



# **B** **I** **O** **P** **I** **R** **A** **C** **Y** **G** **L** **O** **B** **A** **L**

**Patents, Plants,  
and Indigenous Knowledge**

**Ikechi Ngbeoji**

# Global Biopiracy Patents Plants And Indigenous Knowledge Law And Society

**Amaka Vanni**



## **Global Biopiracy Patents Plants And Indigenous Knowledge Law And Society:**

**Global Biopiracy** Ikechi Mgbeoji, 2006 Biopiracy raises serious issues pertaining to the conservation of biological diversity and genetic resources in agriculture the integrity of plant life forms a just international economic order and development Since the emergence of the biotechnology industry biopiracy has become a lightning rod for activists from the Introduction The appropriation of plants and traditional knowledge by corporations and other entities is often called biopiracy Such practices arise from a cultural milieu that systematically marginalizes non Western forms of knowledge which are devalued as folk knowledge or characterized as inferior Global Biopiracy rethinks the role of international law and legal concepts global patent systems and international agricultural research institutions as they affect legal ownership and control of plants and the knowledge that makes them valuable Ikechi Mgbeoji first examines the Western assumptions and biases that inform the patent system international law and institutions affecting farmers around the globe He next analyzes the cultural and economic traits that divide the industrialized world and the developing world Finally Mgbeoji confronts the phenomenal loss of human cultures and plant diversity that has already occurred and that will continue in the future unless protective measures are implemented and enforced International Law and Indigenous Knowledge Chidi Oguamanam, 2006-01-01 Discusses the suitability of mainstream forms of intellectual property rights to indigenous knowledge and efforts to reconcile the Western concept of intellectual property with indigenous knowledge Laws and Societies in Global Contexts Eve Darian-Smith, 2013-01-31 This text promotes a more global sociolegal perspective that engages with multiple laws and societies and diverse sociolegal systems based on very different historical and cultural traditions interacting on multiple local national and global levels The approach to global legal pluralism seeks to provide a framework for envisioning new global governance regimes that move beyond state based solutions to deal with trenchant transnational challenges **Law and Society Series** Dale Brawn, 2014-01-01 Using the judiciary of Manitoba as a model Paths to the Bench examines the political nature of Canada's judicial appointment process and suggests that ability alone seldom determined who went to the bench In fact many of Manitoba's early judges spent little time actually practising law since professional merit was not a criterion for judicial appointments Rather it was relationships with influential mentors and communities that ensured appointments and ultimately propelled careers Brawn offers an in depth analysis of how the paths to the bench of competent and connected and less competent and connected lawyers differed This book is one of the few studies to examine why many of the best and brightest members of the bar either did not want to go to the bench or if they did why they did not get there Laws and Societies in the Canadian Prairie West, 1670-1940 Louis A. Knafla, Jonathan Swainger, 2011-11-01 Laws and Societies in the Canadian Prairie West 1670 1940 examines the legal history of the north west frontier from the earliest years of European Native contact in the seventeenth century to the mid 1900s Challenging myths about a peaceful west and prairie exceptionalism the book explores the substance of prairie legal history and the

degree to which the region's mentality is rooted in the historical experience of distinctive prairie peoples. The chapters written by a cross section of established and emerging scholars working in the allied fields of law, legal history, sociology, and criminology focus on what is distinctive in prairie legal culture. By approaching the issue from a variety of perspectives—those of colonial administrators, fur company employees, Native peoples, women, men, entrepreneurs, judges, magistrates, and the police, among others—the authors find evidence of a conscious effort to apply broad, non-regional experiences to seemingly familiar local issues. The ways in which prairie peoples perceived themselves and their relationships to a wider world were directly framed by notions of law and legal remedy shaped by the course and themes of prairie history. Legal history is not just about black letter law. It is also deeply concerned with the ways in which people affect and are affected by the law in their daily lives. By examining how central and important the law has been to individuals, communities, and societies in the Canadian Prairies, this book makes an original contribution.

