

# LEARN-IP - Intellectual Property Rights and Geographical Indication Training for Cultural Heritage and Cultural Tourism



## The most inspiring Good Practices from the LEARN-IP project

collected and prepared by:

**Karin Drda-Kühn (Kultur und Arbeit e.V.),  
Pilar Bahamonde (Sociedad Regional Educación, Cultura y Deporte),  
Lacramioara Beilic (ATP - Asociația Pentru Turism Bucovina),  
Thomas Bürvenich (Tergau & Walkenhorst Patentanwälte),  
Angela Ivanova, Wolfgang Kniejski, (INI-Novation Bulgaria),  
Dimitar Smiljanovski (Macedonian Enterprise Development Foundation (MEDF))**



Co-funded by the  
Erasmus+ Programme  
of the European Union

The European Commission support for the production of this publication does not constitute an endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein. Project number: 2018-1-DE02-KA202-005232

### Declaration on copyright:



## Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0)

This work is licensed under  
[Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International](https://creativecommons.org/licenses/by-nc-sa/4.0/)

You are free to:

- Share — copy and redistribute the material in any medium or format
- Adapt — remix, transform, and build upon the material under the following terms:
- Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use.
- Non-commercial — You may not use the material for commercial purposes.
- Share Alike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original.

## CONTENT

Good practices of intellectual property rights .....	4
Good Practice 1 – Romanian cuisine & Geographical Indication.....	4
Good Practice 2 – Black Pottery of Marginea - Trademark.....	7
Good Practice 3 – Cultural tourism events & IPR – Eat local in Romania – Trademark .....	9
Good Practice 4 – Trademark protection for Neuschwanstein Castle.....	11
Good Practice 5 – Spanische Hofreitschule (Spanish Riding School).....	13
Good Practice 6 – Design protection for a folklore figure .....	15
Good Practice 7 – Digitisation and Business Model. The case of Europeana and Rijksmuseum .....	16
Good Practice 8 – Ohrid Pearls, a cultural treasure worth protecting - Trademark and Geographical Indication .....	18
Good Practice 9 – Intellectual property protection of one of the greatest artists of all time. The case of Pablo Picasso’s art.....	21
Good Practice 10 – Business Model Canvas usage by Western Australian Museum.....	23
Good practice 11 - “Striking the Balance”: Value Chains from Public Access and Commercial Reuse of Digital Content.....	25
Good Practice 12 – The “Route of Delights” as a Model for Intellectual Property Rights in Value Chains.....	27
Good Practice 13 – Trademark protection of the famous München Oktoberfest .....	29
Good Practice 14 - Protected Geographical Indication (PGI) "Bulgarian Rose Oil" .....	31
Good Practice 15 - The protected “Strandzha Manna Honey” from Bulgaria, a showcase for IP protected products and related business modelling creating news tourism assets .....	35
Good Practice 16 - Crowdfunding and risks .....	39

## Good practices of intellectual property rights

The following good practices were collected, evaluated and edited during the development of the LEARN-IP training. They were originally included in the LEARN-IP training modules, which are accessible via the training platform: <https://moodle.learn-ip.eu>. However, it turned out that the learners and also interested parties showed particular interest in the good practices and asked to receive them in a separate catalogue.

This is due to the fact that good practices of intellectual property rights in the cultural heritage sector and in cultural tourism are not very easy to identify. As a rule, registered property rights - insofar as they exist at all - are usually not publicly identified. Moreover, the number of corresponding registered property rights is not very high, because this kind of protection is far from being a matter of course in dealing with assets in cultural heritage and cultural tourism. This also highlights a deficit and a training gap, because unfortunately the use of property rights is still far from being part of the training canon of cultural heritage managers and tourism professionals.

For this reason, this collection of good practices aims to inspire and motivate people to get involved. All of the practices listed come from publicly accessible sources or have been summarised in discussions with rights holders. All examples are integrated into the LEARN-IP training programme, which is explicitly mentioned here and recommended for consideration.

## Good Practice 1 – Romanian cuisine & Geographical Indication

### What makes Romanian cuisine so popular?

Gastronomy is becoming an important attribute in the tourism destination development.

Local and regional gastronomy play a major role in the way tourists experience the destination, and indicate that some travelers would return to the same destination to savor its unique gastronomy.

Gastronomy tourism has emerged as an important protector of cultural heritage, helping create economic opportunities, including the creation of jobs, most notably in rural destinations.



Image. 1 Local gastronomy in Bucovina region  
Photo credit: APT Bucovina

Romania has an important tradition in gastronomy. When travelling to Romania, one of the most surprising discoveries is the country's national cuisine. As varied as its many regions, it is strongly influenced by seasons and major holidays, so longer stick around in the country, the more you'll be rewarded.

Romanian cuisine is best described through its hearty, rich-in-flavour dishes made from healthy, home-made, free-range, hand-to-mouth organic products and ingredients. It is a

perfect reflection of the agrarian roots, rich and fertile geography, complicated history and influences from neighbouring cuisines such as Turkish, Germanic, Hungarian, Greek and Slavic.

A standard Romanian lunch consists of a *ciorba* (soup) as appetizer before the main dish (usually a combination of meat with potatoes, polenta or rice as a side, and a small salad). In the past, appetizers were a rich man's privilege because they could afford it and had the time to prepare it. Today, Romanians follow the tradition of starting out each meal with a selection of cured meats, sausages and salami assorted with various types of local cheeses: *telemea* (white, soft and salty) is the most popular, followed by cheese smoked in pine wood or *branză de burduf* (a combination of cow and sheep). Seasonal vegetables are always present but cooked vegetables in the form of pastes – *fasole bătuță*, the delicious *salata de vinete* (egg-plant salad) or *zacusca* are locals' favorites.

Probably the most famous Romanian food, there is nothing Romanians like more than a good *ciorba* - a sour broth made out of one type of meat (chicken, beef, pork meatballs) and a mix of vegetables (or just vegetables), all boiled and served steaming with bread, sour cream and spicy peppers on the side. Locals living along the Danube river or in the Danube Delta prepare fresh fish *ciorba* called *plachie*; in Wallachia *ciorba* with baked beans and smoked bacon served in a special bread called *ciorba de fasole* in *paine* is absolutely delicious; in Bucovina *ciorba radauteana* made with chicken, carrots, sour cream and garlic is the best you can find! Romanian food is not usually spicy and relies on garden herbs such as parsley, dill or thyme for the extra taste.



Image.3: Ciorba radauteana  
Photo credit: [www.restaurantna-](http://www.restaurantna-)

TasteAtlas, the world food atlas, has published a list of the 100 best traditional dishes in the world for 2020 and Romanian cuisine is considered to be the 14<sup>th</sup> best in the world.

### Geographical Indication for Romanian traditional products

Although Romania has a very long tradition in gastronomy and food industry, in Romania there are only 7 products registered and certified under EU quality schemes.



Image.4: Romanian traditional products under GI protection  
Photo credit: [www.jurnaluldigital.ro](http://www.jurnaluldigital.ro)

**Topoloveni plum magiun** - a variety of jam, being a specifically Romanian dish made from plums. Since April 2011, "Topoloveni plum magiun" is one of the over 1000 agricultural and food products protected by the European quality system of protected designations of origin and protected geographical indications, being the first Romanian product of this type.

**Sibiu salami** is a raw-dried salami, made from pork from mature pigs and hard bacon. Romania has a tradition of over 100 years in the production of Sibiu Salami.

**Telemeaua de Ibănești** - produced exclusively from milk collected from animal breeders in mountain areas, raised on the meadows of Mureș and Gurghiului Valleys, carefully fed for the taste of milk. Telemeaua de Ibănești does not salt like other telemele normally; it is pickled in Orșova brine, extracted naturally from a spring used by the locals for decades to taste the cheese or dishes made at home. Telemeaua de Ibănești is the only product in Romania certified at the level of the European Union as a Protected Designation of Origin (PDO).

**Smoked bighead carp from Țara Bârsei** - is a food product obtained from the fillets of the bighead carp species. The species of bighead carp fish is raised in the geographical area of Țara Bârsei, more precisely in the ponds, lakes and ponds in the Olt meadow. The processing is also done in the delimited geographical area, according to the local smoking recipe. The fillets are golden yellow with metallic reflections, to brown, with a fibrous texture, without fat deposits, with a slightly smoky and slightly salty taste.

**Smoked Danube Mackerel** - Danube Mackerel is a wild fish that migrates from the Black Sea to the Danube. The species cannot be bred in aquaculture and is caught only during migration on the Danube. It weighs 250-400 grams and weighs 25-30 centimeters and is recognized as the richest fat fish in the world, compared to its size. Smoked Danube Mackerel is golden, metallic, due to the smoking process.

**Pleșcoi sausages** - are mutton sausages, seasoned with peppers and garlic. They derive their name from Pleșcoi village in Buzău county, Romania, a locality in whose area they are traditionally produced. Although Plescoi sausages are generally made only from mutton, some manufacturers also use beef (up to a third) if the mutton is too fatty.

**Telemeaua de Sibiu** - is a semi-hard cheese, produced entirely from freshly milked raw milk, unpasteurized, by enzymatic coagulation with curd. It is sold fresh or matured, and the maturation period is at least 21 days. The milk used to manufacture the product "Telemea de Sibiu" comes from animals raised in the defined geographical area and fed mainly on pasture.

