

**IGC 52 - Information Sharing Session on  
“Regional, National and Community Policies  
and Legislations Regarding the Intellectual  
Property Protection of TK and TCEs.”**

***Experience of Romania***

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# Brief info about ROMANIA

- **EU Member State since 1<sup>st</sup> of January 2007**
- **Borders:** Ukraine, Moldova, Hungary, Serbia, Bulgaria, The Black Sea
- **Superficies:** 238,391 sq km
- **Relief:** 33% mountains (The Carpathians), 33% hills, 33% plains and the Danube Delta
- **Population:** 19.053.815 inhabitants
- **Nationalities:** 89.3% Romanians and Hungarians, Germans, Polish, Slovaks, Ukrainian, Russians, Turks, Greeks, Armenians, etc. (around 19 ethnic groups)
- **Capital:** Bucharest (2.158.758 inhabitants)
- **Official Language:** Romanian (Latin origin)
- **Free compulsory general education**

Hungary

Moldova

# ROMANIA

Ukraine

Serbia

The Black Sea

Bulgaria



# Human beings in Romania

- Some of the oldest humanoid in Europe – approximatively 2 million years (Bugiulesti, Valcea County);
- Some of the oldest modern human beings from Europe 40,000 years (the Cave with Bones)
- Some of the oldest cave paintings in the world, aging 35,000 years at Coliboaia Cave;
- The oldest permanent settlement in Europe (Schela Cladovei/on Danube).



# Turdas/Vinca and Cucuteni Civilizations

- One of the oldest civilizations in Europe (8,000 years).
- Population involved in agricultural and animal breeding activities, tool and weapons manufacture;
- Knew to work with cooper, silver and gold;
- Cucuteni famous for perfect ceramics, many symbols decorated on various objects still being used thousands of years after worldwide.

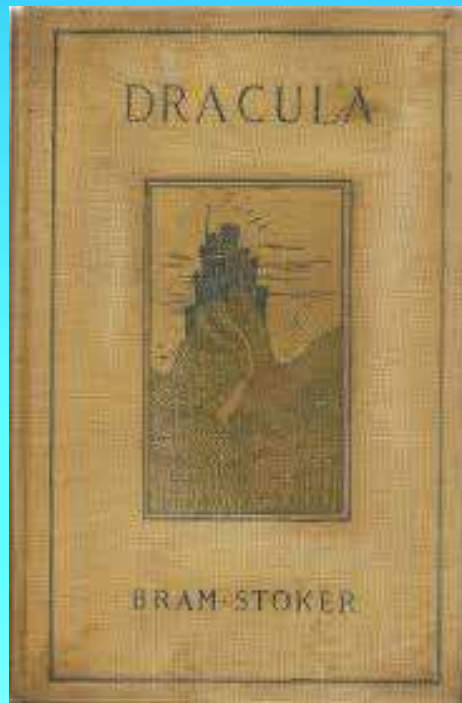


# Tartaria tables – perhaps the oldest written message of humanity (7,000years) but oral tradition extremely rich and well preserved



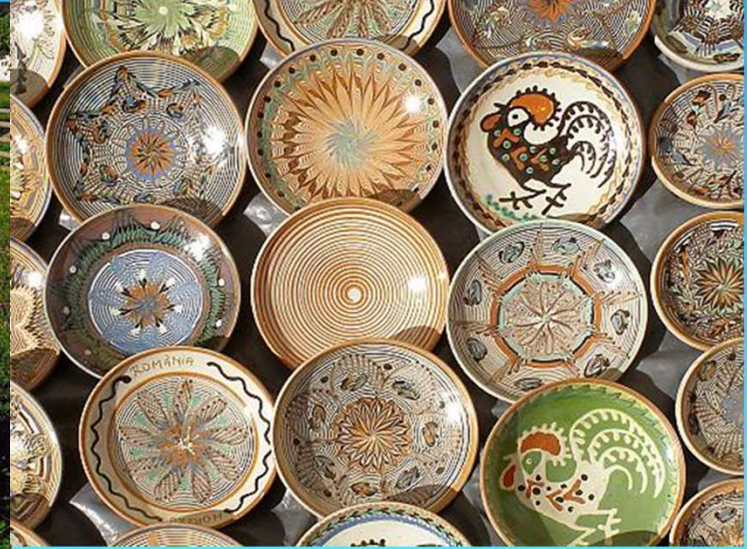
# Legendary creations based on Romanian TCEs