**Intellectual Property in Global Governance** Chidi Oguamanam, 2013-03-01. Intellectual Property in Global Governance critically examines the evolution of international intellectual property law making from the build up to the TRIPS Agreement through the TRIPS and post TRIPS era. The book focuses on a number of thematic intellectual property issue linkages, exploring the formal and informal institutional interactions and multi-stakeholder intrigues implicated in the global governance of intellectual property. Using examples from bio-technology, bio-diversity, bio-prospecting, and bio-piracy, it investigates the shift or concentration in the focus of innovation from physical to life sciences and the ensuing changes in international intellectual property law making and their implications for intellectual property jurisprudence. It examines the character of the reception, resistance, and various nuanced reactions to the changes brought about by the TRIPS Agreement, exploring the various institutional sites and patterns of such responses, as well as the escalation in the issue linkages associated with the concept and impact of intellectual property law. Drawing upon multiple methodological approaches including law and legal theory, regime theory, globalization, and global governance, Chidi Oguamanam explores the intellectual property dynamics in the Global Knowledge Economy, focusing on digitization and information revolution, phenomenon, and the concept of a post-industrial society. The book articulates an agenda for global governance of intellectual property law in the 21st century and speculates on the future of intellectual property in North-South relations.

**Biotraffic** Christopher Morris, 2024-10-15. Biotraffic explores the complex world of biological resource trade. It takes readers inside the contemporary Ciskei region of South Africa, a once notorious apartheid homeland turned extractive hub for wild medicinal plants. Drawing from in-depth ethnographic and archival research, Christopher Morris examines the region's trade in *Pelargonium sidoides*, a plant once contested as a tuberculosis treatment in early twentieth-century Europe and now an internationally marketed remedy for the common cold. The story of this trade links past and present, encapsulating a larger tale about colonial legacies and their intersection with global environmental governance ambitions. It also teems with a diverse cast of actors from plant harvesters and pharmaceutical

companies to activist NGOs and the chiefs who have become business partners with multinational drug firms The book's analysis extends beyond considering merely the extraction and commercialization of plant resources and offers a critical examination of how demand for therapeutics intertwines with broader struggles over land and political power in South Africa Biotraffic illuminates how a distance defying trade is reshaping the sociopolitical landscape of a region a region grappling with apartheid's afterlives and the challenges of environmental and economic justice

**The Environmental Rights Revolution** David R. Boyd, 2011-11-29 The right to a healthy environment is the subject of extensive philosophical debates that revolve around a key question Should rights to clean air water and soil be entrenched in law This pioneering book answers this by moving beyond theoretical debate to measure the practical effects of enshrining the right in constitutions David Boyd analyzes 193 constitutions and the laws and court decisions of more than 100 nations in Europe Latin America Asia and Africa He reveals that nations with constitutional protections have stronger environmental laws enhanced enforcement greater government accountability and better access to justice information and public participation in decision making than nations without such provisions As a result they demonstrate superior environmental performance and have smaller ecological footprints Boyd not only demonstrates that constitutionalizing environmental protection has the power to make sustainability a priority he tells inspiring stories about the difference the right to a healthy environment is making in people's lives

**Resistance and Decolonization** Amílcar Cabral, 2016-03-30 How can a people overthrow 500 years of colonial oppression What can be done to decolonize mentalities economic structures and political institutions In this book which includes the first translation of the text Analysis of a Few Types of Resistance as well as The Role of Culture in the Struggle for Independence the African revolutionary Amílcar Cabral explores these and other questions These texts demonstrate his frank and insightful directives to his comrades in Guinea-Bissau and Cape Verde's party for independence as well as reflections on culture and combat written the year prior to his assassination by the Portuguese secret police As one of the most important and profound African revolutionary leaders in the 20th century and justly compared in importance to Frantz Fanon Cabral's thoughts and instructions as articulated here help us to rethink important issues concerning nationalism culture vanguardism revolution liberation colonialism race and history The volume also includes two introductory essays the first introduces Cabral's work within the context of Africana critical theory and the second situates these texts in the context their historical political context and analyzes their relevance for contemporary anti-imperialism

