



IP ITeasers Post 016:

Salmon sue Seattle

The penumbra of rights that surround the core IPRs is growing. For example, provisions to acknowledge and protect such rights as Traditional Knowledge, Traditional Cultural Expressions and Generic Resources form part of the various free-trade deals that the UK is forging with countries like Australia and New Zealand. To this group can now added the "Rights of Nature" that confer rights for natural entities such as mountains, rivers, plants or animals. An early example would be the protection conferred to Uluru. Recently, the salmon called TsuladxW are suing the City of Seattle to seek a declaration that the dammed rivers in Washington State prevent them from migrating, and so are a violation of their "inherent rights to exist, flourish, regenerate and evolve". This claim is predicated in part upon the ancestral knowledge and beliefs of the Sauk-Suiattle Indian Tribe. In India, both the Ganges and the Yamuna have been granted legal personhood, while Ecuador has granted legal rights to all natural beings. Expect to see more such rights included in the IP Chapter of any new trade agreement. While not traditional IPRs, they are first cousins, and like GIs should be welcomed into the fold.