

INDIGENOUS ENTREPRENEURSHIP IN THE DIGITAL ECONOMY

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PLAN OF THE INTERVENTION

- THE ADVANTAGES OF IP FOR INDIGENOUS ENTREPRENEURSHIP
- IP RIGHTS: MANY TYPES & MANY ADVANTAGES
- IP RIGHTS AND E-COMMERCE
- EXERCISE
- DOs AND DON'Ts

TRADITIONAL KNOWLEDGE: PROTECTION AND PROMOTION

TRADITIONAL KNOWLEDGE & EXPRESSIONS



MAY BE PROTECTED THROUGH

INTELLECTUAL PROPERTY



MAY BE USED TO PROMOTE

TRADITIONAL KNOWLEDGE & EXPRESSIONS

TRADITIONAL KNOWLEDGE: PROTECTION AND PROMOTION

INTELLECTUAL PROPERTY ENSURES:

-PROTECTION & SAFEGUARD OF YOUR TRADITIONS AND, SHOULD YOU WISH IT, PROMOTION OF YOUR CULTURE

-IP MAY HELP YOU PROMOTE YOUR TRADITIONAL KNOWLEDGE EXPRESSIONS AS THE ORIGINAL ONES!

-ECONOMIC GAINS & UNIQUENESS ON THE MARKET



TRADITIONAL KNOWLEDGE: PROTECTION

DEPENDING ON THE TRADITIONAL KNOWLEDGE EXPRESSION AND ITS "ELEMENTS", E.G.:

-INNOVATIVE FORMULAS OR RECIPES BASED ON TRADITIONAL KNOWLEDGE →
PATENTS/COPYRIGHT/TRADE SECRETS



-TEXTILES (WORKING TECHNIQUE; MATERIAL; DECORATION; MOTIFS AND COLORS) →
PATENTS/TRADEMARKS/INDUSTRIAL DESIGNS/COPYRIGHT/TRADE SECRETS



-OBJECTS (WORKING TECHNIQUE; MATERIAL; SHAPE; DECORATION; MOTIFS AND
COLORS) → PATENTS/TRADEMARKS/INDUSTRIAL DESIGNS/COPYRIGHT/TRADE SECRETS

TRADITIONAL KNOWLEDGE: PROTECTION

DEPENDING ON THE TRADITIONAL KNOWLEDGE EXPRESSION AND ITS "ELEMENTS":

PATENTS: NEW, INDUSTRIAL APPLICATION, INVENTIVE STEP, DISCLOSURE!



TRADEMARKS: DISTINCTIVE + NEW!

INDUSTRIAL DESIGNS: NEW, INDUSTRIAL APPLICATION, NOT CONCEIVED ONLY FOR ITS FUNCTION OR...



...COPYRIGHT: EXPRESSION OF AN IDEA + ORIGINAL!

TRADITIONAL KNOWLEDGE: PROTECTION

PATENTS: REGISTRATION!

TRADEMARKS: IN PRINCIPLE REGISTRATION (IN SOME COUNTRIES, PROTECTION WITH USE)!

INDUSTRIAL DESIGNS: IN PRINCIPLE REGISTRATION (IN SOME COUNTRIES, DESIGNS ARE PROTECTED WITH USE AND/OR THROUGH COPYRIGHT)!

COPYRIGHT: AUTOMATIC!

