MANAGING AND MAINTAINING THE CULTURAL HERITAGE DATABASES
BULGARIAN EXPERIENCE

1. BULGARIAN CREATIVE ECONOMY
2. BULGARIAN IP PROTECTION OF SOFTWARE AND DATABASES
   • IP PROTECTION OF SOFTWARE
   • IP PROTECTION OF DATABASES
4. CULTURAL HERITAGE DATABASES
   • “ALIVE HUMAN TREASURES”
   • “BULGARIAN ETHNOGRAPHIC TREASURES”
BULGARIAN SOFTWARE AND DATABASES INDUSTRY

“The Economic Contribution of Copyright-Based Industries in Bulgaria”, 2007

Identified nine core copyright-based industries in Bulgaria according to WIPO methodology and classification approach:
- Publishing industry
- Software and Databases industry
- Music industry
- Broadcasting media industry
- Film industry
- Advertising industry
- Photography industry
- Visual and graphic arts industry
- Collective rights management organizations

The economic contribution of each copyright-based industry was measured by the economic indexes as GDP, AV, Emp., Imp.-Exp., 2003-2005

The economic trends of Software and Databases industry development is 93%, the creation of new software and databases as well as web designs growths up to 108%, 0.511% from GDP, 0.621% from AV, 0.485% from Emp.- , Imp.-Exp.-no data.
<table>
<thead>
<tr>
<th>Original works-handicrafts:</th>
<th>Derivative works- folklore:</th>
<th>Sui generis protection of software and databases:</th>
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</thead>
<tbody>
<tr>
<td>Artistic leather working;</td>
<td>Making jewelry;</td>
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<td>Making wrought-iron items;</td>
<td>Copper-working;</td>
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<td>Artistic casting;</td>
<td>Making bells;</td>
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<td>Making knives;</td>
<td>Making antique weapons;</td>
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<td>Making weapons</td>
<td>Making embroidery;</td>
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<tr>
<td>Artistic knitting and crochet;</td>
<td>Making national dolls;</td>
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<td>Making folk musical instruments;</td>
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<td>painting;</td>
<td>Mural and icon</td>
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<td>Making of artistic ceramics;</td>
<td>Artistic woodworking;</td>
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<td>Artistic woodworking;</td>
<td>Making artistic fabric;</td>
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<td>Making of artistic fabric;</td>
<td>Woolen braiding;</td>
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<tr>
<td>Making of national costumes and masks</td>
<td>Whittling.</td>
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</tbody>
</table>
Bulgarian Tangible Cultural Heritage
Thracian treasure

NATIONAL IP PROTECTION OF
SOFTWARE

Copyright and Related Rights Law, 1993

• Software is protected as literary work

• The IP protection is given for the software itself

• The ideas and principles integrated into the interface of the program are excluded from IP protection
NATIONAL IP PROTECTION OF DATABASES

Copyright and Related Rights Law, 1993
Databases are IP protected in two manners: by copyright and by sui generis right

Databases Copyright Protection
• Databases are protected as collective works
• The IP database protection is given for the manner of their compilation
• The holder of the copyright over the databases is their author
NATIONAL IP PROTECTION OF DATABASES

Databases Sui generis Protection

• Under sui generis protection are databases which are substantive investment

• Sui generis right is separately applicable, but in a manner which do not contradict to this copyright protection

• The sui generis protected databases may secondary be used by their legal user

• The holder of sui generis right is the investor
Regarding the IP issues of CH digitization applicable is the copyright protection of the created software and sui generis protection of the created databases, thus the authorities which order and maintain them are state budgeted i.e. the “state” is the “investor”-the right holder.

Usually the creator of software and databases is an employee, i.e. the “state” is the copyright holder, if there isn’t a prior agreement on this issue.

Regarding the CHL the national cultural heritage is in the public domain, i.e. there isn’t any IP protection over the traditional elements implemented in the objects, thus under IPR are only the handicrafts and folklore performances if the author or the artist could be defined.

