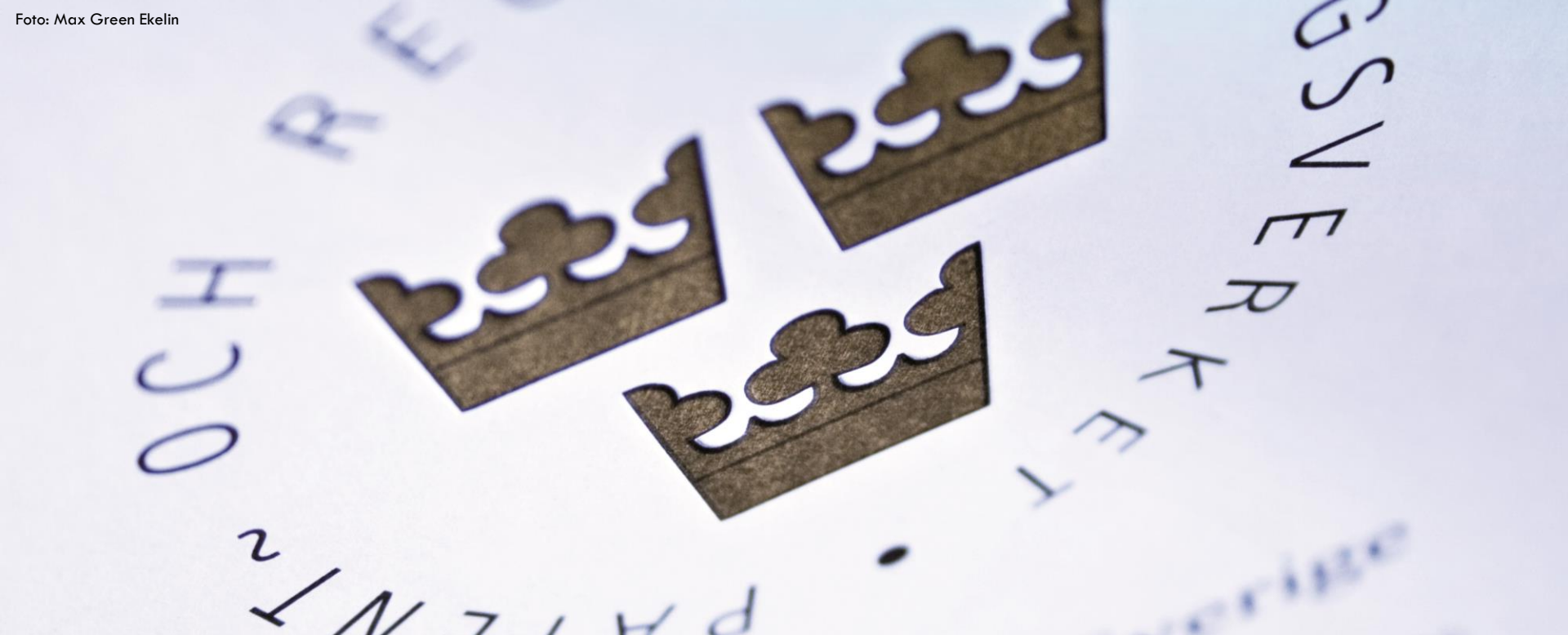


# IP AND THE INDIGENOUS PEOPLE IN SWEDEN

# SWEDISH PATENT AND REGISTRATION OFFICE

Ministry of Enterprise and Innovation

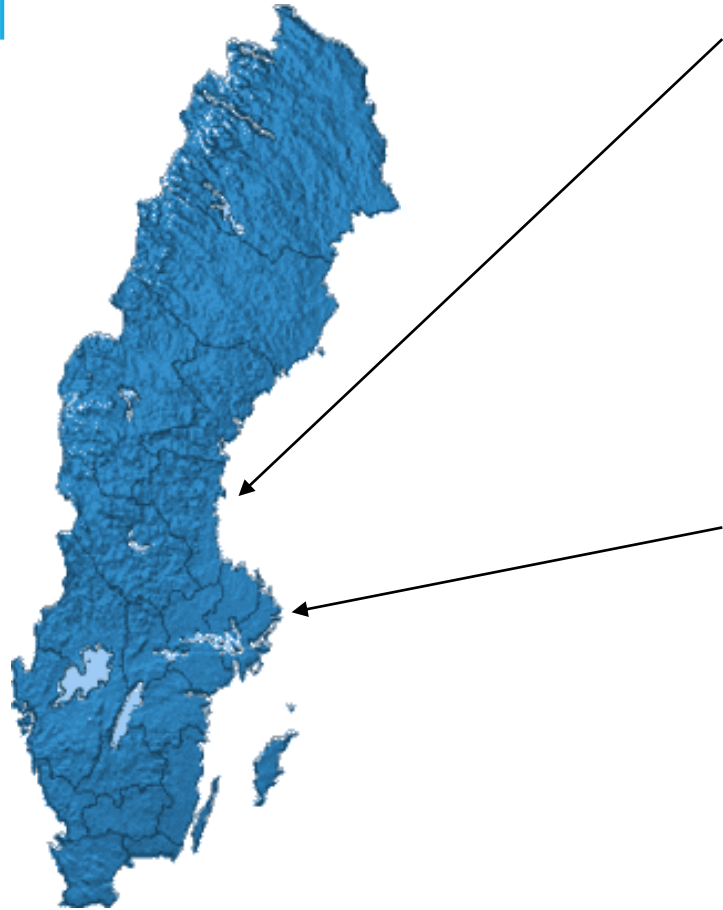
Serves the whole country



# PRV:S GOVERNMENTAL INSTRUCTION

The Swedish Patent and Registration Office shall, in the long term, promote growth and strengthen the innovation capacity and competitiveness throughout the country.

