

**Intellectual Property Issues in Cultural Heritage:
Theory, Practice, Policy, Ethics**



**Commodifications of the Past?
An IPinCH KnowledgeBase Bibliography**

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This document serves as a final report on my work as the Research Assistant for the Commodifications of the Past? Working Group from September to October 2010.

Goals

- Search the Knowledge Base for records applicable to this working group, and complete the descriptions for each.
- Add new records and relate relevant records.

Product

As of September 2010 the IPinCH Knowledge Base contained 208 publications (articles, letters, websites, webpages, government documents, and books) that related to the Commodifications of the Past Working Group. In the last 2 months I have read and analyzed these documents, completing the IPinCH descriptions for each. From this I outlined some organizational themes that I included in my interim report. I then focused on collecting scholarly articles and news reports on themes that had fewer examples in the Knowledge Base. From this research I added 18 articles, and completed their IPinCH descriptions. I have also identified many more objects, accessible through both Google News and Google Scholar searches. Finally, I have included examples of such searches as a starting point for the next Research Assistant.

Current Themes:

In reading and analyzing the Knowledge Base objects I can suggest a few selected themes within the related Commodifications of the Past working group objects. I have provided a list of these, as I understand them, and suggest that these represent interesting areas of focus for future research. In some cases the themes are broad and cover many different examples while others are more narrowly focused- ones that do not easily fall into the broader themes.

1. *The use of the use of Archaeological and/or Indigenous imagery in advertising and branding*

The use of traditional Indigenous imagery in advertising and branding is a common theme in all types of commercial products. The Knowledge Base contains examples of numerous examples, from small souvenir items to large national brands. This theme encapsulates a large number of subjects, including but not limited to: alcohol and tobacco marketing, government oversight, the use of indigenous imagery in state symbols, and the use of Indigenous and or archaeological heritage in tourism advertisements.

KB entries: 45, 85, 112, 214, 295, 305, 311, 312, 322, 324, 384, 470, 471, 473, 480, 481, 483, 701, 836, 925, 949, 1286, 1291, 1307, 1474, 1475, 1476, 1477, 1478, 1480, 1485

Links to useful Google searches:

http://scholar.google.com/scholar?hl=en&q=marketing+%2B+%22Indigenous%22+%2B+imagery&btnG=Search&as_sdt=2000&as_ylo=&as_vis=0

http://scholar.google.com/scholar?hl=en&q=Branding+%2B+Aboriginal+%2B+Advertisements+&btnG=Search&as_sdt=2000&as_ylo=&as_vis=0

2. *The commodification of traditional artistic expression:*

Traditional artistic expression refers to dance, art, songs and stories. The Knowledge Base contains fewer examples of these than the outright use of imagery in advertisements and branding. Examples of commodification of tradition dance includes the popularity of the Maori moko or the Hawaiian hulu. Stories and songs have been recorded and produced in books and audio visual and are sold by private companies, and the increasing demand for Indigenous art of all kind is widely documented.

KB entries: 71, 87, 91, 81, 100, 120, 122, 185, 209, 301, 365, 369, 395, 413, 463, 674, 693, 854, 876, 916, 977, 1028, 1090, 1203, 1523, 1524, 1588,

Links to useful Google Searches:

http://scholar.google.com/scholar?hl=en&as_sdt=2000&q=Traditional+Dance+and+Commodification

http://scholar.google.com/scholar?hl=en&as_sdt=2000&q=Indigenous+or+Aboriginal+%2B+Art+%2B+%22Commodification%22+%2B%22+intellectual+Property%22

3. *'For profit' genetic ancestry testing (Recreational Genetics)*

The highly publicized Human Genome Project has resulted in a wide variety of private “for-profit” genetic testing companies. These companies promise genetic testing into both health and heritage. The promise of genetically tracing ancestry should provide an interesting focus for members of this working group. Advertisements tend to greatly overstate the accuracy and ability of the tests; promising to discover links to historic figures or to discover Native American ancestry. There are also reports of individuals attempting to use these test to claim benefits, scholarships, and other types of financial support.

KB entries: 203, 277, 436, 568, 1572, 1580, 1582, 1583, 1584, 1586, 1587, 1589, 1592, 1593, 1595, 1596

Links to useful Google searches:

http://scholar.google.com/scholar?hl=en&as_sdt=2000&q=dna,+ancestry,+recreational+genetics

http://scholar.google.com/scholar?hl=en&as_sdt=2000&q=DNA+tests,+genealogy,+private+company,+ancestry

Google News:

<http://news.google.com/news?ie=utf8&oe=utf8&q=dna,+ancestry,+company&hl=en&gl=us>

4. *The private trade in antiquities*

The looting of archaeological sites and the sale of artifacts continues to be a problem. However problems with looting and ownership over archaeological remains are not always cut-and-dry cases of theft. Instead there are numerous different issues at play, and anthropologists and archaeologists are beginning to understand the complex roles that museums and archaeologist have to play in the antiquities trade.