**Environmental Harm** Rob White, 2014-09-24 This unique study of social harm offers a systematic and critical discussion of the nature of environmental harm from an eco-justice perspective challenging conventional criminological definitions of environmental harm The book evaluates three interconnected justice-related approaches to environmental harm environmental justice humans ecological justice the environment and species justice non-human animals It provides a critical assessment of environmental harm by interrogating key concepts and exploring how activists and social movements engage

in the pursuit of justice It concludes by describing the tensions between the different approaches and the importance of developing an eco justice framework that to some extent can reconcile these differences Using empirical evidence built on theoretical foundations with examples and illustrations from many national contexts Environmental harm will be of interest to students and academics in criminology sociology law geography environmental studies philosophy and social policy all over the world

*The SAGE Encyclopedia of Pharmacology and Society* Sarah E. Boslaugh, 2015-09-15 The SAGE Encyclopedia of Pharmacology and Society explores the social and policy sides of the pharmaceutical industry and its pervasive influence in society While many technical STM works explore the chemistry and biology of pharmacology and an equally large number of clinically oriented works focus on use of illegal drugs substance abuse and treatment there is virtually nothing on the immensely huge business Big Pharma of creating selling consuming and regulating legal drugs With this new Encyclopedia the topic of socioeconomic business and consumer and legal and ethical issues of the pharmaceutical industry in contemporary society around the world are addressed Key Features 800 signed articles authored by prominent scholars are arranged A to Z and published in a choice of electronic or print formats Although arranged A to Z a Reader's Guide in the front matter groups articles by thematic areas Front matter also includes a Chronology highlighting significant developments in this field All articles conclude with Further Readings and Cross References to related articles Back matter includes an annotated Resource Guide to further research a Glossary Appendices e.g. statistics on the amount and types of drugs prescribed etc and a detailed Index The Index Reader's Guide and Cross References combine for search and browse capabilities in the electronic edition The SAGE Encyclopedia of Pharmacology and Society is an authoritative and rigorous source addressing the pharmacology industry and how it influences society making it a must have reference for all academic libraries as a source for both students and researchers to utilize

*The Grand Experiment* Hamar Foster, Benjamin L. Berger, A.R. Buck, 2009-07-01 The essays in this volume reflect the exciting new directions in which legal history in the settler colonies of the British Empire has developed The contributors show how local life and culture in selected settlements influenced and was influenced by the ideology of the rule of law that accompanied the British colonial project Exploring themes of legal translation local understandings judicial biography and law at the boundaries they examine the legal cultures of dominions in Canada Australia and New Zealand to provide a contextual and comparative account of the incomplete implementation of the British constitution in these colonies

**Research Handbook on the International Law of Indigenous Rights** Newman, Dwight, 2022-04-19 This ground breaking Research Handbook provides a state of the art discussion of the international law of Indigenous rights and how it has developed in recent decades Drawing from their extensive knowledge of the topic leading scholars provide strong general coverage and highlight the challenges and cutting edge issues arising in international Indigenous rights law

**Transnational Environmental Crime** Rob White, 2018-10-08 This book provides a comprehensive introduction to and overview of eco global criminology Eco global criminology refers to a

criminological approach that is informed by ecological considerations and by a critical analysis that is global in scale and perspective Based upon eco justice conceptions of harm it focuses on transgressions against environments non human species and humans At the centre of eco global criminology is analysis of transnational environmental crime This includes crimes related to pollution of air water and land and crimes against wildlife including illegal trade in ivory as well as live animals It also includes those harms that pose threats to the environment more generally such as global warming In addressing these issues the book deals with topics such as the conceptualization of environmental crime or harm the researching of transnational environmental harm climate change and social conflict threats to biodiversity toxic waste and the transference of harm prosecution and sentencing of environmental crimes and environmental victimization and transnational activism This book argues that analysis of transnational environmental crime needs to incorporate different notions of harm and that the overarching perspective of eco global criminology provides the framework for this Transnational Environmental Crime will be an essential resource for students academics policy makers environmental managers police magistrates and others with a general interest in environmental issues *Patent Games in the Global South* Amaka