The Digital Register of Bulgarian ICH is a state means for recognition of the elements of national ICH and support their preservation and transmission as well respect the collective IP of its generations.
Inventorying Intangible Cultural Heritage

Inventorying to ensure identification for safeguarding

The Convention for the Safeguarding of the Intangible Cultural Heritage defines intangible cultural heritage as the practices, representations, expressions, knowledge and skills, including the instruments, objects, artefacts and cultural spaces associated with them, that communities, groups and individuals, as part of their cultural heritage. This intangible cultural heritage is transmitted from generation to generation and is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.

Intangible cultural heritage takes many forms. The Convention explains that it may be expressed in a variety of forms, including:
- oral traditions and expressions including language as a vehicle of the intangible cultural heritage;
- performing arts;
- social practices, rituals and festive events;
- knowledge and practice concerning nature and the universe;
- traditional craftsmanship.

It goes without saying that many elements of intangible cultural heritage might belong to one or more of these domains.

The main purposes of the Convention are to safeguard such heritage, to ensure respect for it, to raise awareness about its importance and provide for international cooperation and assistance to those needs. Countries that ratify the Convention (known as States Parties) take on the obligation to safeguard the intangible cultural heritage present on their territories. At an international level, the Convention establishes two lists, the List of Intangible Cultural Heritage in Need of Urgent Safeguarding and the Representative List of the Intangible Cultural Heritage of Humanity. The goal of these lists is to call attention to those elements of intangible cultural heritage that are representative of human creativity and cultural diversity, and especially those in need of urgent safeguarding.

The Convention focuses on the role of communities and groups in safeguarding intangible cultural heritage. It is concerned with practices and constitutes rather than protects, placing emphasis on living heritage that is performed by people, often collectively, and communicated through living experience. It deals with heritage that constitutes themselves diverse, important, and able to contribute to the promotion of creativity and diversity, and to the well-being of communities, groups, and societies at large.

- Safeguarding: Efforts of States Parties
- Inventories: Instruments for safeguarding
- Development of policies, planning and strategies
- Promote the role of the Intangible Cultural Heritage in the development of States Parties

Some examples of (IC) inventorying:
- Community-based documentation and dissemination for the visibility of intangible cultural heritage in the broader public.
- A clear framework to report intangible environments and cultural traditions in the country, towards a comprehensive and national intangible cultural heritage inventory.
Intangible Bulgarian Cultural Heritage, The “Bistrisa Grannies” UNESCO Masterpiece

“Alive Human Treasures” – National System of Bulgarian Intangible Cultural Heritage/IF

• The National system “Alive Human Treasures” is databases representing Bulgarian ICH by its performers (carriers).

• The added into National system ICH carriers could be entered in the National representative list of ICH after a special procedure. Once subscribed in the National representative list they could be nominated for entering in UNESCO masterpiece list.
Traditional Bulgarian Handicrafts and House

“Bulgarian Ethnography Treasure” Experimental Digital Archive

http://www.ethnography.cc.bas.bg

This digital archive preserves, popularizes, educates and facilitates the access to Bulgarian ethnography artifacts as well as enables the digital restoration of different collections and regions and creates public and scientific information recourse.

“Open Museum” Project 2008-2011
БЪЛГАРСКА АКАДЕМИЯ НА НАУКИТЕ ЕТНОГРАФСКИ ИНСТИТУТ С МУЗЕЙ

ПРОЕКТ
ДИГИТАЛЕН АРХИВ

БЪЛГАРСКА ЕТНОГРАФСКА СЪКРОВИЩНИЦА

По договор № ИД 12/08.09.2005 г. с Агенция „Развитие на съобщението и на информационните и комуникационните технологии“
Bulgarian Cultural Heritage -
The Rila Monastery

THANK YOU FOR YOUR ATTENTION!

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