# PRV IN STOCKHOLM OCH SÖDERHAMN



Söderhamn, ca 80 people

- Trademarks
- Designs
- Periodicals
- Copyright

Stockholm, ca 270 people

- Patents

# NATIONAL ASSOCIATION OF THE SAAMI PEOPLE IN SWEDEN (SSR)

Reports to the Saami Parliament in Sweden

The Saami Parliament is a governmental body with it's own elections and Saami political parties (advisory to the Swedish government)

The Ministry of Culture

# CURRENT STATE

No official established contact or representation between the Patent and Registration Office and the Saami Parliament in Sweden

IP related indigenous peoples somehow an unexplored area in Sweden

# SWEDISH TRADE MARKS ACT

Ex officio examination:

## **Distinctive character.**

(Lack of distinctive character if it only shows the shape of the nature of the goods, only indicates the place where the goods are manufactured or the services are provided, only has a technical function, gives the mark a substantial value)

**Other** absolute grounds (not contrary to law, not protected state symbols, not offensive or against public policy)

# SWEDISH TRADE MARKS ACT

Ex officio examination

## Examples of relative grounds:

A trade mark **can not be registered** if it

- is likely to be confused with another trade mark registered before, another trade name
- infringes someone else's copyright
- includes the name or picture of someone else (who is alive or recently dead)
- includes someone else's pseudonym or artist name or someone else's protected family name (according to the Swedish law on personal names)



# EXAMPLES OF REGISTRATIONS

Some examples which may be interesting to discuss will follow

REG NO 418627



# LAPLAND

## Nubben

REG NO 418626



# LAPLAND Rom

REG NO 416163



**REG NO 542689**

**Jokkmokk Sami Cheese**

REG NO 538286



REG NO 396514

JOJK

Word mark registered for alcoholic beverages

Jojk is the traditional way of singing and it is also a ritual

EU TRADEMARK NO 010749216

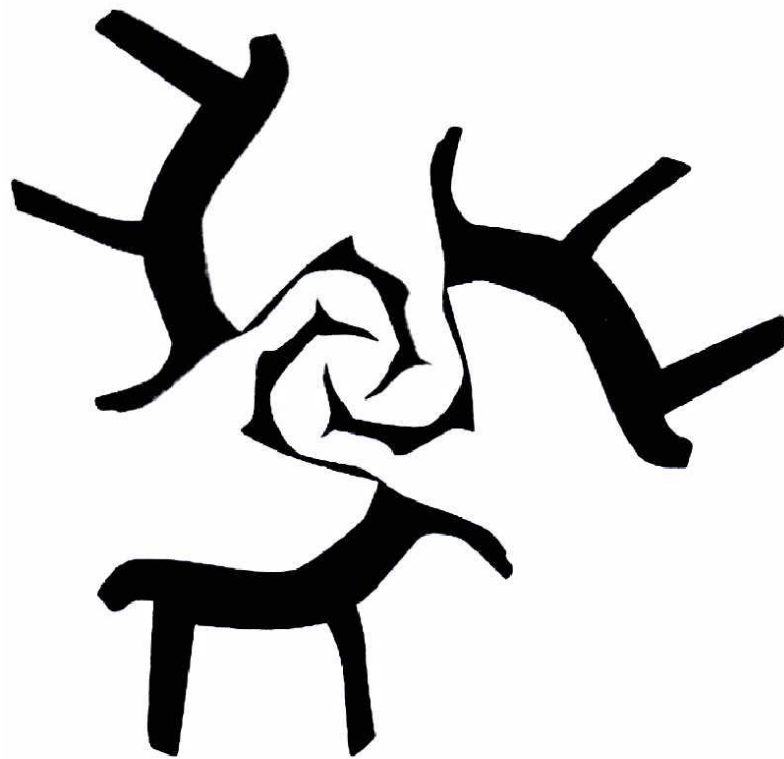
JOJKA

Registered for telecommunications etc.



# REGISTERED TRADE NAME

**Bieggolmai Holding AB**



RENLYCKA

# SÁMI DUODJI COLLECTIVE MARK 530201

The words mean Sámi Handicraft

Proprietor is the Swedish Sámi Handicraft Society

Used in Sweden, Norway, Finland and Russia

# REGISTERED COLLECTIVE MARK



# GEOGRAPHICAL INDICATIONS



# GEOGRAPHICAL INDICATIONS

No national legislation

EU regulations (direct effect)

Approx 10 registered Swedish GI's (that also includes guaranteed traditional specialities)

Sweden not part of Lisboa Agreement

No GI's for non-agricultural products



Slow Food® Sápmi

# A GI FOR SAAMI FOOD PRODUCTS?

Traditional Sámi food, for example Suovas (smoked meat of reindeer)

Or Gurpi (a dish made of minced reindeer meat, smoked and dried)

Maybe a GI would be a way to better promote the products and gain higher prices and be useful in export.



# OBSTACLES?

GI's are collective rights and the proprietors are associations/societies connected to the specific area.

The geographical area does not follow the administrative country borders.

More expensive and much more complicated than registering collective trade marks etc.

# IMPROVEMENTS AND CHALLENGES

Establish contact between the authorities (Patent and Registration Office, Department of Justice, Department of innovation and Energy) and the Saami national organisations and communities.

Awareness in the IP area for the SME's in Sápmi – crash courses, attending business fairs/expos, seminars



# THANK YOU

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