Vanni,2020-02-06 In this thought provoking analysis the author takes three examples of emerging markets Brazil India and Nigeria and tells their stories of pharmaceutical patent law making Adopting historiographical and socio legal approaches focus is drawn to the role of history social networks and how relationships between a variety of actors shape the framing of and subsequently the responses to national implementation of international patent law In doing so the book reveals why the experience of Nigeria a country active in opposing the inclusion of IP to the WTO framework during the Uruguay Rounds is so different from that of Brazil and India This book makes an original and useful contribution to the further understanding of how both states and non state actors conceptualise establish and interpret pharmaceutical patents law and its domestic implications on medicines access public health and development *Patent Games in the Global South* was awarded the 2018 SIEL Hart Prize in International Economic Law

**Green Criminology** Rob White,Diane Heckenberg,2014-02-03 Over the past ten years the study of environmental harm and crimes against nature has become an increasingly popular area of research amongst criminologists This book represents the first international comprehensive and introductory text for green criminology offering a concise exposition of theory and concepts and providing extensive geographical coverage diversity and depth to the many issues pertaining to environmental harm and crime Divided into three sections the book draws on a range of international case studies and examples and looks at the conceptual and methodological foundations of green criminology before examining in detail areas of environmental crime and harm and how they are addressed including climate change and social conflict abuse and harm to animals threats to bio diversity pollution and toxic waste environmental victims environmental regulation law enforcement and courts environmental forensic studies environmental crime prevention *Green Criminology* is packed with pedagogical features including dialogue boxes case examples discussion questions and lists of

further reading and is perfect for students around the world engaged with green criminology and crime against the environment

Intellectual Property and Biotechnology Matthew Rimmer, 2008-01-01 Dr Rimmer's book is a marvellous introduction to a crucial topic of our time. He writes engagingly provocatively and always with good humour. A highly technical and complex area of law has been reduced to clear descriptions and searching analysis. Truly this is an important book on an essential topic that will help define the ethics of a future that includes nothing less than the future of our species. From the foreword by the Hon Justice Michael Kirby AC CMG the High Court of Australia the author has done an excellent job by explaining the subject in an open and accessible manner. This book is a timely and very thought provoking analysis of patent law and biotechnology. The book is a unique theoretical contribution to the controversial public debate over commercialization of biological inventions; there is an extensive bibliography, a valuable resource for further reading. The book will be of prime interest to lawyers and patent attorneys, scientists and researchers, business managers and technology transfer specialists. *Journal of Intellectual Property Rights* Rimmer's book is highly recommended for anyone interested in the issues and debate related to biological inventions regardless of which side the reader is on. Stefan M. Miller *Journal of Commercial Biotechnology* this book gives an excellent account of the most celebrated biotechnology cases from three continents and for this alone is to be thoroughly recommended. David Rogers *European Intellectual Property Review* Rimmer has put a great deal of thought and effort into this series of chapters. For those looking at how to reform direct and develop laws in relation to biotechnology this book is brimming with ideas, suggestions and recommendations of what to do next. Rebecca Halford Harrison *Chartered Institute of Patent Attorneys* an excellent introduction to a wide range of legal thinking in an increasingly controversial and relevant area to humankind. Sharon Givoni *Australian Intellectual Property Law Bulletin* Rimmer's new book is a timely and very thought provoking analysis of patent law and biotechnology and asks a very serious question: can a 19th century patent system adequately deal with a 21st century industry? Kate McDonald *Australian Life Scientist* This book documents and evaluates the dramatic expansion of intellectual property law to accommodate various forms of biotechnology from micro organisms, plants and animals to human genes and stem cells. It makes a unique theoretical contribution to the controversial public debate over the commercialization of biological inventions. The author also considers the contradictions between the Supreme Court of Canada rulings in respect of the Harvard oncomouse and genetically modified canola. He explores law, policy and practice in both Australia and New Zealand in respect of gene patents and non coding DNA. This study charts the rebellion against the European Union Biotechnology Directive particularly in respect of Myriad Genetics BRCA1 and BRCA2 patents and stem cell patent applications. The book also considers whether patent law will accommodate frontier technologies such as bioinformatics, haplotype mapping, proteomics, pharmacogenomics and nanotechnology. *Intellectual Property and Biotechnology* will be of prime interest to lawyers and patent attorneys, scientists and researchers, business managers and technology transfer specialists.