- Bram Stoker's "Dracula" based on an old Romanian myth
- Referring to Vlad Tepes (the Impaler), voievode (king) of Romanian Country (1456-1462, 1477)



# Romania in UNESCO Representative List of the Intangible Cultural Heritage

- Calusul; Doina; Horezu Ceramics; Colindul; Youth Dance; Traditional techniques for carpets; Martisorul



# Legendary creations based on Romanian TCEs

- Constantin Brancusi work (Coloana Infinitului, Poarta Sarutului, Masa Tacerii etc)



# Garment Continuation

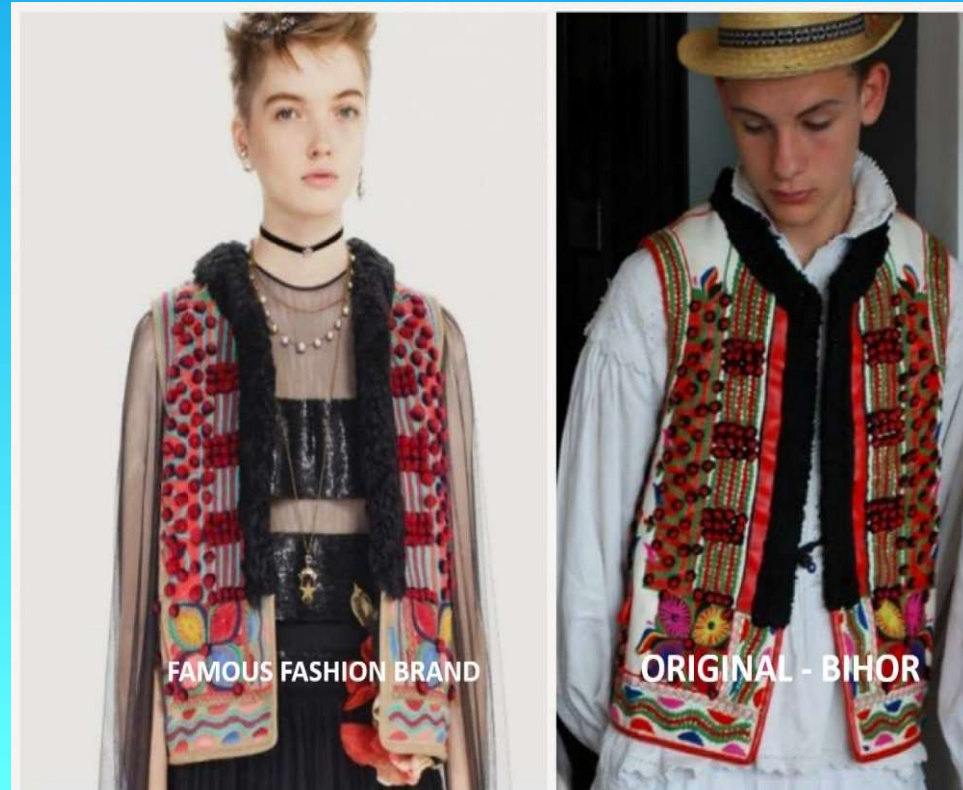


# Legendary creations based on Romanian TCEs

## Romanian blouse



## Beiuș sheepskin vest



FAMOUS FASHION BRANDS FAMOUS FASHION BRANDS FAMOU

# Romanian Constitution

## Article 33 Access to culture

- (1) Access to culture is guaranteed, under the terms of the law.
- (2) The freedom of the person to develop his/her spirituality and to access the values of national and universal culture cannot be restricted.
- (3) **The state must ensure the preservation of spiritual identity, support for national culture, stimulate the arts, protect and preserve cultural heritage, develop contemporary creativity, promote Romania's cultural and artistic values in the world.**

# TCEs from IP perspective in Romania

- Art. 7 of Law 8/1996 provides protection for genuine intellectual creations in the literary, artistic or scientific field, regardless of the manner of their creation, the manner or specific form of expression or their value and destination;
- Art. 95 also specifies that performers means actors, singers, musicians, dancers or any other persons who present, sing, dance, imitate, recite, play, interpret, direct, conduct or perform a literary or artistic work, a performance of any kind, including folk performance in any other way.
- Provisions expressly offering copyright protection to artistic, literary or scientific subject matter, for TCEs fixed on various supports.