Other Romanian products, including Săveni cheese, pike caviar salad from Tulcea, Dobrogea pie and Argeș brandy are awaiting European certification.

### **Conclusions:**

Romania has only seven food products with a Protected Geographical Indication, although those who took the risk and obtained this title almost doubled their business. In order to apply to the product protection system in the EU, several growers / producers in a given area must join an organization and agree on a production method, another condition being that there are relevant product mentions in historical documents. Using PGI products in local gastronomy is a real opportunity to attract more tourists and to transform the specific geographical area in a well-known tourism destination.

## References:

[https://europa.eu/youreurope/business/running-business/intellectual-property/geographical-indications/index\\_ro.htm](https://europa.eu/youreurope/business/running-business/intellectual-property/geographical-indications/index_ro.htm)

<https://www.gazetadeagricultura.info/produse-traditionale-1/igp.html>

<http://jurnaluldigital.ro/2021/01/05/care-sunt-cele-7-produse-traditionale-romanesti-protejate-de-sistemul-european-de-calitate/>

<https://www.madr.ro/industrie-alimentara/sisteme-de-calitate-europene-si-indicatii-geografice/produse-agricole-si-alimentare.html>

<https://www.romanianfriend.com/blog/romanian-food-traditional-dishes-deserts-recipes>  
<https://www.tasteatlas.com/best#BestCuisines>

## Good Practice 2 – Black Pottery of Marginea - Trademark

Marginea is located in a picturesque area in Bucovina region, in the north part of Romania. Renowned for its popular customs and traditions, sacredly kept since ancient times, but also for its skilled artisans, Marginea is valued for its respect for folk art but especially for the black ceramics produced here.



Image 1: Black ceramic in Marginea  
 Photo credit: [www.bucovinaturism.ro](http://www.bucovinaturism.ro)

The black pottery produced at the Marginea is known internationally, mainly due to its black color obtained following an ancient burning technique. Marginea became a pottery center somewhere in the 16th century. The ceramic was mainly crafted for food storage or other purposes. This beautiful job is transmitted from father to son, learned from a young age (7 – 8 years) and apprenticeship lasts about 4 years. Women have an important role in the fabrication of pottery: after the pots are molded on the wheel, they carve and decorate the clay objects.

Marginea is the only place in the world where the black color is obtained without adding anything to the clay paste. Clay, the raw material, is puddled with the feet then shaped on the potter's wheel and left to dry in the sun for a few days. The vessels are then decorated and left to dry for two more weeks, then are brushed up, polished and put to burn into the kiln at a temperature up to 800 degrees. After burning, the pots are left in the oven for 24 hours and, while cooling, the pores fill with smog, thus turning the ceramics into black.

It should be noted that black ceramics by Marginea is unique in Europe. Another black ceramic centers can be found in South America and in the state of Mexico. There are 4 natural elements that contribute to the black ceramics: earth, water, wind and fire. The main manufactured items are: cooking pots, plates, mugs, bowls and flower decorative vases.

The shapes of the vessels go back to ancient times: the high pot, the pot with two handles, bowls of different sizes and pots with gloves. The decorating technique is the traditional one: the pots are polished with a special river stone; the unburned grey prints on the pot will mix the metallic black. This technique is unique in the world.



Image 2: Crafts and traditions at Marginea Black Pottery Workshop  
 Photos credit: <https://www.facebook.com/ceramicamarginea.ro>

### Marginea Black Pottery – Registered Trade Mark

While designs rights and copyright protect the ideas expressed in the design and in the article, trade marks operate to ensure that the consumer is not confused as to the origin of the goods sold under the trade mark. There is, in other words, a link between the owner of the trade mark, the goods, and the consumer who has purchased the goods: the trade mark acts as an indication of the origin of the goods.

Within Europe the legislative measures provide that a trade mark can consist of a sign which is capable of being represented graphically and which is capable of distinguishing the goods and services of one undertaking from those of another.



Since 2006, Marginea is a registered trade mark at the Romanian State Office for Inventions and Trade Marks, with the purpose to distinguish its particular ceramic products and to stimulate the improvement of the quality of the products.

Once a registered mark has been used for a period of time, it can gain a ‘reputation’ which can provide even wider rights to the business to prevent others, including where the third party is providing dissimilar goods or services to the trademark owner.

Image 3: Certificate of Registered Trade Mark  
 Photo credit: Black Pottery Marginea

### Conclusions:

The Marginea workshop has a valuable contribution in preserving the tradition of making pottery using ancient techniques. At the pottery workshop you can follow the entire process of making pots using traditional techniques, starting with clay preparation and processing on the



potter's wheel, up to its drying and firing in kilns. This is how the black ceramics became known worldwide, placing Marginea on the tourist routing in Bucovina region.

#### References:

[www.bucovinaturism.ro](http://www.bucovinaturism.ro)

[www.ceramicamarginea.ro](http://www.ceramicamarginea.ro)

[www.osim.ro](http://www.osim.ro)

<https://www.romaniajournal.ro/travel/marginea-black-pottery-famous-worldwide-for-its-ancient-burning-technique/>

### Good Practice 3 – Cultural tourism events & IPR – Eat local in Romania – Trademark

It is important to show the context of the Romanian villages: in the early 1990's, most of the young people started to move abroad in Western European countries for better paid jobs. Most of the remaining residents of the villages are old people living off pensions, social benefits or remittances from relatives abroad. For many rural communities, cultural tourism and ecotourism can bring tourists in their regions and can provide subsistence for the inhabitants.

In the last years, a few tourism associations started to organize some gastronomic events in the rural areas, involving the local communities as hosts, with the purpose to rediscover and promote old local recipes based on organic food, to bring visitors in remote areas and to offer them an unforgettable experience. There is a trend in cultural tourism from some Romanian tourism destinations to invite tourists to a brunch. What is a brunch? A late morning meal eaten instead of breakfast and lunch.

Whether it is the courtyard of a church, or a local household, the tourists can find enough reasons to return and discover other villages, landscapes and tastes. The traditional dishes are cooked by the locals themselves, with ingredients from their own gardens.



Photos credit: <https://www.facebook.com/BucovinaBrunch>

Transylvanian Brunch, Bucovina Brunch or Eco-Brunch are only a few examples of events, usually held in a rural environment, bringing together tourists and local communities. A local brunch is a great opportunity to enjoy fresh and seasonal products mixed in ancient recipes, carefully preserved by the local housewives. It is a place where visitors can find stories of the locals about their daily life, their customs and traditions. Moreover, the participants to a brunch can discover the surroundings, visiting local crafts workshops or food producers.

These brunches were really successful and the idea to organize outdoor events in rural areas was retrieved by many other entrepreneurs, but the new concept of the event was commercial, more oriented for profit than for promoting the rural communities and preserving their cultural heritage. In order to protect the purpose and the framework of these events in Bucovina region, the organizers started the procedure to register **“Bucovina Brunch”** as a trade mark at the Romanian State Office for Inventions and Trade Marks.

### Conclusions:

Effective intellectual property management is an important consideration for rural events organizers, to safeguard and promote their own interests and those of the local communities. Moreover, in the absence of a carefully considered IP strategy, these events risk to be transformed into commercial activities. In these conditions, the visitors can take part to an event where a processed food is served, can buy fake arts and crafts and other merchandise, and the interests of the event itself are undermined by opportunistic businesses that free-ride on the brunches reputation and popularity.

Furthermore, used strategically, IP can help generate significant revenues, for example, from the sale of broadcasting rights and the conclusion of sponsorship and merchandizing deals.

### References:

<https://www.eco-romania.ro/en/transylvanian-highlands/transilvanian-brunch/>

<https://portcultural.usv.ro/bucovina-brunch/>

[https://www.wipo.int/edocs/pubdocs/en/wipo\\_pub\\_tk\\_4.pdf](https://www.wipo.int/edocs/pubdocs/en/wipo_pub_tk_4.pdf)

## Good Practice 4 – Trademark protection for Neuschwanstein Castle

Neuschwanstein Castle<sup>1</sup> is one of, if not the most, prominent cultural heritage site in Germany. The castle, which has been built by King Ludwig II of Bavaria in the 19<sup>th</sup> century, is a magnet for tourists from all over the world. It has for a long time captured the imagination, as it seems to originate from a fairy tale. It has been the blueprint for the famous Disney castle. Souvenirs related to this castle are popular among tourists.

The federal state of Bavaria in 2011 had registered the word mark “NEUSCHWANSTEIN” as a Union mark which was effective in all member states of the EU. The trademark was registered for several classes of services and goods of which some can be potentially used for souvenirs.



Image 1: The castle Neuschwanstein  
Source: [www.pixabay.com](http://www.pixabay.com)

After this trademark had been registered, the German Federation „Bundesverband Souvenir – Geschenke – Ehrenpreise e. V.“ filed a nullity request against this trademark for all goods and services which aimed at destroying the trademark. The procedure escalated to an appeal.

The main argument of this Federation why the Union mark should be nullified was that “NEUSCHWANSTEIN” was a purely descriptive term for the claimed goods and services. The term “NEUSCHWANSTEIN” would be a geographical reference and therefore, would not work as a pointer to a third party owning the trademark. References to geographical locations by European trademark law could not be registered if they purely act as a geographical reference. Additionally, they would need to be allowed for all parties and also be available for souvenirs.