KB entries: 46, 64, 77, 280, 285, 308, 452, 591, 635, 637, 675, 683, 923, 1013, 1538

Links to useful Google Searches:

<http://scholar.google.com/scholar?hl=en&q=Artefacts%20%2B%20looting&psj=1&um=1&ie=UTF-8&sa=N&tab=ns>

http://scholar.google.com/scholar?hl=en&as_sdt=2000&q=Artefacts+%2B+collectors+%2B+trade+%2B+Antiquities

Google News:

http://www.google.com/search?hl=en&q=DNA+tests,+genealogy,+private+company,+ancestry&tbo=u&tbs=nws:1&source=og&sa=N&tab=sn#sclient=psy&hl=en&tbs=nws:1&q=Artefacts+%2B+collectors+%2B+market+%2B+trade&aq=&aqi=&aql=&oq=&gs_rfai=&psj=1&fp=dcbdd1be8eb8f40b

http://www.google.com/search?hl=en&q=DNA+tests,+genealogy,+private+company,+ancestry&tbo=u&tbs=nws:1&source=og&sa=N&tab=sn#sclient=psy&hl=en&tbs=nws:1&q=Artefacts+%2B+looting&aq=f&aqi=&aql=&oq=&gs_rfai=&psj=1&fp=dcbdd1be8eb8f40b

5. *The use of Traditional Cultural and Ecological Knowledge in New Products.*

Traditional ecological knowledge is increasingly used in new commercial products. Examples range from new dietary supplements, alpaca farming in North America, and the popularity of 'traditional foods' in the western market. The use of traditional cultural knowledge is one that has been previously identified by the IPinCH team and as such the Knowledge Base houses numerous examples. Some useful examples that may need further investigation are the use of Hoodia and the compensation to the San of South Africa, 'fair-trade' farming especially in coffee and chocolate, as well as the use of 'Ancient grains' in mass produced products. The use of traditional cultural knowledge in 'New Age' products and practices is another under-explored area of research, and the relatively recent push by Indigenous groups to protect their traditional spiritual practices would be an interesting focus for future research.

KB entries: 27, 43, 54, 123, 127, 134, 197, 211, 217, 218, 279, 311, 314, 333, 338, 352, 357, 417, 588, 1029, 1209, 1518, 1585, 1597, 1591

Links to useful Google Searches:

http://scholar.google.com/scholar?hl=en&q=New+Age+%2B+Aboriginal+spirituality+%2B+commercialization&btnG=Search&as_sdt=2000&as_ylo=&as_vis=0

http://scholar.google.com/scholar?hl=en&q=Traditional+cultural+knowledge+%2B+modern+use+%2B+profit&btnG=Search&as_sdt=2000&as_ylo=&as_vis=0

Recommendations for future Research Assistants for the Commodifications of the Past? Working Group:

1. Create a series of accurate and repeatable searches, in order to stay up-to-date on current issues in this field. Examples are listed for each of the above themes.
2. Focus object collection on more scholarly and/or well publicized cases, rather than just collecting examples of commodification. Examples tend to be numerous and easily found, instead a focus on substantive cases will provide better cases for analysis.
3. Identify a few selected cases without a robust academic analysis and focus high-level research and analysis on them, using previously studied cases as baselines. Some interesting examples might be the use of Indigenous Stories and Spiritual beliefs in modern "shaman" schools and books or the advertisements and future role of for-profit genetic testing in commercial ventures.

Bibliography of Knowledge Base Entries Related to the Commodifications of the Past? Working Group

- 1102 23andme.
2010 23andme. <https://www.23andme.com/store/>
- 1474 40.ouncebeer.com.
No Date Crazy Horse (Old)-Review, 40.ouncebeer.com.
- 796 3D Digital Resources.
No Date *Share, Document and Preserve Museum Treasures...in 3D*. The Canadian Museum of Nature.
- 1476 Albion Monitor Staff
1996 Sioux Join "Crazy Horse Malt Liquor" Suit. *The Albion Monitor*. July, 20.
- 911 Adamson, Rebecca.
2002 Sovereignty and Intellectual Property Rights. *Indian Country Today*. March 2.
<http://www.indiancountrytoday.com/archive/28187704.html>, accessed on 16/09/ 2009
- 1410 Agrawal, Arun.
1995 Dismantling the Divide Between Indigenous and Scientific Knowledge. *Development and Change*. 26:413-439.
- 1134 Albert B. Scholl, Jr.
2001 *Rock Art and Ruins for Beginners and Old Guys*. Rainbow Publishing Services.
- 19 Albro, Robert
2005 The Future of Culture and Rights for Bolivia's Indigenous Movements. *Presented at Carnegie Council Fellows Conference*. June. New York, U.S.A.
- 134 Aldred, Lisa.
2000 Plastic Shamans and Astroturf Sun Dances: New Age Commercialization of Native American Spirituality. *American Indian Quarterly*. 24 (3):329-352.
- 959 All About Egypt.
2009 Draft of a New Antiquities Law Soon to be endorsed by Egypt's Parliament. *All About Egypt*. March 1.

<http://allaboutegypt.org/2009/03/draft-ofa-new-antiquities-law-soon-to-be-endorsed-by-egypts-parliament/>, accessed on 22/06/2009

- 1585 Allen, Nick.
2009 Couple Die During 'Spiritual Cleansing Ceremony'. *The Telegraph*. October, 12.
- 1366 Alphonso, Caroline.
2007 New Coin Stirs Memories of Dark Past for Inuit. *The Globe and Mail*, July 20.
- 1028 American Airlines International
2009 Skymall. Holiday Edition, American Airlines.
- 77 Anasazi-digs.com
No Date. *Anasazi Digs*. <http://www.anasazi-digs.com/kiva.htm>.
- 1583 AncestrybyDNA
No Date Home Page. <http://www.ancestrybydna.com>.
- 1584 AncestrybyDNA.
No Date Test Description, AncestrybyDNA. AncestrybyDNA. <http://www.ancestrybydna.com/ancestry-by-dna.php>.
- 357 Ancient Harvest
No Date Cereal box. Ancient Harvest Quinoa Inca Red Heirloom Variety. Parve.
- 510 Ancient Ties.com
No Date Online Catalog. Dead Sea Scroll Scarves. <http://www.ancientties.com/> accessed December 1, 2010.
- 1541 Apache Pizza
No Date *Kids Area-Apache Pizza*. <http://www.apache.ie/kids/index.html>. Accessed on 10/12/2010
1542 Apache Pizza. No Date. *Little Sioux's Ten Commandments, Apache Pizza*. Apache Pizza. http://www.apache.ie/kids/10_commandments.htm. Accessed on 10/12/2010
- 739 ArchaeoGear
No Date *Outfitting the Professional and Avocational Archaeologist*. Bloomington:ArchaeoGear.
- 740 Archival Quality 3D Digital Records
No Date *Capturing the World's Treasures*. Arius 3D.