# **The National Strategy on Intellectual Property 2024-2028**

**Strategic objective no. 2: Stimulating the innovative and creative capacity of the Romanian economic, research and creative environment**

**Priorities:**

- **Promotion of traditional knowledge, traditional cultural expressions and genetic resources**

**Directions of action:**

1. Involvement in new developments in the field of traditional knowledge, traditional cultural expressions and genetic resources at European and international level;
2. Establishment in partnership with central or local administrative bodies of training programs for the purpose of professional reconversion with the aim of valorising the ethnographic potential of disadvantaged areas.

# **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions”**

- Implemented by the World Intellectual Property Organization (WIPO), at the request of the Romanian Copyright Office (ORDA) and the State Office for Inventions and Trademarks (OSIM) in collaboration with a national expert from the Cultural Intellectual Property Rights Initiative® (CIPRI).
- carried out over a period of 14 months, till December 2025, aims at bringing benefits to local communities from Beiuș Land by protecting and promoting traditional practices and local knowledge through intellectual property (IP) instruments;
- Pilot project, objectives to strengthen the capacity of communities to protect and promote their traditions and cultural heritage; encourage the creation and development of social and sustainable entrepreneurship in the region, by capitalizing on cultural and natural heritage; stimulate economic growth and stability in the region and to ensure the preservation and transmission of cultural heritage for future generations;

## **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (2)**

- **Beneficiaries:** local communities in Țara Beiușului, especially where crafts and activities based on traditional practices and techniques, traditional knowledge and traditional cultural expressions are practiced;
- support for local authorities and cultural institutions in Țara Beiușului that work to preserve and valorize the cultural and natural heritage of the region, also serving as a model for other regions in Romania facing similar challenges.

## **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (3)**

The project provided educational and capacity-building workshops, materials and support from experts in the field;

### **Structured in five key phases:**

- (1) analysis of IP challenges and opportunities for communities in Țara Beiușului;
- (2) mapping of traditions/traditional practices and traditional knowledge with economic potential in the region;
- (3) hosting practical thematic workshops;
- (4) developing an IP strategy based on the needs of local communities and with the involvement of local communities;
- (5) identifying and disseminating good practices from the pilot project in Țara Beiușului for replication with other communities in the country and abroad.

# **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (4)**

## **Recommendations for administrative measures and capacity building actions supporting the implementation of an IP strategy for the protection and promotion of TK and TCEs in Țara Beiușului**

- Documentation of TK and TCEs;
- Copyright and sui-generis database protection for TK and TCEs databases developed by the local communities in Țara Beiușului;
- Policy proposal for the creation of a sui generis positive protection for TK and TCEs cultural IP protection in Romania;
- Creation and dissemination of an educational curriculum on collective IP, with a particular emphasis on TK and TCEs and social entrepreneurship business models;
- Creation of an Intracommunity Association for Development, comprising the municipality of Beiuș, the cities and communes in Țara Beiușului to support the promotion of TK and TCEs in the region

# **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (5)**

## **Establishment of a local expert group mandated with:**

- (i) the elaboration of lists of words, names, graphic representations of TK and TCEs, and other visual representations that should not be subject to individual IP rights registration;
- (ii) the enforcement of defensive protection measures when necessary