The registration of the trademark in a court decision was confirmed during the appeal.<sup>2</sup> “NEUSCHWANSTEIN” was not considered to be a pure geographical reference or description of which the public might think that they produce the registered goods or offer the registered services purely locally. The court further argued that there is no trademark class containing souvenirs. Various goods can be also used as souvenir articles, but to be a souvenir is no inherent property of an article.

For all these reasons, the term “NEUSCHWANSTEIN” has been judged by the court to have sufficient distinctiveness to fulfil the function of a trademark.

---

<sup>1</sup> Welcome to Neuschwanstein Castle. Retrieved from <https://www.neuschwanstein.de/englisch/tourist/index.htm> on 04.10.2021.

<sup>2</sup> Appeal — EU trade mark — Invalidity proceedings — Word mark NEUSCHWANSTEIN — Regulation (EC) No 207/2009. Retrieved from <https://curia.europa.eu/juris/document/document.jsf?text=neuschwanstein&docid=205404&pageIn- dex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=212455#ctx1> on 04.10.2021.

The federal state of Bavaria has registered also several other trademarks related to the castle. (See the picture on the right of a word/picture mark).

An advantage of the federal state of Bavaria owning the corresponding trademarks is that they can exert control over the souvenir market related to this castle. They could license their trademark to certain souvenir sellers. They could also prohibit third parties to sell any of the goods for which the trademark has been registered, even if they are not used in the form of souvenirs.



Image 2: Word/Picture mark  
(<https://euipo.europa.eu/eSearch/#details/trademarks/003267945>)

The story, however, has continued. Meanwhile, the embattled wordmark has been deleted due to lack of use of the trademark, and a new trademark has been registered, which, again, has been opposed.

This example illustrates nicely a typical conflict of interests related to cultural heritage. While the federal state of Bavaria is interested in keeping the control of products related to the castle, souvenir companies are interested in using this iconic castle name and myth for selling corresponding souvenirs to tourists. While the case is still open, with a trademark protection, the federal state of Bavaria could exert control on the products sold in relation to the castle and could also economically benefit by licensing the trademark to selected partners.

#### References for Good Practices 4:

Judgment of the Court (Fifth Chamber). (2018). InfoCuria Case-law. Retrieved from <https://curia.europa.eu/juris/document/document.jsf?text=neuschwanstein&docid=205404&pageIn-dex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=212455#ctx1>

Neuschwanstein 003267945. (2003). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/003267945> on 04.10.2021.

Welcome to Neuschwanstein Castle. Schloss Neuschwanstein. Retrieved from <https://www.neuschwanstein.de/englisch/tourist/index.htm> on 04.10.2021.

## Good Practice 5 – Spanische Hofreitschule (Spanish Riding School)

The „Spanische Hofreitschule“<sup>3</sup> (in English: Spanish Riding School) based in Vienna Austria, is part of Austrian immaterial cultural heritage since 2010 and is based in Vienna. According to their webpage, it is the only institution in the world which has practiced for more than 450 years and continues to cultivate classical equitation in the Renaissance tradition of the Haute Ecole.

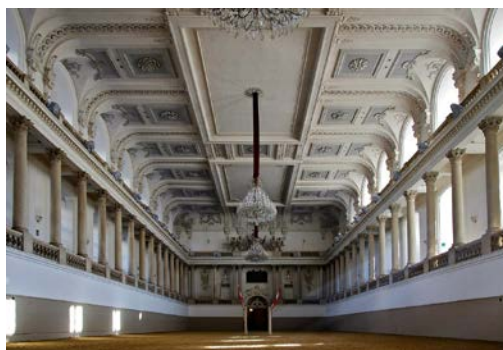


Image 2: Spanish Riding School  
Source: [www.pixabay.com](http://www.pixabay.com)

The Spanish Riding School have registered a Union trademark “Spanische Hofreitschule” for several goods and services. They filed a lawsuit against a souvenir producer which offered plates with the label “Spanische Reitschule”. The court confirmed in 2011 that consumers would be misled by these plates since they would associate these plates with the Spanische Hofreitschule from which they do not originate<sup>4</sup>.

In a previous case in 1996, the Spanische Hofreitschule tried to stop a company which sold horses made of china with the label “Spanische Reitschule”. The court in this case decided that consumers would associate this label to indicate that the china product shows a horse of the Spanish Riding School and therefore does not function as a reference to the Spanish Riding School as an institution.



Image 2: Spanish Riding School – word/picture trademark. Source: <https://euipo.europa.eu/eSearch/#details/trademarks/W00915160>

This example nicely illustrates the scope of trademark protection. If a third party uses your registered word or logo in such a way that customers are led to believe that this word or logo points to a company or institution, you can prohibit such activities. If the word or logo is used in a descriptive way and does not serve as a pointer to an institution or company (it is therefore not used as a trademark), the use by third parties may be valid.

<sup>3</sup> Welcome to the Spanish Riding School. The Spanish Riding School. Retrieved from <https://www.srs.at/en/> on 04.10.2021

<sup>4</sup> OHG bekräftigt Markenschutz der „Spanischen Reitschule“. Retrieved from <https://www.wbs-law.de/markenrecht/ohg-bekraeftigt-markenschutz-der-spanischen-reitschule-11507/> on 04.10.2021.

The Spanische Hofreitschule besides the word mark “Spanische Reitschule”<sup>5</sup> has registered further trademarks, for example, the word trademarks “Spanische Hofreitschule”,<sup>6</sup> “Spanische Hofreitschule Lipizzanergestüt Piber”<sup>7</sup> or the word/picture trademark seen above on the right<sup>8</sup>.

### References for Good Practice 5:

OHG bekräftigt Markenschutz der „Spanischen Reitschule“. Retrieved from <https://www.wbs-law.de/markenrecht/ohg-bekraeftigt-markenschutz-der-spanischen-reitschule-11507/> on 04.10.2021.

Spanische Hofreitschule Lipizzanergestüt Piber. (2017). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/W01396794> on 04.10.2021.

Spanische Hofreitschule Wien Bundesgestüt Piber P. (2006). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/W00915160> on 04.10.2021.

Spanische Hofreitschule. (2015). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/013851514> on 04.10.2021.

Spanische Reitschule. (2015). EUIPO. Retrieved from: <https://euipo.europa.eu/eSearch/#details/trademarks/013851456> on 04.10.2021.

Welcome to the Spanish Riding School. The Spanish Riding School. Retrieved from <https://www.srs.at/en/> on 04.10.2021.

---

<sup>5</sup> Spanische Reitschule. (2015). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/013851456> on 04.10.2021.

<sup>6</sup> Spanische Hofreitschule. (2015). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/013851514> on 04.10.2021.

<sup>7</sup> Spanische Hofreitschule Lipizzanergestüt Piber. (2017). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/W01396794> on 04.10.2021.

<sup>8</sup> Spanische Hofreitschule Wien Bundesgestüt Piber P. (2006). EUIPO. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/W00915160> on 04.10.2021.

## Good Practice 6 – Design protection for a folklore figure

Knecht Ruprecht is a well-known German folklore figure. He accompanies Saint Nicholas and punishes children which supposedly misbehave. The original legend goes back to the year 1020 and says that this figure is based on a priest who during mass exhorted children who were acting loudly outside of the church. As the children did not obey, he cursed them to dance continuously for a year. Only the bishop of Cologne could end the curse.<sup>9</sup> This event is known as the “dancing wonder of Cölbigk”, and in the year 2021 events are planned for its remembrance.

It is believed that the figures of Saint Nicholas and Knecht Ruprecht fused into the figure of Santa Claus.<sup>10</sup>



Image 2: taken from German national registered design 402019203004-0001

Cölbigk is an urban district of Ilberstadt, a small town located in the eastern part of Germany. The historic society of this town has registered several national German designs<sup>11</sup> with an image of Knecht Ruprecht based on a historic weather vane of the former monastery of Cölbigk. For two of these designs, the corresponding images are shown. While these designs do not protect the general concept of this folklore figure, they protect its special and presumably historical representation.

“Knecht Ruprecht originates from Cölbigk”, says the chairman of the historic society. This figure then was used in whole northern Europe in several modifications to provide Saint Nicholas with a companion. In other regions he was given different names.

The figure of Knecht Ruprecht, according to the chairman of the historic society, should foster tourism.<sup>12</sup>



Image 1: taken from German national registered design 402019203004-0007

<sup>9</sup> Tanzwunder von Cölbigk: Festjahr zur Erinnerung geplant. Süddeutsche Zeitung. Retrieved from <https://www.sueddeutsche.de/kultur/brauchtum-ilberstedt-tanzwunder-von-coelbigk-festjahr-zur-erinnerung-geplant-dpa.urn-newsml-dpa-com-20090101-201206-99-589001> on 04.10.2021.

<sup>10</sup> Sage um Knecht Ruprecht: Warum der Weihnachtsmann aus Cölbigk bei Ilberstedt stammt“. Mitteldeutsche Zeitung. Retrieved from <https://www.mz.de/mitteldeutschland/salzlandkreis/sage-um-knecht-ruprecht-warum-der-weihnachtsmann-aus-colbigk-bei-ilberstedt-stammt-1513521> on 04.10.2021.