Making and Unmaking Intellectual



Property Mario Biagioli, Peter Jaszi, Martha Woodmansee, 2015-07-31 Rules regulating access to knowledge are no longer the exclusive province of lawyers and policymakers and instead command the attention of anthropologists economists literary theorists political scientists artists historians and cultural critics This burgeoning interdisciplinary interest in intellectual property has also expanded beyond the conventional categories of patent copyright and trademark to encompass a diverse array of topics ranging from traditional knowledge to international trade Though recognition of the central role played by knowledge economies has increased there is a special urgency associated with present day inquiries into where rights to information come from how they are justified and the ways in which they are deployed Making and Unmaking Intellectual Property edited by Mario Biagioli Peter Jaszi and Martha Woodmansee presents a range of diverse and even conflicting contemporary perspectives on intellectual property rights and the contested sources of authority associated with them Examining fundamental concepts and challenging conventional narratives including those centered around authorship invention and the public domain this book provides a rich introduction to an important intersection of law culture and material production

**Indigenous Studies: Breakthroughs in Research and Practice** Management Association, Information Resources, 2019-10-11 Global interest in indigenous studies has been rapidly growing as researchers realize the importance of understanding the impact indigenous communities can have on the economy development education and more As the use acceptance and popularity of indigenous knowledge increases it is crucial to explore how this community based knowledge provides deeper insights understanding and influence on such things as decision making and problem solving Indigenous Studies Breakthroughs in Research and Practice examines the politics culture language history socio economic development methodologies and contemporary experiences of indigenous peoples from around the world as well as how contemporary issues impact these indigenous communities on a local national and global scale Highlighting a range of topics such as local narratives intergenerational cultural transfer and ethnicity and identity this publication is an ideal reference source for sociologists policymakers anthropologists instructors researchers academicians and graduate level students in a variety of fields

Intellectual Property Rights and the Protection of Traditional Knowledge Dewani, Nisha Dhanraj, Gurtu, Amulya, 2019-12-27 Traditional knowledge is largely oral collective of knowledge beliefs and practices of indigenous people on sustainable use and management of resources The survival of this knowledge is at risk due to various difficulties faced by the holders of this knowledge the threat to the cultural survival of many communities and the international lack of respect and appreciation of traditional knowledge However the greatest threat is that of appropriation by commercial entities in derogation of the rights of the original holders Though this practice is morally questionable in the absence of specific legal provisions it cannot be regarded as a crime Intellectual Property Rights and the Protection of Traditional Knowledge is a collection of innovative research on methods for protecting indigenous knowledge including studies on intellectual property rights and sovereignty rights It also analyzes the contrasting interests of developing and developed countries in the

protection of traditional knowledge as an asset While highlighting topics including biopiracy dispute resolution and patent law this book is ideally designed for legal experts students industry professionals and practitioners seeking current research on the development and enforcement of intellectual property rights in relation to traditional knowledge

## Enjoying the Tune of Expression: An Emotional Symphony within **Global Biopiracy Patents Plants And Indigenous Knowledge Law And Society**

In a world eaten by screens and the ceaseless chatter of fast interaction, the melodic beauty and mental symphony developed by the written term usually diminish in to the back ground, eclipsed by the persistent noise and disturbances that permeate our lives. Nevertheless, set within the pages of **Global Biopiracy Patents Plants And Indigenous Knowledge Law And Society** a marvelous literary treasure overflowing with fresh thoughts, lies an immersive symphony waiting to be embraced. Crafted by an outstanding composer of language, this fascinating masterpiece conducts viewers on a mental journey, skillfully unraveling the concealed melodies and profound affect resonating within each carefully crafted phrase. Within the depths with this poignant examination, we will explore the book is main harmonies, analyze its enthralling writing design, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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