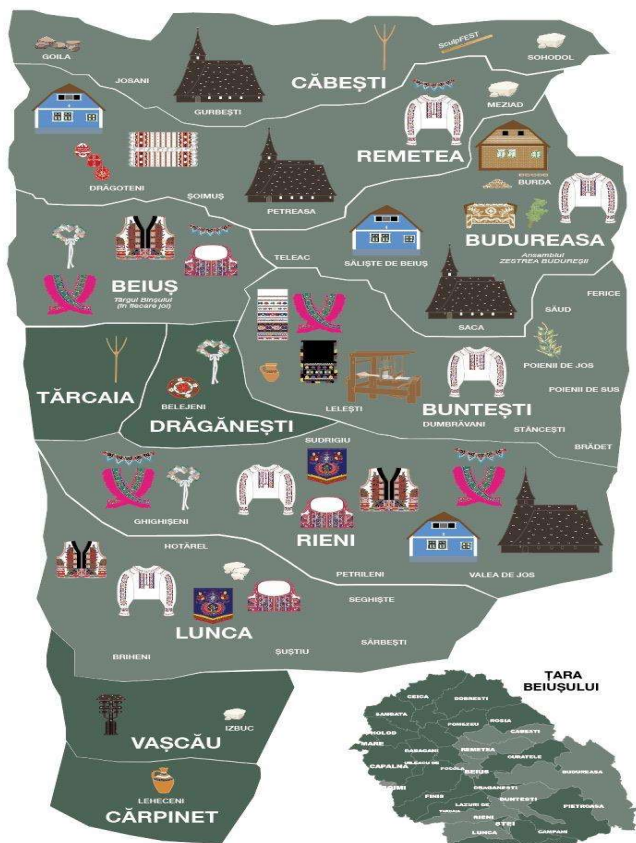
Drafting by the Municipality of Beiuș in partnership with all interested communes in Țara Beiușului of a financial strategy for the promotion of TK and TCEs and stimulation TK and TCE-based social enterprise creation.

## **Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (6)**

- May 19-20 - practical workshops with custodians of TK and TCEs from Țara Beiușului;
- Objective - to consolidate knowledge in the field of IP, with the aim of developing a strategy for protection through IP and promotion of traditions and crafts in Țara Beiușului;
- Delegation representatives discussed the potential to protect TK and TCEs through a collective mark and sui-generis protection options, elements taken into account in the development of the concrete IP strategy in the field.

# Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (6)

Sprijinirea sustenabilității culturale și revitalizare economică în Regiunea Țara Beiușului din România prin protecția și promovarea Cunoștințelor Tradiționale și a Expresiilor Culturale Tradiționale



Toate drepturile rezervate. ©2025 Asociația Custozilor de Cunoștințe și Expresii Culturale Tradiționale din Țara Beiușului.



# Project “Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions” (7)

Conference Creative Research Academy: Cultural Intellectual Property Rights in Creative Industries, organized in Bucharest in October 2025 in the margins of Romanian Creative Week - Romanian Fashion Week 2025 – Presenting the project to renown fashion designers



# Draft - Intellectual Property Strategy for the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions and supporting cultural sustainability in Țara Beiușului, Romania

Drafted by the local expert - Monica Boța Moisin from Cultural Intellectual Property Rights Initiative® (CIPRI) in consultation with the Association “Custodians of Traditional Cultural Knowledge and Expressions from Țara Beiușului”, ORDA and OSIM

**Objectives** - to ensure the recognition, protection and valorization of TK and TCEs of local communities from Țara Beiușului, through institutional mechanisms adapted to the realities, needs and values of these communities.

**Aim** - to contribute to the consolidation of the economic stability of the communities, as well as to the promotion of an ethical and equitable framework for the commercial use of intangible heritage, in accordance with collective rights and customary rules.

**Pilot approach at national level**, the first strategy in the field of IP created in direct and effective consultation with a community of Custodians of TK and TCEs in Romania.