<sup>11</sup> German national registered design 402019203004-0007. DPMA. Retrieved from <https://register.dpma.de/DPMAREgister/gsm/register?DNR=402019203004-0007> on 04.10.2021.

<sup>12</sup> Knecht Ruprecht soll Tourismus ankurbeln. T-Online. Retrieved from [https://www.t-online.de/region/id\\_86911284/knecht-ruprecht-soll-tourismus-ankurbeln.html](https://www.t-online.de/region/id_86911284/knecht-ruprecht-soll-tourismus-ankurbeln.html) on 04.10.2021.

## References for Good Practice 6:

German national registered design 402019203004-0001. DPMA. Retrieved from <https://register.dpma.de/DPMAregister/gsm/register?DNR=402019203004-0001> on 04.10.2021.

German national registered design 402019203004-0007. DPMA. Retrieved from <https://register.dpma.de/DPMAregister/gsm/register?DNR=402019203004-0007> on 04.10.2021.

Knecht Ruprecht soll Tourismus ankurbeln. T-Online. Retrieved from [https://www.t-online.de/region/id\\_86911284/knecht-ruprecht-soll-tourismus-ankurbeln.html](https://www.t-online.de/region/id_86911284/knecht-ruprecht-soll-tourismus-ankurbeln.html) on 04.10.2021.

Sage um Knecht Ruprecht: Warum der Weihnachtsmann aus Cölbick bei Ilberstedt stammt“. Mitteldeutsche Zeitung. Retrieved from <https://www.mz.de/mitteldeutschland/salzland-kreis/sage-um-knecht-ruprecht-warum-der-weihnachtsmann-aus-colbigk-bei-ilberstedt-stammt-1513521> on 04.10.2021.

Tanzwunder von Cölbick: Festjahr zur Erinnerung geplant. Süddeutsche Zeitung. Retrieved from <https://www.sueddeutsche.de/kultur/brauchum-ilberstedt-tanzwunder-von-coelbigk-festjahr-zur-erinnerung-geplant-dpa.urn-newsml-dpa-com-20090101-201206-99-589001> on 04.10.2021.

## Good Practice 7 – Digitisation and Business Model. The case of Europeana and Rijksmuseum

Europeana  europeana ([www.europeana.eu](http://www.europeana.eu)) represents a web-portal funded by the European Union containing the largest digitized museum collections of more than 3.000 European institutions archives, libraries and museums. Its use is sharing cultural heritage for enjoyment, education and research and it includes records of over 10 million cultural and scientific artefacts, brought together on a single platform and presented in a variety of ways relevant to modern users. Europeana believes a thriving public domain is essential and therefore advocates that digital representations of public domain works should be freely accessible.



Image. 1 Rijksmuseum Operation Night Watch (<https://www.rijksmuseum.nl/en/nightwatch>)

One might ask how can this work without infringing the IPR of the right holders or the museums placing content on Europeana. First of all, Europeana collects contextual information (a meta-data or information about information) about the items, including a small image. Once users find a desired item, they can access its full content by clicking through to the original site that holds the content. A similar question may have been asked by the Rijksmuseum **RIJKS MUSEUM** ([Dutch National Museum](http://www.rijksmuseum.nl)), when they considered using Europeana. This was relevant, especially because cultural institutions profit from selling those images. In 2011, the Rijksmuseum started releasing images of public domain works online. In 2013, these were all made available in the highest resolution possible, without any copyright restrictions. How this happened? It was not an easy decision but it backed up and grew the business model Rijksmuseum has envisioned and established over the years.



When the process first started, Rijkmuseum was closed for renovation and exhibition space was shortened to 800 square meters. Even when the renovation was finished, only 8.000 objects could be displayed on-site. Striving to show more of its valuable collection, it started working with Europeana. In order to adequately label and avoid infringing rights on digital reproductions of artwork/books/records held by cultural institutions, Europeana asked Rijkmuseum to provide legal information about their collection. However, the information available was limited. *“It became clear that there was a need for this information to indicate clearly to users what could and could not be done with the material provided by the museum”*. Digital collection department made separate rights tab with details on copyright and other relevant information such as third party rights and copyright expiry date. This also raised concerns of application of public domain mark to Rijkmuseum collections. After thorough debates, the Rijkmuseum made wholesale adoption of the public domain mark and made shift to a new and serious digitization business strategy. In the early stage, the content made available was less famous and provided with lower quality (ex. Images with lower resolution). Some argued that increased presence through online channels, digitization and options for digital reproductions would spike public interest for visiting the museum and getting the real experience. As time passed by, the museum has made vast digitization of higher quality content that was out of copyright, including famous ones from Van Gogh, Vermeer and Rembrandt. The high quality, freely re-usable digital images resulted in the most used dataset of one competition and with lot of public attention for the Rijksmuseum. This success has initiated internal discussion about making digital images available with even higher quality and establishing a digital strategy.

Cultural institutions hold vast material that is public. However, that does not mean that they also have to publish it for free. When Rijksmuseum started digitizing content and developing its image bank it offered downloadable images in two sizes, medium and high quality. The medium quality was for free and the high quality (a master file, tiff up to 200 mb.) costed €40 (with demanded attribution of Rijksmuseum as a courtesy). Note that this was possible due to the vast collections which were not subject to copyrights.

Sales through its digitized image bank have substantially increased in 2012 compared to 2011, showing that distributing medium quality images does not affect much the business model. Though the revenues from images have raised up to €181.000 in 2012, this represented only 0.2% of their total revenues. This is why, a decision was made in 2013 that all public domain images that were already digitized and with highest quality to be provided to users for free. This was a step made for creating goodwill and attract more people to visit the museum. Finally, this was a strategic decision that would shape the business model of the museum towards a new concept of digitization and engagement of the public.

Rijksmuseum has made serious digitization steps afterwards. They have introduced the [Rijksstudio](#), a platform giving visitors unprecedented access to high-quality artworks free from copyright. Visitors are able to examine images in close details, which reveal materials and techniques used with high resolution zoom function. Thus, amusing online experience is offered with option for reproduction (which is encouraged) and a sharing option for inducing active user engagement. Another marketing tool is the [Rijksstudio Award](#). It is a high profile award competition, encouraging creative talents to create their own masterpiece inspired by the museum collection. The winner gets monetary prize and opportunity for her/his design to be sold at the [Rijksmuseum store](#). This event in 2017 had 2.600 entries from 62 countries. In 2020, the competition was held in 3 categories: Design Award, Young Talent Award and Public Award. [Rijksmuseum mobile app](#) is another element of the digitization strategy of the museum. It follows the idea that the user should be able to enjoy the collection at any time and place. It features the Rijksstudio, Multimedia Tours, Ticketing service. Additionally it offers unique and personal “For you” section which allows browsing through tours made by other visitors and

creating your own. Finally, [Restoration of “The Night Watch”](#) has been made, an open public event for high-end restoration of the museum most famous masterpieces.

2019 has been one of the most successful financial years for the museum. It has attracted 2.7 million on-site visitors, thus affecting higher museum admissions and merchandise. The self-monitored audience satisfaction got an average 8.6 out of 10. The Rijksmuseum case shows how adopting an open business model can be successful and it provides a blueprint for effective development (and digital) strategies for related stakeholders.

### References for Good Practice 7:

Rijksmuseum announces 2019 is its most successful year ever. Retrieved from <https://www.rijksmuseum.nl/en/press/press-releases/rijksmuseum-announces-2019-is-its-most-successful-year-ever> on March 19<sup>th</sup>, 2021.

Rijksmuseum. Retrieved from <https://medium.com/made-with-creative-commons/rijksmuseum-2f8660f9c8dd> on March 19<sup>th</sup>, 2021.

Alexandrou, E. (2020). Digital Strategy in Museums: A Case Study of the Rijksmuseum, Amsterdam, Thessaloniki, Greece, International Hellenic University.

Pekel, J. (2014). Democratizing the Rijksmuseum. Retrieved from [https://pro.europeana.eu/files/Europeana\\_Professional/Publications/Democratising%20the%20Rijksmuseum.pdf](https://pro.europeana.eu/files/Europeana_Professional/Publications/Democratising%20the%20Rijksmuseum.pdf) on March 19<sup>th</sup>, 2021.

## Good Practice 8 – Ohrid Pearls, a cultural treasure worth protecting - Trademark and Geographical Indication

The city of Ohrid is one of the oldest settlements in Europe. It is often called “Jerusalem of the Balkan’s” due to its large number of churches and monasteries. This cradle of culture and history is situated on the shores of Lake Ohrid in North Macedonia which is the oldest natural lake in Europe. The Lake and the city of Ohrid with its cultural and historic area are declared as World Heritage Site by UNESCO. It is one of the main tourist destinations in North Macedonia.



Image 1. City of Ohrid ([www.pixabay.com](http://www.pixabay.com)) by Dimitris Vetsikas



Image 2. Ohrid old town ([www.pixabay.com](http://www.pixabay.com)) by Dimitris Vetsikas

If you ever visit the city of Ohrid, besides the magnificent lake, you will immediately notice the mesmerising beauty of its old town, traditional architecture, the Church of St. John at Kaneo, the Samuel's Fortress, and all the marvellous small cobblestone streets with traditional craft and artisan shops along the way. Many of them are selling traditional products which are handmade using old techniques passed from one generation to another. They are one of the substantial parts of the local tradition, culture, and heritage.