- 1594 Asher, Moses
2009 Spiritual Warrior 'cleanses tweets' After Fatal Ceremony. *Theage.com.au*, October 12, Theage.com.au, accessed on 10/29/2010
- 64 Associated Press
2007 Colombian Court to Settle Dispute with U.S. Diver over 18th Century, Gold-filled Shipwreck. *International Herald Tribune*. June, 3. Fortune.php, accessed on 4/05/2007
- 515 Associated Press
2007 Nike designs custom running shoes for American Indians. CBC.ca, September, 26.
<http://www.cbc.ca/consumer/story/2007/09/26/nike-shoes.html>, accessed on 26/09/2007
- 100 Associated Press
2003 Maori Expert Unhappy at Tyson Tattoo. *Archives Breaking News*. February 21.
<http://archives.tcm.ie/breakingnews/2003/02/21/story89036.asp>, accessed on 28/12/2007
- 303 Associated Press.
1999 Zia Pueblo Seeks Compensation for State's Use of Symbol. *Swanet.org*.
http://amarillo.com/stories/1999/02/03/new_LG3097.001.shtml, accessed on December 1, 2010.
- 211 Author Unknown
No Date Label. 100% Pure South African Hoodia. Image.
- 212 Author Unknown
No Date Mimis and Hands Postcard. Government of Australia
- 214 Author Unknown
No Date Label. Kamik. Image.
- 217 Author Unknown
No Date Product Imagery. Various Examples Of Cultural Images Used in Product Branding.
- 285 Author Unknown.
No Date Old Style Ceremonial Hat. *Objects of Bright Pride Auction*. Bill Reid Foundation and Simon Fraser University.

- 308 Author Unknown.
 No Date Dead Sea Scrolls Replicas. The Qumran Library. The Bible Land Shop. <http://www.biblelandshop.net/1222211111814.html> Accessed on 12/10/2010 310 Pizza Company website. Apache Pizza. Apache Pizza. www.apache.ie. Accessed on 12/10/2010.
- 319 Author Unknown.
 No Date Sweat Lodge Advertisement. No Source Information Available.
- 338 Author Unknown.
 No Date Hot Chocolate. Mocafe Azteca d'Oro 1519 Mexican Spiced Cocoa. Innovative Beverage Concepts, Inc.
- 340 Author Unknown.
 No Date Advertisement. *Teaching Resources, Image Sets and More. Archaeology, Anthropology, Art History, Classics, Ethnology, History, Sociology, Paleopathology, Stone Tool Kits and More.* Pictures of Record Inc.
- 352 Author Unknown.
 No Date Catalogue. Stone Statue Tissue Box Cover. Acorn Gifts.
- 358 Author Unknown.
 No Date Sasquatch Tours. A First Nations Cultural Experience. No Date. Harrison: Sasquatch Tours.
- 362 Author Unknown.
 No Date Catalogue for clothing and masks using aboriginal designs. Ketaca Clothing Company
- 322 Author Unknown.
 No Date Airline, state flag, gifts. Appropriation of the Zia sun symbol. Various.
- 464 Author Unknown.
 No Date Postcard. Ben Black Elk at Mount Rushmore. Mount Rushmore Tourism.
- 465 Author Unknown
 No Date Postcard. Chichen Itza Archaeological Zone. Editora Kukulcan.
- 469 Author Unknown
 No Date Clothing Tag. 100% Egyptian Cotton. Unknown.

- 471 Author Unknown
 No Date Various Advertisements from Continental Magazine. Cell phone, Royal China Institute, Continental Vacations, Terracotta Warriors Exhibit. Continental Airlines.
- 473 Author Unknown
 No Date Xa:ytem Longhouse Interpretive Centre. No Date. Xa:ytem Longhouse Interpretive Centre. Ashbourne, Co Meath:Meath Tourism.
- 395 Author Unknown
 No Date Business Card. Spirit Stones. Nostalgic Glass Works Inc.
- 413 Author Unknown
 No Date Use of Cultural Symbols. Archaeology Store. Cafe Press.
- 417 Tribal Java
 No Date Coffee. Tribal Java Organic Coffee. Tribal Java.
- 817 Author Unknown
 No Date Tag. The Inukshuk. Unknown.
- 836 Author Unknown
 No Date Label. Land O'Lakes Butter.
- 838 Author Unknown
 No Date Movie. *A Man Called Horse*. CBS-Fox. First Nations. *Times Colonist*. October 8.
- 854 Author Unknown
 No date *North American Indian Design Coloring Book*. Dover Coloring Book.

 Date Lighting the way ahead. *Press Tribune*. Banco de Credito.
- 880 Author Unknown
 No Date *Night Vision: Some Things can only Happen at Night*. Disk-in Pro. Colorado.
- 934 Author Unknown
 No date *Shetland Pony Wild West Advertisement*.
http://www.youtube.com/watch?v=NPbRE_Y_nbo accessed December 6, 2010. Neuf Cegetel.

