

THE INTERNATIONAL INSTITUTE FOR INDIGENOUS RESOURCE MANAGEMENT

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WORKSHOP: AN INTRODUCTION TO INTELLECTUAL PROPERTY RIGHTS FOR INDIAN TRIBES

Designed for Tribal Council Members, Attorneys, Cultural Resource Managers, Planners, Economic Development Staff, School Administrators, and Information Technology Personnel

April 22-23, 2003

Red Lion Hotel/Denver Central

4040 Quebec Street

Denver, Colorado 80216

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Who owns tribal stories? Who owns the traditional knowledge of native peoples? What information can a tribe post to its website? Can our genes be patented? Does the tribe have bootlegged or pirated copies of software on its computers? Do the reading materials for courses in the tribal college and high school violate any laws? What is the tribe's liability for copyright violations? The intellectual property issues confronting tribal decision-makers are more varied and more complex than for most businesses. On one hand tribes need to protect their stories, knowledge, and symbols but on the other, indigenous peoples are generally opposed to the notion of calling these parts of their heritage property. This workshop, intended for tribal council members, tribal attorneys, cultural resource managers, economic development staff, school administrators and information technicians, answers these questions, introduces traditional concepts of intellectual property, and outlines alternative approaches to protect tribal resources.

PRELIMINARY AGENDA:

April 22, 2003

Noon **Registration**

1300 **Review and History of Intellectual Property Rights In the Context of International Law and the International Indigenous Peoples Movement**

David J. Stephenson, Jr., Fairfield and Woods, P.C.

1500 **Patents: Issues and Trends**

Mervyn L. Tano, International Institute for Indigenous Resource Management

1545 **Break**

1600 **Copyright: Infringement Issues**

Adele Conover, Fairfield and Woods, P.C.

1630 **Making Sense of the Fair Use Doctrine: Implications for Educators**

Mervyn L. Tano, International Institute for Indigenous Resource Management

April 23, 2003

0830 **Continental breakfast**

0900 **Geographic Indicators: An Alternative to Intellectual Property?**

Mervyn L. Tano, International Institute for Indigenous Resource Management

- 0945 **Magnetization of Native American Intellectual Property While Protecting it from Unauthorized Use**
Dennis R. Gibb, Sweetwater Investments
- 1030 **Break**
- 1045 **Case Studies, e.g., Washington Redskins and Mascots, King Island, Hopi Blue Corn**
David J. Stephenson, Jr., Fairfield and Woods, P.C.
- 1215 **Lunch** (on your own)
- 1315 **Licensing Agreements and other Legal Tools Available to Protect Intellectual Property**
David J. Stephenson, Jr., Fairfield and Woods, P.C.
- 1415 **Bioprospecting, Biopiracy, and the Human Genome Project: Protecting the Genetic resources of Native Peoples**
David J. Stephenson, Jr., Fairfield and Woods, P.C.
- 1545 **Break**
- 1600 **Report of the IIRM Roundtable on Intellectual Property Rights of Indigenous Peoples**
Mervyn L. Tano, International Institute for Indigenous Resource Management
- 1630 **Adjourn**

FACULTY

- Adele Conover practices in the area of Commercial Litigation. During Law School, Ms. Conover studied abroad twice, first at the University of the West Indies in Barbados and then at Monash University in Melbourne, Australia. Ms. Conover served during 2000-2001 as law clerk to the Honorable John P. Leopold of Colorado's 18th Judicial District.
- Dennis R. Gibb is President of Sweetwater Investments a financial services firm in Bellevue Washington. Prior to forming Sweetwater in 1989, he held senior positions with Bear Stearns, Morgan Stanley and Dean Witter. Dennis has worked with Indian tribes and Alaska Native Corporations in areas such as investment consulting, economic development, issuance of tax exempt bonds, litigation support, education, sale of net operating losses and strategic planning
- David J. Stephenson, Jr. is an intellectual property attorney and an anthropologist. He has published many articles on indigenous intellectual property issues and has participated in numerous international legal, anthropology, and ethnobiology conferences.
- Mervyn L. Tano is an attorney and the president of the International Institute for Indigenous Resource Management. He is the principal investigator on a project to examine the ethical, legal, and social implications of the Human Genome Project and has written extensively on strategies to protect tribal intellectual property and genetic resources.