## Purposes of the Strategy

- Creating an operational framework for the recognition of collective custody TK and TCEs in Țara Beiușului;
- Familiarizing communities of Custodians of TK and TCEs from Țara Beiușului with options and mechanisms that can allow them to decide on the access and use of their heritage under conditions of prior, informed and freely expressed consent;
- Economic development in communities from Țara Beiușului through valorizing goods and services based on TK and TCEs;
- Developing the capacity of communities of Custodians of TK and TCEs from Țara Beiușului to negotiate with external actors (private companies, researchers, institutions) and to benefit economically, through trademarks, geographical indications or other forms of protection that serve the interests of the community;
- Preventing non-compliant exploitation and cultural appropriation that leads to the loss and dilution of heritage, by developing mechanisms for monitoring, intervention and defending the interests of communities at national and international levels;
- Promoting the active participation of communities in the processes of developing public policies regarding research, education and creative industries - in accordance with the principles of reciprocity, equity, care and collective responsibility.

# Envisaged Benefits of the Strategy

## Encourage fair and inclusive cultural tourism

- Allows the development of local tourism initiatives, communities becoming key players in designing and delivering cultural experiences;
- Direct income through local initiatives (marketing of authentic local and artisanal products, craft workshops, tourist guides, local gastronomy courses);
- Direct economic benefits for communities, through the authentic valorization of crafts and traditions.

## Intercultural education and intergenerational transmission

- Encourages the integration of TK and TCEs into educational systems, with respect for oral and customary forms of learning;
- Supports the development of educational resources created and managed by Custodians of Traditional TK and TCEs in communities (databases, schools of local knowledge and crafts, traveling exhibitions, etc.);
- Bridges between generations by promoting community members (craftspeople, creators, storytellers) as cultural educators in schools and non-formal learning spaces.

## Creative industries and sustainable fashion

- Provides a framework for equitable partnerships between designers and communities, based on clear contracts and mutual benefit;
- Protects TK and TCEs from cultural misappropriation and abusive commercialization;
- Strengthens the local economy by integrating communities into the value chains of creative industries and developing brands and collections inspired by traditions, but made with consent, adequate compensation and mutual benefit.

## Needs for protection of TK and TCEs

1. Recognition of the role of custodian of TK and TCEs and the deriving prerogatives;
2. Protection of the authenticity of TCEs and traditional craft products from Țara Beiușului through collective intellectual property instruments;
3. Protection of distinctive elements of TK and TCEs through collective intellectual property instruments;
4. Prevention of the acquisition of individual intellectual property rights regarding names, names, motifs, symbols, TK and TCEs or distinctive elements thereof;
5. Preventing the misappropriation, unauthorized use and copying of TK and TCEs.

## Priorities for the development of the Strategy

1. Collective organization of Custodians of TK and TCEs from Țara Beiușului;
2. Registration of a collective intellectual property instrument(s) for authentic TK and TCEs from Țara Beiușului that are part of the commercial circuit;
3. Development and administration of a defensive protection mechanism, in order to prevent unauthorized appropriation and the acquisition of individual intellectual property rights over collective TK and TCEs ;
4. Establishment of a form of association of administrative territorial units from Țara Beiușului, in order to promote cultural sustainability and the protection and promotion of TK and TCEs from Țara Beiușului;
5. Protection of the name Țara Beiușului and names that are susceptible to protection by geographical indications with the entry into force of EU Regulation 2023/2411 on the protection of geographical indications for craft and industrial products.

## Several Key Aspects

1. Establishment of a legal structure for cultural governance of Custodians of TK and TCEs - the Association of Custodians of Traditional Knowledge and Traditional Cultural Expressions in Țara Beiușului – the first organization with this profile in Romania;

Provides the necessary framework for:

- collective representation of custodians in relation to public authorities and external partners;
- management of collective intellectual property rights;
- active participation in sustainable cultural development initiatives and socio-cultural entrepreneurship based on living cultural heritage.

2. Constant involvement of local authorities from the pilot communes and Beiuș Municipality in the organization of the actions undertaken;

3. Involvement and support of central public authorities (ORDA and OSIM);

4. Presence of a local expert specialized in IP Law and protection of TK and TCEs;

5. WIPO support for the Implementation of the pilot project *“Supporting cultural sustainability and economic revitalization in the Beiuș Country Region of Romania through the protection and promotion of Traditional Knowledge and Traditional Cultural Expressions”*.

**Thank you!**

**Cristian Florescu**