One such product is the famous Ohrid pearl. It is a hand-made pearl using all natural ingredients and almost a century old technique. There is a saying: "Natural pearls last for up to 150 years, but Ohrid pearls last forever". One may hear different stories of how the famous Ohrid pearl is made, however, only one of them is true. The pearl is fully hand-made by using scrubbed shell structure as a basis of the pearl, covered with emulsion made by the scales an Ohrid common bleak fish. However, the rest of the "recipe" remains a secret. This century-old production technique was carried over from one generation to another. Mainly used for production of jewellery, Ohrid pearl is an item possessed by many world famous persons including presidents, queens, kings, and others.



Image 3. Production technique of Ohrid Pearl. (<http://ohridskibiser.com.mk/en/>)

The quality of the Ohrid pearl, its cultural value, and the memories it brings are the most important reasons why the demand is very high for it, both from locals and from tourists coming to Ohrid. This high demand has stimulated many original but also counterfeited Ohrid pearl sellers. There are numerous street sellers and street shops claiming that they are selling the "Original Ohrid Pearls", but instead of the original, buyers are often receiving counterfeited or imitation products that do not have anything related to the Ohrid pearls. They are not genuine and the quality is lower.

This problem especially affected the local Ohrid craftsmen but also the reputation of the famous Ohrid Pearl itself. Two families that carried the century-old tradition have decided to take action so they can stop the selling of counterfeited products and protect the name and the product itself. Family Filevi and Talevi have decided to make a deep elaboration of the process of production of the Ohrid Pearl with help of the experts from the Faculty for Technology and Metallurgy. They applied to the State office of industrial property for registration of a Trademark and Geographical Indication for the Ohrid pearl. They have also registered an Appellation of Origin

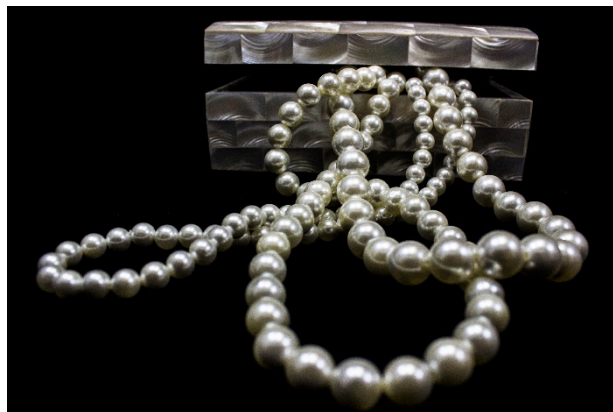


Image 4. Ohrid pearl jewelry. (<https://ohridpearl.com/ohrid-pearl-ambles/>)

for the Ohrid pearl (Ohridski biser) under the Lisbon – The International System of Appellations of Origin and Geographical Indications. An appellation of origin is a special kind of geographical indication generally consisting of a geographical name or a traditional designation used on products which have a specific quality or characteristics that are essentially due to the geographical environment in which they are produced.



Image 5. Museum of Ohrid Pearls, Ohrid (<https://ohridpearl.com/wp-content/uploads/2017/05/4.jpg> by Stojan Stojanovski)

As they say, this was initiated to protect the name and the brand of Ohrid pearls. Every seller should provide the certificate linked to the pearls they are selling. By providing this IPR certificates local buyers and tourist will know for sure they are buying the true original Ohrid pearls. It has helped them distinguish from the other sellers and may positively affect their sales.

These families have continued to sell Ohrid pearl jewellery successfully throughout the years. They have numerous retail shops in Ohrid, carrying out the trademark they have protected. With this, they can easily be noticed and reached by domestic and foreign tourist. One of these families have also promoted and opened a Museum of Ohrid Pearls where they present the tools used for production, old photographs of how the Ohrid pearl was made, celebrities that own this product etc. The owner said that this is a new model of promoting the Macedonian cultural heritage and Ohrid Pearls which are a cultural treasure worth protecting.



Image 5. Museum of Ohrid Pearls, Ohrid (<https://ohridpearl.com/museum-of-ohrid-pearl-filevi/> by Stojan Stojanovski)

### References for Good Practice 8:

“Ohrid Pearl”. Retrieved from <https://ohridpearl.com/awards-honors/> on 30.06.2021,

“Ohridski Biser”. Retrieved from <http://ohridskibiser.com.mk/en/> on 30.06.2021,

Ohrid Pearl Webshop. Retrieved from <https://ohridpearlwebshop.com/en/home-2/> on June 30<sup>th</sup> 2021.

Ohrid Pearl. Retrieved from <https://ohridpearl.com/> on June 30<sup>th</sup> 2021.

Ohrid Pearl. Retrieved from <https://ohridpearl.com/museum-of-ohrid-pearl-filevi/> on June 30<sup>th</sup> 2021.

Ohrid Pearls — What to know when buying Pearls in Ohrid, Macedonia.” Retrieved from <https://medium.com/@kiwisdesk/ohrid-pearls-what-to-know-when-buying-52ba952c913d> on June 30<sup>th</sup> 2021.

Охрид доби Музеј на Охридскиот бисер. Retrieved from <https://kanal5.com.mk/ohrid-dobi-muzej-na-ohridskiot-biser/a277284> on June 30<sup>th</sup> 2021.

Охридскиот бисер заштитен бренд на Македонија. Retrieved from <https://tvm.mk/vesti/ohrid/19744-ohridskiot-biser-zashtiten-brend-na-makedonija> on June 30<sup>th</sup> 2021.

## Good Practice 9 – Intellectual property protection of one of the greatest artists of all time. The case of Pablo Picasso’s art

Pablo Ruiz Picasso is one of the most influential artists in the 20th century. He was a Spanish painter, sculptor, printmaker and a founder of the Cubist movement. Among his most famous works are the proto-Cubist *Les Femmes d'Alger* (1907), and *Guernica* (1937). His revolutionary artistic accomplishments has made him world renowned and one of the best-know figures in 20th century art.



Image. 1 Picasso Administration web-site (<https://www.picasso.fr/>)

His work and name are one of the most reproduced, used and copied for commercial and promotional purposes. You can find Picasso’s art on souvenirs, t-shirts, postcards, web-pages and many other different places where his name and work can be applied. In many cases these users benefit from using his name and work for commercial gains, often without any authorization or approval by the owners of the related intellectual property rights.

When Pablo Picasso died, he left five heirs: Maya Widmaier Picasso, Claude Ruiz Picasso, Paloma Ruiz Picasso as well as Bernard Ruiz Picasso and Marina Ruiz Picasso (Paul’s children). These five heirs constitute an Indivision, a form of joint ownership (the property consisting mainly in the intellectual property rights attached to the work and name of Pablo Picasso). It is called „Succession Picasso“ or “Indivision Picasso”, established and regulated under French law under provisions for joint ownership (art.815-1 and following of the Civil Code and the provisions of article 1873). Succession Picasso is the sole owner of all IP rights and interest of the work and the name of Pablo Picasso.

Succession Picasso faces with all kinds of violations of IP issues. These include copyright infringements, trademark infringements, unauthorized uses of Pablo Picasso’s name and likeness for commercial purposes as well as parasitism. Each year they have to deal with numerous illegal reproductions, unauthorized uses of the name or the trademark as well as internet domain registrations. But how does the management of IPR work?

The Succession Picasso is managed by a Legal Administrator. Pablo Picasso’s son Claude Ruiz Picasso was appointed as Administrator of the Indivision for the monopoly of artistic property attached to the Work of Pablo Picasso, the joint ownership attached to the trademarks, the name, the likeness, the personality rights, and for all things linked to the defence of his work and person. The Legal Administrator is the only one that has capacity to authorize or

prohibit the use of the works, name and likeness of Pablo Picasso. For completing its duties, the Administrator has established the Picasso Administration, a company which can act for and on behalf of Succession Picasso. *All requests for the use of the works, the likeness, and/or the name of Picasso must be handled by PICASSO ADMINISTRATION (either directly, or indirectly via its representatives abroad), which carries out the administrative work (drafting of contracts, printer's proofs, invoicing).*

One thing that should be noted is that IP rights are distinct and separate from the ownership of the works. Succession Picasso is the sole owner of the IP rights attached to the works of Pablo Picasso, whether those works belong to members of the family, to museums or to private owners. One key issue is the prevention of forgeries. Many believe that 50% of the art available on the whole art market are actual fakes. That is why Succession Picasso spends a lot of time and money to secure its worldwide market for art, preventing fakes and fighting them.

One thing associated with tackling forgery is the authentication process and usage of relevant authentication services. Authentication is often costly but is the only way to secure the original art work. The earnings from IPR exploitation is used to cover the high costs for *securing the art market, granting loans of original artworks for them to be seen in public exhibitions, securing high quality reproduction materials, providing true information and sources, and fighting counterfeited works and forgeries*. Furthermore, the Succession also deals with websites and art data banks that has offers for copies of original art work or art work presented as original which is actually fake. Everyone that wants to use related IPR to the work of Picasso can currently demand authorisation or permission to the Picasso Administration. The practical examples are stated on their web-page including the whole procedure for requesting permission <https://www.picasso.fr/en/rights-a-few-practical-examples>. The prior written permission of the Succession Picasso is mandatory. The rights are cleared only through the contract of authorization delivered by Picasso Administration. All unauthorized use constitutes a civil tort and a criminal offence according to the French Intellectual Property Code.