TRADITIONAL KNOWLEDGE: PROTECTION AND PROMOTION

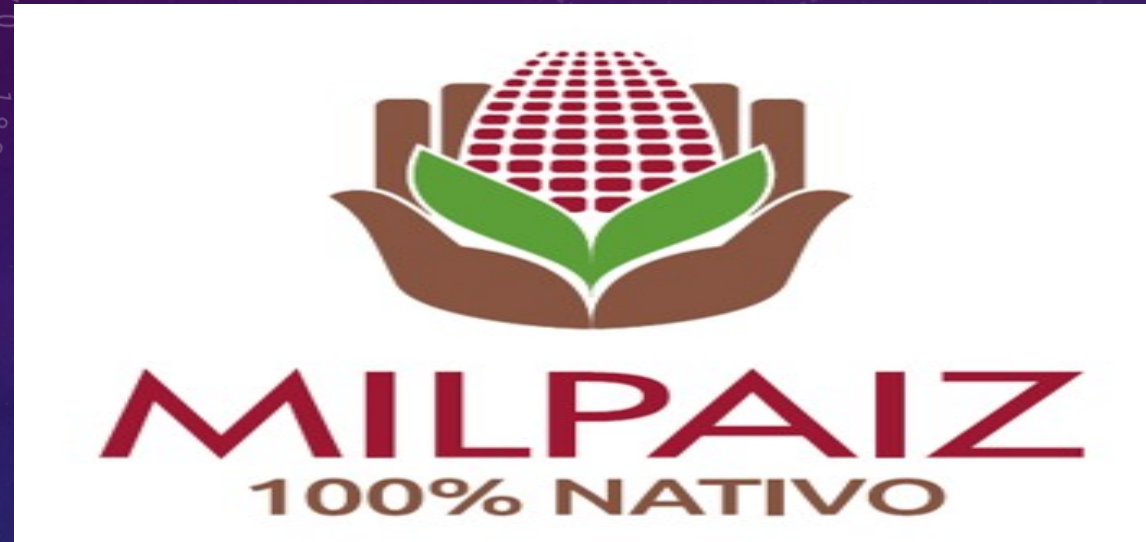
**LEGAL IP PROTECTION SHOULD ALWAYS GO
HAND IN HAND WITH AN IP MANAGEMENT
STRATEGY!**

=

USING IP RIGHTS!

TRADITIONAL KNOWLEDGE: CASE STUDY

-THE MILPAIZ COLLECTIVE MARK:



-“NUESTRO LOGOTIPO CUENTA LA HISTORIA DEL MAÍZ”
RED: A TYPICAL COLOR OF NATIVE VARIETIES OF CORN
100% NATIVE VARIETIES
CORNCOB AT THE CENTER
HANDS INDICATING PROTECTION AND PRESERVATION

TRADITIONAL KNOWLEDGE: CASE STUDY

-THE HOOKAH SHISHA:



-A NEW DESIGN BY HICHAM LAHLOU FOR A 500-YEAR OLD PRODUCT
-TRADITIONAL USE COMBINED WITH NEW SHAPES AND COLORS

TRADITIONAL KNOWLEDGE: CASE STUDY

COLLECTIVE MARKS, CERTIFICATION MARKS AND GIS!



EXPLAIN THE CONNECTION BETWEEN YOUR TRADITIONAL KNOWLEDGE AND THE TRADITIONAL KNOWLEDGE EXPRESSION YOUR BUSINESS REVOLVES AROUND!

SPECIFIC VIDEOS, PICTURES, INFORMATION!

TRADITIONAL KNOWLEDGE: PROTECTION AND PROMOTION



E-COMMERCE:

ALLOWS YOU TO EXPAND YOUR BUSINESS AND MARKET OF REFERENCE BEYOND YOUR NORMAL MARKET BORDERS...

...BUT ALSO EXPOSES YOU TO THE THREAT OF BEING COPIED AND SUBJECT TO WIDER COMPETITION (THIS THREAT EXISTS EVEN IF YOU DON'T ENGAGE IN E-COMMERCE...)!



INTELLECTUAL PROPERTY AS A TOOL FOR PROTECTING YOUR TRADITIONAL KNOWLEDGE EXPRESSIONS AND PROMOTE YOUR CULTURE IN A "SAFE" WAY!

TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

CREATING A WEBSITE:

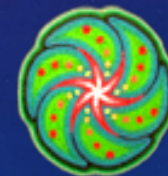
-BUY A DOMAIN NAME RECALLING YOUR COMMUNITY,
TRADITIONAL KNOWLEDGE EXPRESSION AND/OR YOUR
PRODUCTS

-CREATE A WEBSITE ALONE OR TOGETHER WITH THE
MEMBERS OF YOUR COMMUNITY

EXAMPLE:

[HTTPS://WWW.ARTESANIAHUICHOL.COM/](https://www.artesianiahuichol.com/)

[HTTPS://ARTESANIASDECHILE.CL/ADC/NOSOTROS/](https://artesianiasdechile.cl/adc/nosotros/)



Artesanía Huichol[®]
Huichol Art Collectibles

Artesanías
de Chile

Identidad
hecha a mano.

TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

CREATING A WEBSITE:



The screenshot displays the website for 'arteinbottega', an association in Volterra. The header features a logo of a hand holding a tool, with the text 'arteinbottega' and 'Associazione Arte in Bottega Volterra'. A navigation menu includes links for 'home', 'l'associazione', 'gli artigiani', 'la città', 'news', 'info e contatti', and 'links'. The main content area is divided into three columns. The left column lists several artisans: Alab'arte (alabastro), Alabastri Pecchioni (alabastro), Bianchi Romano (alabastro), Boldrini Daniele (alabastro), Fabula Etrusca (oreficeria), and Annelli Gloria. The middle column, titled 'Arte in Bottega Volterra', provides a home page introduction and a section for 'l'associazione' with links to 'associazione', 'statuto', and 'soci onorari'. It includes a quote from Fazio degli Uberti and a photograph of tools. The right column features a section for 'La Torre pendente in Alabastro di Volterra', described as the largest work of art in alabaster in the world, with a photograph of the tower.

EXAMPLE:

[HTTPS://WWW.ARTEINBOTTEGAVOLTERRA.IT/L-ASSOCIAZIONE.HTM](https://www.arteinbottegevoltterra.it/l-associazione.htm)

TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

CREATING A WEBSITE – IP RIGHTS APPLY ALSO TO THE WEBSITE:

- SOFTWARE: PATENTS AND/OR COPYRIGHT
- WEBSITE DESIGN: COPYRIGHT
- CREATIVE WEBSITE CONTENT: COPYRIGHT
- LOGOS AND OTHER SIGNS: TRADEMARKS
- HIDDEN ASPECTS OF THE WEBSITE: TRADE SECRET

TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

CREATING A WEBSITE:

MAKE SURE TO ALWAYS CLARIFY THE TERMS OF YOUR RELATIONSHIP WITH YOUR FELLOWS AND WITH THE WEBS

- WHO OWNS THE CONTENT?
- MAINTENANCE AND UPDATE SERVICES
- LIABILITY FOR PICTURES, LOGOS AND LINKS



TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

ENFORCING/DEFENDING YOUR RIGHTS:

-COPYRIGHT NOTICE IN
THE FIRST PAGE OF THE WEBSITE AND
© TO SIGNAL COPYRIGHT PROTECTION

EXAMPLE:

[HTTPS://WWW.ALABARTE.COM/](https://www.alabarte.com/)



AA alabarte.com

Visita il nostro *Catalogo*

alab'Arte, di Roberto Chiti e Giorgio Finazzo, è l'unico esempio, a Volterra, di **bottega artigiana di scultura**.

Una volta conclusi gli studi al locale *Istituto Statale d'Arte* e dopo pluriennali esperienze lavorative nelle botteghe artigiane alabastrine, comprendono quanto sia importante mantenere viva la tradizione di questo artigianato, riportando questa particolare lavorazione nella sua sede naturale, il **centro storico di Volterra**.

Roberto e Giorgio uniscono quindi le loro esperienze e la comune passione per questo lavoro, aprendo un *laboratorio-bottega* situato a soli 50 metri dall'importante **Museo Etrusco Guarnacci**.