- 939 Author Unknown
No Date Cowichan Sweater Tag. "Sign of the Genuine". Hill's Indian Crafts.
- 1483 Author Unknown.
2001 Brewery Settles Crazy Horse Beverage Suit. *The New York Times*. April, 27.
- 1484 Author Unknown.
1993 Court Upholds the Crazy Horse Beer Label. *The New York Times*. April, 14.
- 1136 Author Unknown.
No Date Lascaux Cave Design for T-Shirt Print Screen.
- 1074 Author Unknown.
No Date Red Bull Painted Image.
- 1075 Author Unknown.
No Date Red Bull Painted Image (second half of record 1074).
- 1135 Author Unknown.
No Date Hawaiian Keychain.
- 118 BBC News.
2007 France Stops Maori Mummy's Return. *BBC News*. October, 25, <http://news.bbc.co.uk/2/hi/europe/7061724.stm>, accessed on 17/06/2008.
- 1475 Balcones Distilling.
2009 Baby Blue Whiskey, Balcones Distilling. <http://www.balconesdistilling.com/babyblue> Accessed on 12/10/2010.
- 66 Baris, Altintas.
2006 Museum offers Archeology fun. *Turkish Daily News*. September 24, <http://www.turkishdailynews.com.tr/article.php?enewsid=54164>, accessed on 17/12/2007.
- 70 Barnett, Ross.
2004 Sacred Sights. *The Australian*. March, 5.
- 436 The Bay and Best Buy.
2007 *The DNA Ancestry Project: Begin Your Ancestral Journey Today*. Vancouver: Xa:ytem Longhouse Interpretive Centre.

- 1216 Big Chief Products.
No Date Big Chief Food Smoker. Big Chief.
- 1217 Big Chief Products.
No Date Mini Chief Food Smoker. Big Chief.
- 752 Blackfoot Crossing Historical Park.
2007 *A Land Before Time*. Calgary: Blackfoot Crossing Historical Park.
- 1477 Blumsky, Corinne.
2010 Trademark Issues when using Maori Elements in Branding.
International Law Office Newsletter. July, 10
www.internationallawoffice.com, accessed on 12/10/2010
- 637 Bolnick, Deborah A., Duana Fullwiley, Troy Duster, Richard S. Cooper, Joan H. Fujimura, Jonathan Kahn, Jay S. Kaufman, Jonathan Marks, Ann Morning, Alondra Nelson, Pilar Ossorio, Jenny Reardon, Susan M. Reverby, Kimberly Tallbear.
2007 The Science and Business of Genetic Ancestry Tracing. *Science*, 318:399-400.
- 1308 Bradford Exchange
2009 Wolf Tomahawk. *Sign of the Wolf Replica Tomahawk*. Bradford Exchange.
- 177 Britz, Johannes J. and Tomas A. Lipinski,
2007 Indigenous Knowledge: A Moral Reflection on Current Legal Concepts of Intellectual Property. *Libri*. 51:234-246
- 279 Brown, Alice
2003 Our Ancient Alpacas. *Alpaca Heritage*.
<http://www.alpacaheritage.com/ancient.html>.
- 673 Brown, Michael F.
1994 Who Owns What Spirits Share? Reflections on Commodification and Intellectual Property in New Age America. *PoLAR*, 17(2): 7-18.
- 625 Brown, Michael F.
1998 Can Culture Be Copyrighted? *Current Anthropology*, 39(2): 193-222.
- 585 Brown, Michael F.
2003 *Who Owns Native Culture?* Department of Anthropology and Sociology, Williams College. <http://www.williams.edu/go/native/>
Accessed on 12/10/2010

- 277 Boyle, James
2003 *Enclosing the Genome: What the Squabbles over Genetic Patents Could Teach Us*. DRAFT.
- 809 Café Press
No Date. *The Iceman Cometh!* T-shirts, mugs, bumper stickers
GeekCulture ala CafePress.
- 368 Catalogue for Science Mall
No Date Science Mall Shopping. Science Mall-USA.com.
- 166 Childs, Craig.
2007 A Past That Makes Us Squirm. *The New York Times*. January, 2.
- 675 Colwell-Chanthaphonh, Chip.
2005 The Incorporation of the Native American Past: Cultural Extermination, Archaeological Protection, and the Antiquities Act of 1906. *International Journal of Cultural Property*. 12 :375-391.
- 1261 Crazy Horse.
2010 *Crazy Horse Filter King*. Crazy Horse Cigarettes.
<http://www.wcax.com/Global/story.asp?S=11291060>, accessed on May 31, 2010.
- 1173 Cultural Survival
2010 Cultural Survival Webpage. Accessed July 31, 2010.
<http://www.culturalsurvival.org/>
- 1255 Dover Publications
No Date Temporary Tattoos. *Egyptian Tattoos*. Dover Publications Inc. Reproductions and Originals.
- 782 DVD series.
No Date *Children of the Stone*. Acorn Media.
- 366 Eagle Spirit Cultural Programs, Inc.
2005 *Eagle Spirit Cultural Programs for Adults*. Eagle Spirit Cultural Programs, Inc: Edmonton.
- 923 The Economist
2006 A dubious Venus, or Two. *Economist*. June 24.
- 947 El-Aref, Nevine
2009 Hands Off, and We Mean It. *AlI-Ahram Weekly Online*, March 12-18. <http://weekly.ahram.org.eg/2009/938/eg7.htm>, accessed on June 22, 2009.