The Legal Affairs staff at the Picasso Administration believes that *the public deserves a right to access a work which respects the moral right of the artist who created the work. The reproductions must then respect the integrity of the original work.*

### References for Good Practice 9:

Heike, M. (2020). Who are Picasso's heirs? Auction at Sotheby's reignites dispute. Retrieved from <https://p.dw.com/p/3dXJ8> on August 5th 2021.

Picasso Administration website data. Retrieved from <https://www.picasso.fr/en/> on August 4<sup>th</sup>, 2021.

Stolz, G. (2013). Authenticating Picasso. ARTnews. Retrieved from <https://www.art-news.com/art-news/news/authenticating-picasso-2146/> on August 4<sup>th</sup>, 2021.

World Intellectual Property Review (2012). The art of IP protection. Retrieved from <https://www.trademarksandbrandsonline.com/article/the-art-of-ip-protection> on August 3rd, 2021.

## Good Practice 10 – Business Model Canvas usage by Western Australian Museum

The Western Australian Museum – WAM – is a cultural organization, housing the most renowned cultural collection in Western Australia. For over 120 years it has been making cultural and social heritage in Western Australia accessible to public by research, exhibitions and public programs. *Western Australian Museum's mission is to inspire and challenge people to explore and share their identity, culture, environment, sense of place, and to experience and contribute to the diversity and creativity of our world. It has a vision on becoming excellent and vibrant museum service, valued and used by all Western Australians and admired and visited by the world.*



Image. 3 Logo of Western Australian Museum  
<http://museum.wa.gov.au/>

WAM is comprised of 6 public sites, including a Collection and Research Center. Several years ago, it has received investment of more than \$400M from the State Government and after 4 years of development it has opened a new museum building in November 2020 (Boola Bardip). The new building is 3 times the size of the old museum. This was part of the Museums business strategy that will allow to „turn the museum inside out“, thus creating public spaces built around its Value Proposition. *Every visitor and user will be given a physical or virtual, a legitimate way (should they choose) to contribute to the Museum and its content and impact, to share ideas and knowledge, to connect with other people, and to feel like an engaged and respected participant.*

WAM created a business model that brings together the unique set of Assets and Key Resources including heritage, culture, science and the environment. It links these key areas with the interests of a broad range of Customer Segments. The Museums value proposition is based on the premise “Of the people, by the people and for the people”. The Museum will be a place where people will interact, explore, understand, present and share identity and culture. This is a result of the new people-focused Value Proposition after the criticism of being too inward-focused and oriented towards stewardship of assets, objects and knowledge. The Business Model Canvas involves the community and social capital development aspect to preservation and sharing of social, heritage and scientific knowledge. With the new approach the Museum tries to promote their unique set of Key Resources, link them with their unique Customer Segments, thus generating new revenue streams.

The Museum Key Resources identified are the Brand, The Museum sites and the new Museum, collections, staff and IPR. Those resources have been offered to their different Customer Segments through various channels, activities and offers including exhibitions, public engagement and co-creation events, education and learning research and many others. All activates must take into account the key values for building relationships with their customers such as: community engagement, accessible and inclusive services, facilitating partnership and many more. *Visitor motivations are more social and emotional and the audiences more*

diverse. These factors influence the business model in terms of making the Value Proposition realistic and relevant to a range of Customer Segments. By adopting and acting upon this business model the State Government and the Museum’s Foundation as the governing body, will bring value to stakeholders and people of Western Australia.

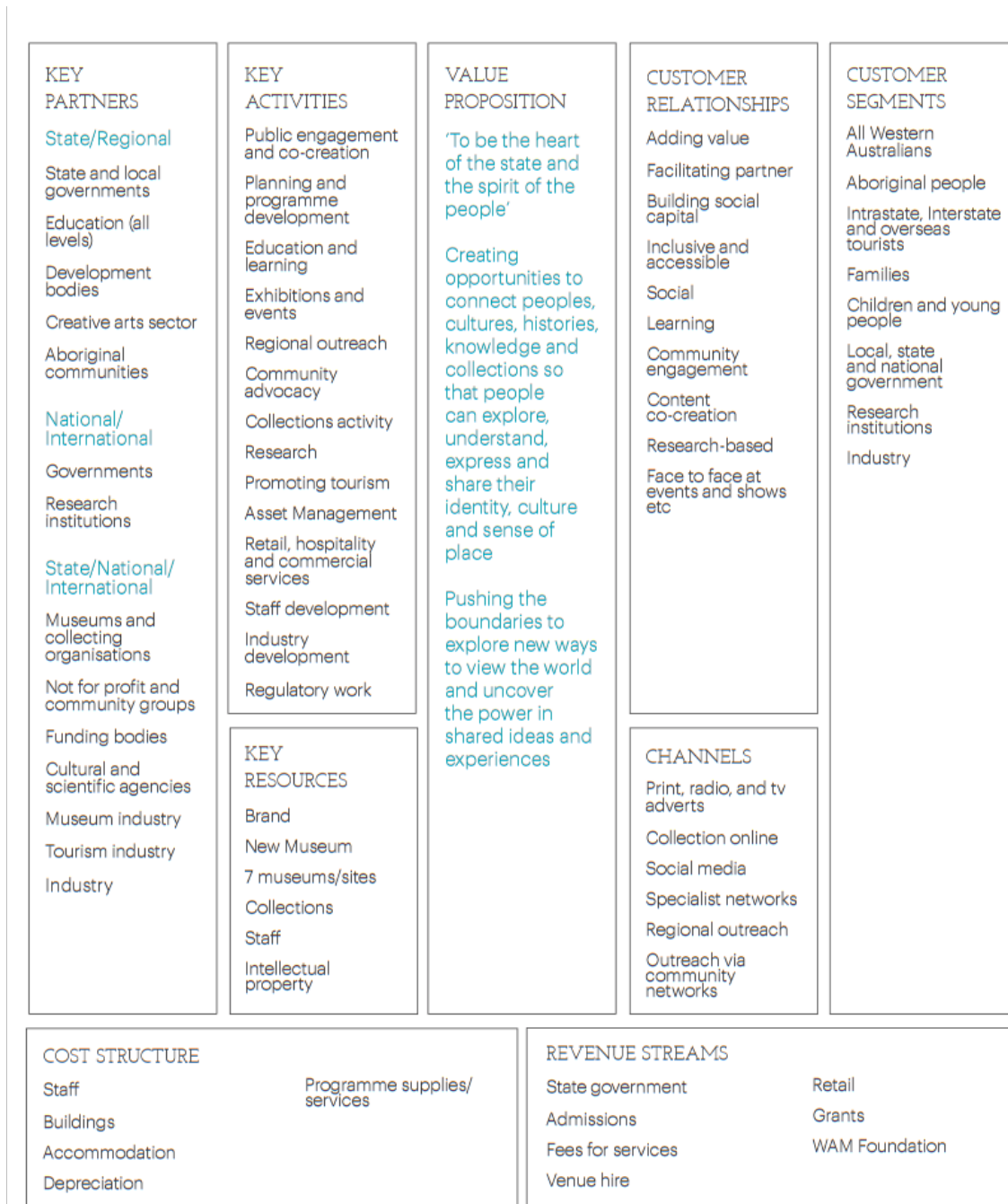


Image. 2 Business Model Canvas of Western Australian Museum (<https://www.culturehive.co.uk/resources/wam-case-study/>)



### Reference for Good Practice 10:

Robinson M. (2015). Western Australian Museum – Business Model Case Study. Retrieved from <https://www.culturehive.co.uk/resources/wam-case-study/> on August 3<sup>rd</sup> 2021.

## Good practice 11 - “Striking the Balance”: Value Chains from Public Access and Commercial Reuse of Digital Content



There is a question that repeatedly deals with cultural heritage institutions when it comes to property rights, especially in the digital sector: How can a balance be struck between the public access that a publicly funded entity must ensure and commercial use that can ensure the necessary revenue to maintain the institution? There are no simple answers to this, a study by the British NMDC (National Museum Directors' Council) member institutions already found in 2015.

The different strategies applied by NMDC member museums, libraries and archives to both fulfil their public mission and promote their sustainability are not only relevant in the United Kingdom. They are also a good example for other European countries.

The study not only documents these strategies, but also shows the underlying considerations and their impact on the general orientation of the museums involved. No two organisations are the same, and the strategies applied in one organisation may not be suitable for another. Each institution's approach is highly dependent on its context, audience, collections, location and relations with political and strategic supporters. The most successful museums have found ways to closely link their strategy with the implementation of their core mission or purpose and therefore serve as inspiring examples.

In the study, a total of nine predominantly British institutions present their strategies for balancing free public access and commercial exploitation of intellectual property rights, in particular of digital content. In this context:

- Current trends are shown,
- Key factors in decision-making are weighed;
- Processes for the development of individual policies are discussed,
- Returns on investments are presented;
- Models of commercial use; and
- Models of public access are demonstrated.

The reading of this publication (unfortunately only available in English) illustrates in an outstanding way how value chains can be created for the benefit of cultural heritage institutions, including ownership rights. The focus on digital content addresses a major future topic.