La loro bravura e notorietà ha fatto sì che siano spesso contattati per importanti restauri, come quello del **Ciborio in alabastro** del '600 conservato nel Duomo di Potenza (restaurato e reintegrato delle sculture mancanti), così come per la creazione di opere su disegno di vari importanti artisti contemporanei, quali:

Ettore Spalletti, Chen Zhen, Tacita Dean, Anish Kapoor, Nari Ward, Sislej Xhafa, Giulio Paolini, Erkmen, Juan Munoz, Mario e Marisa Merz.

© alab'Arte snc di R.Chiti e G.Finazzo - P.IVA 01383030507

Laboratorio: Via Orti di Sant'Agostino, 28 - Volterra
Esposizione: Via Don Minzoni, 18 - Volterra
[Privacy Policy](#)

TERRE
DI PISA
MEMBER

TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

ENFORCING/DEFENDING YOUR RIGHTS:

-POST ONLY PICTURES WITH A WATERMARK OR ADJUST RESOLUTION (FROM SMALL TO BIG PICTURES)

-DISABLE RIGHT-CLICK AND HOTLINKING AND DISPLAY COPYRIGHT NOTICE WHEN AN IMAGE IS RIGHT-CLICKED



TRADITIONAL KNOWLEDGE, IP AND E-COMMERCE

ENFORCING/DEFENDING YOUR RIGHTS:

-DON'T SHOW ALL THE PROCEDURE TO CREATE YOUR PRODUCT

-YOU ARE YOUR OWN POLICEMAN: MONITOR THE INTERNET!

→ [HTTP://IMAGES.GOOGLE.COM](http://images.google.com)

→ TAKE PICTURES AND SCREENSHOTS OF INFRINGING WEBSITES

→ TAKE ACTION AGAINST INFRINGING WEBSITES: DOCUMENT & PROOFS;
CEASE AND DESIST LETTER; SEND NOTICE OF INFRINGEMENT

EXERCISE

YOU MAKE POTTERY PRODUCTS BASED ON THE TRADITIONAL TECHNIQUE OF YOUR COMMUNITY. YOUR POTTERY PRODUCTS USE THE COMMUNITY TRADITIONAL TECHNIQUE BUT THE DECORATIVE PATTERNS AND MOTIVES CHANGE/ARE NOT THE SAME OF OTHER PRODUCERS OF YOUR COMMUNITY.

YOU WANT TO CREATE A WEBSITE TO EXPAND YOUR BUSINESS.

1. WHAT IP RIGHT(S) COULD BE APPLIED TO PROTECT YOUR PRODUCTS?
2. WHAT IP RIGHT COULD BE USED TO COMMERCIALIZE/PROMOTE YOUR PRODUCTS?
3. WHAT BASIC THINGS SHOULD YOU SHOULD DO TO MAKE YOUR WEBSITE ALLURING AND EFFECTIVE IN ATTRACTING CONSUMERS?
4. WHEN YOU POST A PICTURE ONLINE, WHAT THINGS SHOULD YOU DO TO POST IT SAFELY?

DOs & DON'Ts

DOs

- DOMAIN NAME THAT RECALLS COMMUNITY & TRADITIONAL PRODUCTS.
- CLEAR RIGHTS & OBLIGATIONS CONCERNING A WEBSITE.
- EXPLAIN THE CONNECTION BETWEEN YOUR TRADITIONS AND YOUR PRODUCTS.
- SIGNAL EXISTENCE OF IP RIGHTS.
- USE WATERMARKS AND OTHER MEANS.
- CHECK THE INTERNET.

DON'Ts

- THINK THAT AS YOU ARE NOT ON THE INTERNET YOU ARE SAFE AND PROTECTED.
- CREATE A WEBSITE THAT HAS NO CONNECTION WITH YOUR COMMUNITY, TRADITIONS AND/OR PRODUCTS.
- LEAVE IP RIGHTS UNUSED AND UNEXPLOITED.
- TAKE OTHER PEOPLE'S PICTURES, TEXTS, MATERIAL, ETC. ONLINE.

THANK YOU FOR YOUR ATTENTION!

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