- 367 Elfshot Gallery
2003 Experience Maritime Archaic. St. John's NL: Elfshot Gallery.
- 365 Elfshot Gallery
2003 Elfshot Reproductions & Originals. Elfshot Gallery: St John's NL. Catalogue. Ketaca Clothing Company.
- 1256 Elfshot Galleries
No Date *Catalog of Reproduction Weapons, Tools and Jewellery.* Elfshot
- 811 Elliot, Carl and Paul Brodwin.
2002 Identity and genetic ancestry tracing. *British Medical Journal*, 325:1469-1471.
- 482 English Heritage
2009 Stonehenge. London: English Heritage.
- 1592 EthnoAncestry.
No Date Mitochondrial DNA Testing, EthnoAncestry. EthnoAncestry. <http://www.ethnoancestry.com/mtDNA.htm>.
- 1593 EthnoAncestry
No Date Oppenheimer Clan DNA Testing, EthnoAncestry. EthnoAncestry. <http://www.ethnoancestry.com/Oppenheimer.htm>.
- 1524 Fairfax Media.
2007 Cheeky French steal moko. *stuff.co.nz*, September 13, <http://www.stuff.co.nz/life-style/fashion/44467>, accessed on 09/02/2010
- 354 Free Press.
No Date Advertisement for: The Goddess and the Bull by Michael Balter.
- 481 GTI Travel Group.
2009 *Small and Friendly Tours of England's Green and Pleasant Land.* London: International Friends, part of the GTI Travel Group.
- 592 Geismar, Haidy.
2005 Reproduction, creativity, restriction: Material Culture and Copyright in Vanuatu. *Journal of Social Archaeology*, 5(1) :25-51.
- 65 Gerszberg. Caren Osten.
2006 Amateur Archaeologists Get the Dirt on the Past. *The New York Times*, July 16,

<http://travel.nytimes.com/2006/07/16/travel/16family.html>,
accessed on 17/12/2007

- 87 Gilbert, Kingi.
2004 *Comments on the Trade Mark Application for the Te Rauparaha haka "Ka Mate, Ka Mate"*. DRAFT
- 305 Glooscap Wink Apples
No Date Apples from Nova Scotia. About Us. Glooscap Wink Apples.
www.glooscapapples.ca/aboutwink.htm
- 480 Golden Tours
No Date Visit Stonehenge. London: Grey Line.
- 123 Gomez-Pompa, Arturo
2004 The Role of Biodiversity Scientists in a Troubled World.
BioScience. 54(3): 217-225
- 1203 Goods From Japan.
2000 Ainu Bags, Goods from Japan. Goods from Japan.
<http://www.goodsfromjapan.com/product/product-list.php?cID=85&cName=Ainu%20Handbags&pID=0&pName=Product-list>
- 822 Go Petition.com.
2009 *Keep the Olympics Authentic and Accountable*. Go Petition - Changing the World. <http://www.gopetition.com/online/32954.htm>
- 1478 Grimaldi de Puget, Vincent.
2003 *French Accent - Yellow Tail Leaps off the Shelf*.
http://www.brandchannel.com/brand_speak.asp?bs_id=69,
accessed on 12/07/2010.
- 705 Hansen, Stephen and Justin van Fleet.
2003 *Traditional Knowledge and Intellectual Property: A Handbook on Issues and Options for Traditional Knowledge Holders in Protecting their Intellectual Property and Maintaining Biological Diversity*. Washington: American Association for the Advancement of Science.
- 908 Havisser, Jay
2005 Slaveryland: A new genre of African Heritage Abuse. *Public Archaeology*, 4:27-34
- 280 Heritage Auction Gallery Catalogue.
No Date *Heritage for the Holidays*. Heritage Auction Galleries.

- 1480 Herrera, Jessica.
 1994 Not Even His Name: Is the Denigration of Crazy Horse Custer's Final Revenge? *Harvard Civil Rights-Civil Liberties Law Review*. 29:175-195
- 122 Heyd, Thomas
 2003 Rock Art Aesthetics and Cultural Appropriation. *The Journal of Aesthetics and Art Criticism*. 61(1): 37-46
- 1253 Hillcrest Plumbing and Heating
 2009 *Travel Calendar*. Hillcrest Plumbing.
- 1090 Holm, Rebecca.
 2007 Apache Medicine man will Teach about Shamanic Traditions. *Victoria Advocate*, May 3.
- 622 Huxley, Angie K, and Michael Finnegan.
 2004 Human Remains Sold to the Highest Bidder! A Snapshot of the Buying and Selling of Human Skeletal Remains on eBay, an Internet Auction Site. *Journal of Forensic Science*, 49(1):1-5
- 961 Institute of Shamanic Medicine.
 No date *ISM*. <http://www.shamanicmedicine.ca>.
- 891 Inwood, Damian.
 2009 Native Businessman upset at VANOC. *Canada.com*. December 20, <http://www2.canada.com/components/print.aspx?id=dbf1a657-6646-4540-ab93-9f54f2>, accessed on 20/01/2010
- 91 Janke, Terri.
 2001 *Case 6: Unauthorized Reproduction of Indigenous Rock Art*. Geneva: The World Intellectual Property Organization.
- 185 Jarvenpa, Robert.
 1994 Commoditization Versus Cultural Integration: Tourism and Image Building in the Klondike. *Arctic Anthropology*. 31(1): 26-46.
- Jenkins, John Major.
 2009 *The 2012 Story: The Myths, Fallacies, and Truth Behind the Most Intriguing Date in History*. New York:Jeremy Tarcher / Penguin Books
- 209 John, Smith and Clyde
 No Date Facsimile petroglyphs - labels. Hawaiian Native Treasures. The Islander Group.