Key findings [British Collection Trust. 2015. 5-6] of this study include:

- No two museums are the same, and their approach to the balance between open access and commercial reuse is highly sensitive to their specific circumstances, capabilities, leadership, collections, audience, location and prior business model.
- There is an overall lack of clarity in the definition of the different approaches to open content licensing and commercial reuse.
- There is a general lack of concerted policy in this area, with the majority of the participating museums finding their way through the associated issues on an ad-hoc or case-by-case basis.
- There are significant opportunities to develop hybrid models which combine open access and commercial reuse.
- There is a growing body of evidence that open access to digital content for both commercial and non-commercial reuse drives value back to the existing business model or revenue streams of the institution.
- There is a need for greater clarity in relation to expectations of commercial revenue generation, with a specific need to articulate clear targets and measures against which the success or otherwise of a given activity can be evaluated.
- There is a significant investment gap reported between the aspiration either to promote open access or commercial reuse and the extent to which participating institutions are able to invest in capacity, infrastructure and promotion to realise these ambitions.

#### **Reference for Good Practice 11:**

British Collections Trust. 2015. "Striking the Balance – How NMDC members are balancing public access and commercial reuse of digital content". [https://www.nationalmuseums.org.uk/media/documents/publications/striking\\_the\\_balance.pdf](https://www.nationalmuseums.org.uk/media/documents/publications/striking_the_balance.pdf) as of August 19th, 2021

## Good Practice 12 – The “Route of Delights” as a Model for Intellectual Property Rights in Value Chains



Figure 1: Logo of the Route of Delights  
— <https://route-der-genuesse.de>

Experience. Taste. Marvel. Feel. The “Route of Delights” for the German regions of Mainfranken, Tauberfranken and Churfranken can be added to this short formula. The Route of Delights consists of six sections. Each of these sections offers individual delights. What connects all the route sections are large and small companies that offer products and services that are unique.

The cuisine stands with producing enterprises, restaurants and wineries in the foreground; in addition, the guide also includes historical crafts, artists, gourmet manufacturers, accommodations, museums, churches and castles. It all unites the desire to be part of a high-quality value chain that reflects the knowledge and skills of three regions.

The initiator of the route is Christiane Förster, head of the Tourismus Region Wertheim GmbH. Her concern was not only to make the participating companies visible especially for the culturally interested guest and to be interested in the corresponding products and services. It is also about creating added value for all those involved by being shown in a common context. For them, the registration of intellectual property rights (IPR) is part of their quality management for the route.

### Application of intellectual property rights – step by step



Figure 2: Wertheim am Main – part of the Route of Delights;  
©TOURISMUS REGION Wertheim/Peter Frischmuth/argus

First, all publications of the route fall under copyright protection. This protects the website with all the contents, the brochure, posters and banners. This protection is automatically generated during production. However, what about the logo and the name “Route of Delights”? A so-called word-image trademark for Germany by registration with the German Patent and Trademark Office (DPMA) can protect both. Patent and trademark offices exist in all European countries. At registration, trademark protection runs for ten years. The costs for this are manageable, and the registration fee of around 300, -- already includes three classes of goods and services in Germany, for example. By the way, the costs of the notification can be reimbursed to companies: The European Commission is offering an own funding programme for this purpose.

By the way, Christiane Förster has gone this promotional path for the Route of Delights.

## Advantages of a trademark application

For the Route of Delights, the advantages of entering a word-image trademark are obvious: At first, third parties cannot pretend to be part of the Route. “This is important for us,” says Christiane Förster, “because the network partners have invested time and money in the development of the Route and the development of quality criteria.” These quality criteria can be linked with the word-image trademark, whereby the intellectual property right almost gets the status of a seal of quality. “In this way, we can control who is included in the Route, and we can even issue licenses if, for example, another route in another region wants to establish itself under the same, already introduced name.” The actual concept, i.e. the idea behind the route, is not protectable, but all concrete forms, such as the word-image trademark, are very well.

## The Route of Delights as a good practice of intellectual property rights



Figure 3: Craftsmanship as part of the “Route of Delights”;  
<https://route-der-genuesse.de/genuess-partner/anne-boenisch-couture-ledertaschen/>

Initially, the participants were only partially aware of the possibilities for protection of the Route. Due to the great success of the concept, the question arises whether and how one can protect oneself against competitors or “freeriders”.

Cultural professionals and cultural tourism actors are meanwhile aware that property rights must be protected, but there is often a lack of information on how and encouraging examples. “An intellectual property review should actually be anchored in every business plan,” says Christiane Förster in retrospect.

### Ownership rights support value chains

Property rights secure and multiply value creation and support the development of value chains. The Route of Delights is a great economic, cultural and social value chain. Through the networking of different enjoyment-oriented offers, guests of the region receive access to high-quality products and services. That is what the concept stands for. Cultural professionals will open an attractive market, and old crafts will receive new appreciation. Locals also benefit from the offers, because in the prepared form they are easily accessible and make proud of regional competences. To date, less well-known companies benefit from well-known companies via the network: Attention is generated because all companies are presented side by side on an equal footing. Thus, the Route contributes to regional identity building, as part of social value creation.

## References of Good Practice 12:

<https://route-of-delights.com/> accessed October 10<sup>th</sup>, 2021

<https://route-der-genuesse.de> accessed October 10<sup>th</sup>, 2021

Information on the European funding programme for IPR applications for small and medium-sized enterprises, including cultural and tourism applications, can be found here:

<https://learn-ip.eu/category/blog/> accessed October 10<sup>th</sup>, 2021

## Good Practice 13 – Trademark protection of the famous München Oktoberfest

The largest folk festival in the world is the famous Oktoberfest (or “Wiesn”) in Munich, which usually starts already in September and lasts more than two weeks.

The festival takes place on the Theresienwiese in the city of Munich in Bavaria, Germany, and has a tradition going back to the year 1810. It has become a worldwide icon of Bavarian culture. It comprises many tents where people celebrate, drink Bavarian beer and enjoy Bavarian food. There are many entertainment options that are enjoyed by visitors from all over the world.



Teresienwiese during Oktoberfest

The success of the Oktoberfest has led to many events worldwide which are also called “Oktoberfest” but which have only loose or no connection to the original fest in Munich (“München” in German language). The similarity of the name due to the high profile of the Munich Oktoberfest resulted in attractive sources of income for imitators. To prevent these business activities, the capital city of Munich has successfully filed a trademark application at the European Union

Intellectual Property office (EUIPO) for the word mark “Oktoberfest” which has been registered<sup>13</sup> on 31.08.2021. The trademark has been registered for goods and services of 22 classes, among them soap, clothing, glassware, printed matter, and tourism advertising, travel agency services, and hotel services.



The many attempts at imitation alone make it clear that the “Munich Oktoberfest” brand is a very attractive one, which is particularly evident in the value chains. It is not only the accommodation and

gastronomy businesses that profit, but also souvenir producers and traders. So it is understandable that the economic benefit should also remain in Munich. According to the digital news magazine SPIEGEL<sup>14</sup>, the municipality of Munich with this trademark registration wants to prevent people benefiting from the Oktoberfest without any gain for the capital city of Munich and local citizens.

<sup>13</sup> Oktoberfest. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/015535008> accessed October 5<sup>th</sup>, 2021

<sup>14</sup> »Oktoberfest« ist jetzt eine geschützte Marke. Retrieved from <https://www.spiegel.de/wirtschaft/unternehmen/traditions-volksfest-eu-behoerde-macht-oktoberfest-zur-geschuetzten-marke-a-cc096008-2938-4d07-878a-deda739a8530> on 05.10.2021.

The registered trademark is active in all states of the European Union and allows the capital city of Munich to prevent third parties, especially festival organizers, to use the name “Oktoberfest” for their fest within the European Union. They could also allow the use to certain partners by granting a license. In this way, the original “Oktoberfest brand” can be preserved. Visitors of other festivals can be prevented from believing that they are visiting the original Oktoberfest.

Two other word marks were registered already in May 2021 for the capital city of Munich, namely “Münchener Oktoberfest”<sup>15</sup> and “Oktoberfest München”<sup>16</sup> which due to their reference to the city of Munich have a more special meaning than the trademark “Oktoberfest”.

### References of Good Practice 13:

Münchener Oktoberfest. Retrieved from <https://euipo.europa.eu/eSearch/#details/trade-marks/018317924> accessed October 5<sup>th</sup>, 2021

Oktoberfest. Retrieved from <https://euipo.europa.eu/eSearch/#details/trade-marks/015535008> accessed October 5<sup>th</sup>, 2021

»Oktoberfest« ist jetzt eine geschützte Marke. Retrieved from <https://www.spiegel.de/wirtschaft/unternehmen/traditions-volksfest-eu-behoerde-macht-oktoberfest-zur-geschuetzten-marke-a-cc096008-2938-4d07-878a-deda739a8530> accessed October 5<sup>th</sup>, 2021

Oktoberfest München. Retrieved from <https://euipo.europa.eu/eSearch/#details/trade-marks/018317926> accessed October 5<sup>th</sup>, 2021

---

<sup>15</sup> Münchener Oktoberfest. Retrieved from <https://euipo.europa.eu/eSearch/#details/trade-marks/018317924> on 05.10.2021.

