrgyz Republic " On the Protection of Traditional Knowledge" ( Article 2 )



**traditional knowledge** - the knowledge , methods and techniques , including the use of genetic resources used in various fields of human activity , which were transferred from one generation to another in a certain order and meaning

**genetic resources** - include all the flora and fauna of the terrestrial, marine and any other origin , which can be used by the holders of traditional knowledge to obtain specific practical outputs in a given field of activity



# Law of the Kyrgyz Republic "On protection of traditional knowledge "



www.alkyrgyzstan.com



Establishes a legal regime for the protection of traditional knowledge only in the territory of the Kyrgyz Republic ;

It does not apply to the objects of folklore and handicraft arts



# The legal protection of traditional knowledge



- ✧ TK may be registered by one or jointly by several natural persons or legal entities who are the holders of TK;
- ✧ an application for registration of TK may be applied by the state bodies and institutions;
- ✧ foreign natural persons and legal entities in accordance with this Law shall be entitled to carry out their activities through their official representatives.



# The legal protection of traditional knowledge



- It applies to TK practically applicable in a particular sphere of human activity and having a positive result in their application ;
- It does not apply to traditional knowledge that is actually or potentially may harm the life and health of humans and the environment;
- Registration of TK in the Kyrgyz Republic shall not be limited in time.



# State regulation of traditional knowledge



The state policy in the field of TK is implemented by the State Service of Intellectual Property and Innovation under the Government of the Kyrgyz Republic (Kyrgyzpatent )



# State regulation of TK



- ❧ consideration of an application for the registration of TK;
- ❧ implementation of state registration of TK;
- ❧ formation of a database on TK;
- ❧ publication of information on TK;
- ❧ development of normative legal acts in the sphere of protection of TK.



# Consideration of an application for registration of TK



Consideration of the application - 3 months

The conclusion on the registration of TK

Refusal to register

Granting the certificate



# The application must include:



- ❧ application for registration;
- ❧ specific and complete description of TK;  
attachments to the application:
- ❧ official document;
- ❧ conclusion of the competent authority;
- ❧ for foreign applicant a document confirming his  
right for the claimed TK in the country of origin .



# Patenting objects that are based on TK

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- Not allowed patenting of objects representing TK;

- When patenting the objects that are based on traditional knowledge in the application materials is required to disclose the origin of TK used as a prototype or analog ;



# The database of ТК













База данных традиционных знаний

[Выход](#)

Поиск

[Добавить ТРЗ](#)

[Виды ТРЗ](#)

№	Вид ТРЗ (к какой области относится)	Название ТРЗ	место происхождения ТРЗН (границы географического объекта)	наименование генетического ресурса и его место происхождения		
				кыргызский	русский	латинский
1	 Жилище	<a href="#">Юрта</a>	Кыргызская Республика	тал, ак терек	ива, тополь	<i>Salix</i> , (Salicaceae); <i>Pópulus</i> (Salicaceae)
2	 Кыргызская традиционная медицина	<a href="#">Лечение тромбозов</a>	Кыргызская Республика	Беру карагат жыгачы	Барбарис	<i>Bérberis</i>
8	 Традиционные выражения культуры кыргызов	<a href="#">Игра "Тогуз-Коргоол"</a>	Кыргызская Республика			
9	 Генетические ресурсы	<a href="#">Традиционный способ кыргызов по приготовлению мыла "Шакар"</a>	Кыргызская Республика			
10	 национальная кухня	<a href="#">Способ приготовления в современных условиях кыргызского блюда "Таш кордо"</a>	Кыргызская Республика			
11	 национальная кухня	<a href="#">Молочный продукт "Бежжан"</a>	Кыргызская Республика			
12	 Материальная культура	<a href="#">Шырдак</a>	Кыргызская Республика			
13	 Материальная культура	<a href="#">туш кииз</a>	Кыргызская Республика			
14	 Материальная культура	<a href="#">Ала гийиз</a>	Кыргызская Республика			
15	 Традиционные выражения культуры кыргызов	<a href="#">игра "Ак челмек"</a>	Кыргызская Республика			



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# The database of TK



Gathering information on the regions of the country , meeting with the guardians of the TK and their documentation ;

Digitizing, processing and entering the TK sources into the database.





# Examples of registered applications



Traditional way of  
production of " Shakar" soap



Traditional game of Kyrgyz - "  
Toguz korgool "



# Examples of registered applications

Dairy product " Bekzhan "



Way of cooking meat - " Tash Kordo".



# Thank you for attention!



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