- 37 Johnson, Vivien
2001 Getting Over Terra Nullis. *Presented at Australian Registrars Committee Conference*. October. Melbourne: Australia.
- 73 Johnson, Vivian. Pers. Comm. to George Nicholas. Re: "Najombolmi - Proposed Case Study"
- 1008 Johnson, Vivian.
No Date *The Case of Deaf Adder Creek*. DRAFT
- 1596 Jonassaint, Charles R, Eunice R. Santos, Crystal M. Glover, Perry W. Payne, Grace-Ann Fasaye, Nefertiti Oji-Njideka, Stanley Hooker, Wendy Hernandez, Morris W. Foster, Rick A. Kittles and Charmaine D. Royal
2010 Regional Differences in Awareness and Attitudes Regarding Genetic Testing for Disease Risk and Ancestry. *Human Genetics*. 128:249-260.
- 54 Kahn, Tamar
2003 Indigenous Group to Share Royalties on Anti-Obesity Drug. *Science and Development Network*. March 26.
<http://www.scidev.net/en/news/indigenous-group-to-share-royalties-on-antiobesit.html>, accessed on 11/12/2007
<http://www.iht.com/articles/ap/2007/06/04/america/LA-GEN-Colombia-Sunken>
- 1291 Kalahari Thirstland Liqueur.
No Date Kalahari Thirstland Liqueur.
- 693 Kansa, Eric.
2007 Egypt Goes Copyright Nuts, Digging Digitally. *Alexandria Archive*.
<http://www.alexandriaarchive.org/blog/?p=90>. Accessed on 12/10/2010
- 960 Kansa, Eric.
2008 Egypt's Attempted 5000 Year Copyright Extension. *iCommons.org*. November 1, http://www.icommons.org/article_print/egypts-attempted-5000-yearcopyright-extension Accessed on 22/06/2009
- 71 Kassem, Mia
2003 Contemporary Manifestations of the Traditional Ta Moko. *NZ Art Monthly*. http://www.nzartmonthly.co.nz/kassem_001.html, accessed on 21/10/2009
- 588 Katz, Solomon H. and Fritz Maytag.
1991 Brewing an Ancient Beer. *Archaeology*, July/August

- 333 Kava King coffee.
No Date *Kava Kava, The 3000 Year Tradition Continues*. Kava King.
- 307 Kawartha Lakes.
No Date Pow Wow Weekend Packages. Kawartha Lakes Spirit Walks.
Victoria Inn.
- 591 Kehoe, Alice B.
2007 *Archaeology Within Marketing Capitalism*. DRAFT
- 369 Kennedy, Peter, and Grant Kerr.
2005 Inuit-style Games Logo to Project Hospitality. *The Globe and Mail*.
April, 25.
- 79 Kimmelman, Michael.
2006 A Heart of Darkness in the City of Light. *The New York Times*. July
2. <http://travel2.nytimes.com/2006/07/02/arts/design/02kimm.html>,
accessed on 17/12/2007
- 110 Lakru
2004 Greeting Cards. Lakru.com. <http://www.lakru.com>
- 595 Layton, Robert and Gillian Wallace.
2006 *Is Culture a Commodity?* DRAFT
- 124 Lee, Ellen.
1997 Aboriginal Land Claims and Cultural Resource Management. *CRM
Online*. 20(4). <http://crm.cr.nps.gov/index.htm>, accessed on
- 635 Lekson, Stephen H.
1997 Museums and the Market: Exploring Santa Fe. *Nonrenewable
Resources*, 6(2): 99-109.
- 74 Lim, Timothy H., Hector L. McQueen, and Calum M. Carmicheal, ed(s).
2001 *On Scrolls, Artefacts and Intellectual Property*. Sheffield: Sheffield
Academic Press.
- 218 Loblaws Foods and Guayaki
No Date Cereal. President's Choice Ancient Grains Cereal. President's
Choice.
- 812 Lovata, Troy.
2007 *Inauthentic Archaeologies: Public Uses and Abuses of the Past*.
Walnut Creek, CA: Left Coast Press.

- 314 Lukas, Paul
 No Date Core77, Inconspicuous Consumption.
<http://www.core77.com/inconspicuous/beerframe/ancient.html>.
 Accessed on 12/10/2010
- 683 Luke, Christina
 2006 Diplomats, Banana Cowboys and Archaeologists in Western Honduras: A History of the Trade in Pre-Columbian Materials. *International Journal of Cultural Property*. 13:25-57
- 23 Marshall, Eliot.
 2009 Lawsuit Challenges Legal Basis for Patenting Human Genes. *Science*. May, 22.
- 131 Martin, Brad.
 2008 Re: "Call for Papers: Cultural Impact Assessment - Beyond the Biophysical ". February 28, 2008.
- 685 Matte, Kathleen.
 2006 Intellectual Property Rights and Traditional Knowledge: A Quest to Protect First Nation Cultural Heritage. DRAFT
- 883 McCulloch, Sandra and Lindsay Kines.
 2009 Olympic Cowichan Sweater Won't be Knit by First Nations. *Times Colonist*, October 8.
- 384 Meath Tourism.
 2006 A Tour of Living History: Archaeological Treasures, Ancient Legends. Ashbourne, Co.
- 470 Medieval Times
 No Date Medieval Times Dinner and Tournament. Georgia: Medieval Times.
- 1518 Memmott, Paul, Marie Penny and Nick Flutter.
 2009 Biomimetic Design Prospects from an Understanding of Aboriginal Use of Spinifex Grasses. paper presented at *Cultural Crossroads: 26th annual conference of the Society of Architectural Historians*,. July 2-5, Auckland, New Zealand.
- 1481 Merskin, Debohra.
 2009 The Princess and the SUV: Brand Images of Native Americans as Commodified Racism. *Studies in Symbolic Interaction* 33:129-147.
- 1515 The Metropolitan Tea Company.
 2010 *The Great Canadian Gift Company, An Authentic Canadian*

- Experience*. The great Canadian Gift Basket.
http://www.thegreatcanadiangiftcompany.com/Inukshuk-Blueberry-IcewineTea_p_494.html
- 460 Michael C. Carlos Museum.
 No Date *Mummies and More!* Atlanta: Emory University.
- 1482 Modern Drunkard Magazine.
 No Date 40 Ounces of fury. Modern Drunkard Magazine. Modern Drunkard Magazine.
http://www.moderndrunkardmagazine.com/issues/03_03/03-03_forty_fury.htm Accessed on 10/12/2010
- 1011 Nankivell, Simon and David Wyse.
 2003 *Exploring BC's Pictographs*. New Westminster, BC.
- 127 Nativetimes.com.
 2007 Native American Natural Foods set to launch Tanka Bars Oct. 5-7. *nativetimes.com*. September, 24, NatNews@yahoo.com, accessed on 26/09/2007
- 876 Navajo Nation
 No Date *Navajo Arts and Crafts Enterprise*. Custom Craft Ltd.
- 1581 Nelson, Alondra.
 2008 Bio Science: Genetic Genealogy Testing and the Pursuit of African Ancestry. *Social Studies of Science*. 38:759-785.
- 1597 Netter, Sarah, and Kate McCarthy.
 2009 Sweat Lodge Survivor Says James Arthur Ray Abandoned Participants. *AbcNews.com*, October 23, www.abcnews.com, accessed on 10/29/2010
- 922 Newfoundland and Labrador Tourism.
 2007 Where it's at. St Anthony, NFLD:Transcontinental Media.
- 1485 Newton, Nell Jessup.
 1994 Memory and Misrepresentation: Representing Crazy Horse. *Connecticut Law Review*. 27:1003-1053.
- 197 Nicholas, George and Alison Wylie.
 2006 Archaeological Finds: Legacies of Appropriation; Modes of Response. *In The Ethics of Cultural Appropriation Project*. James O. Young and Conrad G. Bunk, ed(s). 1-37. Chicago: Blackwell.

- 937 Nicholas, George P, and Kelly Bannister.
2004 Copyrighting the Past? Emerging Intellectual Property Rights Issues in Archaeology. *Current Anthropology*. 45:327-350.
- 452 Nimmer, David.
2001 *Copyright in the Dead Sea Scrolls*. Los Angeles: Houston Law Review.
- 1187 Nk'Mip RV Park
No Date Nk'Mip RV Park. Nk'Mip Resort, Osoyoos, BC.
- 1182 Nk'Mip Winery
No Date Nk'Mip Cellars. Nk'Mip Resort, Osoyoos, BC.
- 1486 Novello, Antonia C.
1992 Horse Malt Liquor Beverage: The Public Outcry to Save the Image of a Native American Hero. *South Dakota Law Review*. 38:14-21
- 1286 Obikwa Wine
No Date Obikwa wine Label.
- 1029 Outback Spirit
No Date Outback Recipe Booklet. www.robins.net.au. Accessed July 30, 2010.
- 85 Ouzman, Sven.
2000 The Magical Arts of a Raider Nation: Central South Africa's Korana Rock Art. *South African Archaeological Society Goodwin Series*. 9:101-113.
- 375 Pacific Science Center.
2006 *Game On!* Seattle: Pacific Science Center.
- 112 Padgett, Tim.
2006 Apocalypto Now. *Time Magazine*, March 27.
- 701 Parliamentary Information and Research Service.
2007 *Bill C-47: The Olympic and Paralympic Marks Act*. Kitching, Andrew and Marc-Andre Pigeon (eds). Ottawa: Library of Parliament.
- 509 Paradise Ranch.
2003 Home, Paradise Ranch. Paradise Ranch.
<http://www.icewines.com/home.html>. Accessed on 12/10/2010

- 1120 Patterson, James, Martin Dugard.
2009 *The Murder of King Tut: The Plot to Kill the Child King - A Non-Fiction Thriller*. Little, Brown and Company
- 456 Plaza Heritage Hotel.
2005 First Nations Cultural Weekends. Kamloops: Plaza Heritage Hotel.
- 141 Posey, Darrell.
1990 Intellectual Property Rights: and Just Compensation for Indigenous Knowledge. *Anthropology Today*. 6(4): 13-16.
- 483 Premium Tours.
2009 Bath, Windsor and Stonehenge. London: Premium Tours.
- 1209 President's Choice, Guayaki Foods.
No Date Ancient Harvest Grains, Ancient Grains Quinoa, and Yerba Mate. Loblaw's Foods.
- 27 Pringle, Heather.
2001 Secrets of the Alpaca Mummies. *Discover*. April 1.
- 203 Pullman, Daryl, and Laura Arbour.
No Date. "Cultural Appropriation" of Human Genetic Materials: So What's the Question? DRAFT.
- 353 Raeside, Adrian.
No Date Raeside Cartoons. VANOC Trademark. *Victoria Times-Colonist*.
- 1489 Rain Dance.
No Date Rain Dance Shiraz Wine Label. Westcorp.
- 1591 Rehfeld, Nina.
2009 Lakota Nation Files Lawsuit Against Parties in Sweat Lodge Incident. *Sedona.biz*, November 12, www.sedona.biz/lakota-tribe-files-lawsuit-sweat-lodge-incident accessed on 10/29/2010.
- 1487 Reykene Wine.
No Date Reykene Wine Label. Reykene Wineries.
- 1523 Ritchie, Kerri.
2010 Backpackers act Maori in tourism stunt. *ABC News*. January 25, <http://www.abc.net.au/news/stories/2010/01/25/2801075.htm>, accessed on 09/02/2010.

- 949 Rockartbrewery.
2009 *Rockartbrewery-Welcome*.
<http://www.rockartbrewery.com/Home.html>.
- 1307 Rock Art Brewery.
No Date Rock Art Brewery Logo.
- 1595 Rose, Nicholas.
2008 Race, Risk and Medicine in the Age of Your Own Personal Genome. *BioSocieties*. 3: 423-439.
- 75 Ryan, Caroline.
2002 Patent to Protect Ancient Knowledge. *BBC News*. February 19.
http://news.bbc.co.uk/1/hi/in_depth/sci_tech/2002/boston_2002/1828438.stm, accessed on 12/08/2003.
- 463 Schrab, Geri.
No Date *Rock Art in Watercolors*. DeForest, WI: ArtGlyphs.com.
- 1488 Sinnya Wine.
No Date Sinnya Wine Label. Sinnya Winery.
- 1300 Slota, Bianca.
2009 Monster Problem for Rock Art. *WCAX.com*, October 9, *Mail*. July, 20.
- 295 Southwest Airlines Media Relations.
2000 *Southwest Airlines Unveils High-Flying Tribute to New Mexico*. Southwest Airlines Press Release.
- 912 Spirit Works.
No Date Spirit Works Gallery Limited.
- 821 Staheli, Julie West,
1984 *Kachinas Colour and Cut -out*. San Francisco: Troubador Press.
- 86 Statt, Graham R., Michael Solowan, and Catherine Bell.
2004 *Protection and Repatriation of First Nation Cultural Heritage: A National Survey of Recent Issues and Initiatives*.
- 46 Steinbacher, Michele.
2006 Anthropologist: Artifact Trafficking still a Problem *Pantagraph*, September 14. http://www.pantagraph.com/news/article_fb24ae3a-6f33-5dea-960f-20f9, accessed on 10/10/2009.

- 977 Stonington Gallery.
 2009 Joan Tenenbaum, Stonington Gallery.
<http://www.stoningtongallery.com/artistselect.php?fn=Joan&ln=Tenenbaum&artist=27>
 Accessed on 12/10/2010.
- 1522 stuffucanuse.com.
 No Date The Italian Haka: When the All Black Haka gets copied by the Italians. http://stuffucanuse.com/italian_haka/flat_haka.htm.
 Accessed on 10/12/2010
- 892 Summerhill Pyramid Winery.
 No Date Summerhill Pyramid Winery.
- 925 Talalay, Lauren E.
 2004 The Past as Commodity: Archaeological Images in Modern Advertising. *Public Archaeology*. 3:205-216.
- 568 Tallbear, Kim, and Deborah A. Bolnick.
 2004 Native American DNA Tests: What are the Risks to Tribes? *The Native Voice*. December 3.
- 325 Tenenbaum, Joan.
 No Date Mask. *Yupik Mask Brooch*. Joan Tenenbaum.
<http://www.joantenenbaum.com/>
- 311 Torf Spa.
 No Date Spa quality moor mud. What is Moor Mud? European Moor Mud From Torf - Czech Moor. Torf Spa.
<http://www.torfspa.com/>. Accessed on 12/10/2010. 312 Winery. Nk'Mip Cellars. Nk'Mip Cellars. 313 Winery. Paradise Ranch Winery. Paradise Ranch Winery.
- 1589 Tutton, Richard.
 2009 Social Aspect of Genetic Testing Technologies. *Sociology Compass* (3): 972 – 985.
- 299 Upano, Alicia.
 2004 D.C. Team gets to the root of the problem. *Legal Times*. 27(2): 1.
- 45 Upton, Reed.
 2005 Zia Pueblo Receiving Money for Use Of Sun Symbol. *National Association of Tribal Historic Preservation Officers*.
http://www.nathpo.org/News/Legal/NewsLegal_Issues27.html.
 Accessed on 10/12/2010.

- 1582 Via, M., and E. Ziv, and E.G. Burchard.
2009 Recent Advances of Genetic Ancestry Testing in Biomedical Research and Direct to Consumer Testing. *Clinical Genetics*. 76:225-235.
- 1579 Wagner, Jennifer K.
2010 Interpreting the Implications of DNA Ancestry Tests. *Perspectives in Biology and Medicine* 53(3): 231-248.
- 1580 Weiss, Kenneth M. and Jeffrey C. Long.
2009 Non-Darwinian Estimation: My Ancestors, My Genes' Ancestors. *Genome Research*. 19:703-710.
- 948 Werker, Kim P.
2009 Common Language. *A Knitter's World*. Winter.
- 1538 Wikipedia Entry (No Source Listed).
2009 The Four Dead Sea Scrolls. *The Wall Street Journal*.
- 44 Whittaker, Elvi.
1994 Public Discourse on Sacredness: The Transfer of Ayers Rock to Aboriginal Ownership. *American Ethnologist*. 21(2): 310-334.
- 301 World Intellectual Property Organization.
2005 *Intellectual Property and Traditional Cultural Expressions/Folklore*. Geneva: World Intellectual Property Organization.
- 80 Wynberg, Rachel.
2004 Rhetoric, Realism and Benefit Sharing: Use of Traditional Knowledge of Hoodia Species in the Development of an Appetite Suppressant. *The Journal of World Intellectual Property*. 7(6):851-876.
- 43 Wynberg, Rachel.
2003 Sharing the Crumbs with the San. *Biowatch South Africa*.
<http://www.biowatch.org.za/main.asp?include=docs/clippings/csir-san.htm>. Accessed on 10/12/2010.
- 324 Yellowtail Wines
No Date Wines. Yellowtail Chardonnay label.
- 847 YellowTail Wines.
No Date Label. YellowTail Wines.

- 916 ZIA Products.
2009 *Zia Products for Fixed Income Dealers*. ZIA Products.
<http://www.zia.com/>.
- 674 Zimmer, Julie.
2000 *Marked by the Silver Hand: Intellectual Property Protection and the Commodification of Alaska Native Arts and Crafts*. DRAFT.