<sup>16</sup> Oktoberfest München. Retrieved from <https://euipo.europa.eu/eSearch/#details/trademarks/018317926> on 05.10.2021.

## Good Practice 14 - Protected Geographical Indication (PGI) "Bulgarian Rose Oil"



Image 1. Bulgarian girls collecting *Rosa Damascena* in the Valley of Roses,  
Source: [www.marseille-soap-flakes.com/c-5247447/history-and-production/](http://www.marseille-soap-flakes.com/c-5247447/history-and-production/)

Protected Geographical Indication (PGI) "Bulgarian Rose Oil" have direct and indirect impacts on the regional development and also, it keeps sustainable the national and international markets of Bulgaria. Why and how, you will understand by reading the good practice below.

Protected Geographical Indication (PGI) "Bulgarian Rose Oil" is entered in the European Register of Protected Designations of Origin and Protected Geographical Indications in 2014. The Bulgarian company „Bulgarian Rose“ in Karlovo, has been the owner since 1994 of the protected designation of origin "Bulgarian Rose Oil", registered in the Patent Office of the Republic of Bulgaria.

Bulgarian Rose oil has been well known for centuries for its superior quality, which is unsurpassed in the world. Its secret lies in the geographical conditions of the area of cultivation of the oil-bearing rose *Rosa Damascena*, also called the Bulgarian rose Otto, as well as in the production technology of the rose oil. The luxurious *Rosa Damascena* has come a long way over the centuries - from the Middle East through Persia and India to find its true home in the Valley

of Roses in Central Bulgaria. The first written evidence of the cultivation of roses in Bulgaria and the production of rose oil is from 1710 in Kazanlak.

### The Geographical Place - The Valley of Roses

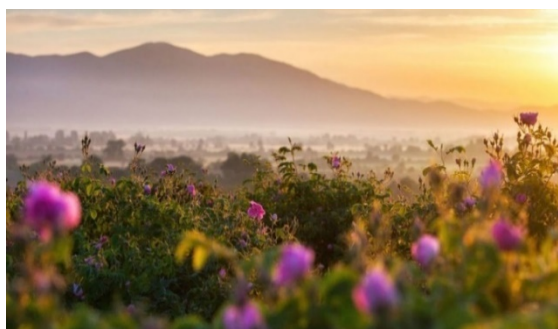


Image 2. The Valley of Roses, Source: [ExclusiveBulgaria.com](http://ExclusiveBulgaria.com)

The Valley of Roses is a unique region, where nature and the climatic conditions are best suited for growing roses: mild winters, high humidity in May and June (the rose picking season) and light sandy cinnamon forest soils that do not retain water. These unique conditions in the Valley of Roses stimulate the natural synthesis of the highest quality rose oil in the world.

### Prices

The price of Bulgarian Rose oil is high - one kilogram of it is traded on average between 4.000 and 5.000 euros on international markets. It is a lucrative livelihood for the local population, and the rose picking season is a sought-after tourist attraction in the Valley of Roses.

## Producers



Organic Bulgarian Rose Oil (Rose Otto) 10 ml  
182.49 €

Image 3. Bulgarian Rose Oil,  
Source: ALTEYA, Source:  
<https://alteyaorganics.eu/>

As a result of the production of high-quality Bulgarian Rose oil by the local producers in the region, the Institute of Roses and Essential Oil Crops (IREMC) received an award - a Golden Badge and a Certificate of European Quality, from the European Council of Experts. The award was given for outstanding achievements in the development of essential oil production.

But in order to maintain the high quality that stands for the “Bulgarian Rose Oil” brand, collective actions and joint efforts are needed. The production of roses depends on the weather conditions every year, and this is a challenge for Bulgarian producers. In response to this and other challenges, the Bulgarian Parliament adopted a special regulation, the “Oil Rose Act 2020”. A public national electronic register of rose growers, rose processors and producers in the country was established. The State Fund "Agriculture" supports rose growers under the de minimis state aid scheme. The aim is to develop the cultivation of roses and the production of rose oil as a national priority.

## Markets and products with Bulgarian Rose oil

The PGI "Bulgarian Rose Oil" has implications for trade, both for international trade with non-EU countries, and trade within the EU. PGI "Bulgarian Rose Oil" provides identification and additional protection of Bulgarian rose oil as such with a special quality, different from that of competitors. The essential oil in the Bulgarian Rose Otto cannot be replicated anywhere else. Drops of the Bulgarian rose are part of many reputable perfume brands in the world, such as: Tom Ford, Sisley, Dior, Bulgari, Gucci, and others (Image 4).

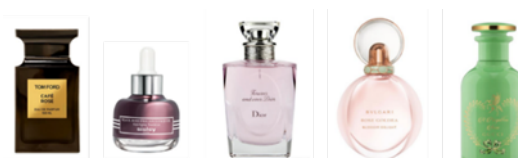


Image 4. Bulgarian Rose Oil as a part of world-famous perfumes and cosmetics, Source: Departures.com, Source: <http://www.departures.com/lifestyle/fashion/Bulgarian-rose-oil>

Very often, the customers of the Bulgarian Rose Oil are implementing the Protected Geographical Indication (PGI) directly into the brand of their products (Image 5):

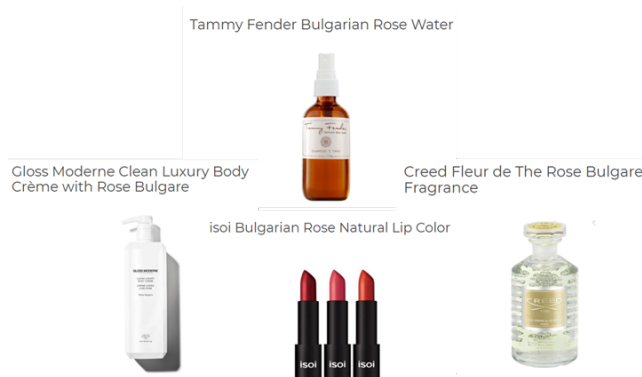


Image 5. “Bulgarian Rose” as part from world famous brands, Source: Departures.com, Source: <http://www.departures.com/lifestyle/fashion/Bulgarian-rose-oil>



## PGI “Bulgarian Rose Oil” supports the regional development goals

The production of protected Bulgarian Rose Oil with PGI has a positive impact on regional employment and economic development in the Bulgarian region and the whole country. Even more, PGI protects the brand from unfair competition at an international level. An example is the case from 2019, when the European Union (EU) wanted Australian companies to stop using names such as "Bulgarian rose oil" on their product labels. In case the goods manufactured in the country are indicated by some of the protected European names, the companies will have to change them. This EU decision to support local communities in order to continue to maintain its next ways of selling financial income on the national market and the amount without unfair competition.

The reputation of the Bulgarian Rose Oil is a public good, creating additional positive effects on other sectors in the region. Interest in tourism and the regional cultural heritage in the region has significantly increased.

The tourists in the region are increasing every year. Interest in the world's only Museum of Roses in Kazanlak is growing. Moreover, the annual Festival of Roses in Kazanlak, which is held in the days of picking, is one of the most joyful and beautiful festivals in the country. Many guests from Bulgaria and abroad gather in the town and witness a pageant of roses, songs and beautiful rituals. The ambition of the municipality of Kazanlak is to turn the Rose Festival into a national one.

Moreover, the tourists know more about the history and the cultural heritage in the region. The Valley of Roses is dotted with Thracian tombs and shrines of buried Thracian rulers. Thus, it became known also as the Valley of the Thracian Kings. The region is a home to the largest and best preserved Thracian tomb in the country, included in the UNESCO list. Nearby is the ancient city of Seuthopolis.



*The Thracian ruler Roygos and his wife, The valley of the Thracian kings, Wikipedia*



*Under the waters of Koprinka Dam lie the ruins of Seuthopolis, Source: Wikipedia*



*Rose Valley Festival Kazanlak, Source: rosefestivalkazanlak.com*

*Image 6. The Valley of Roses became known also as The Valley of the Thracian Kings*

The popularity of the Bulgarian region known as the Valley of Roses and recently also as the Valley of the Thracian Kings is growing every year. The tourists are coming from all over the world.

Conclusion: You have received an illustration of how geographical indications offer economic benefits for both producers and the economic development of the region. This is an incentive to take collective action at regional, national and European level to successfully support this type of project and to protect against unfair competition. In addition, GPI Bulgarian rose oil has a significant impact, increasing the promotion of regional cultural heritage and tourism in the region at the international level.

*This good practice is based upon secondary data and that has been collected from official EU papers, websites and touristic materials.*

#### **References for Good Practice 14:**

The Ministry of Agriculture, Retrieved from: [www.mzh.government.bg](http://www.mzh.government.bg)

Bulgarian protected product and food names in the European Union, 2020, Retrieved from: <https://www.newsbg.eu/balgarskite-zasthiteni-naimenovaniya-n/> on 26<sup>th</sup> April 2021

ExclusiveBulgaria.com, Explore the Valley of Roses and Thracian Kings, Source: <https://www.exclusivebulgaria.com/explore-the-valley-of-roses/> on 26<sup>th</sup> April 2021

Wikipedia, The valley of the Thracian kings, Retrieved from: [link](#) on 29<sup>th</sup> April 2021

Wikipedia, Kazanlak tomb, Retrieved from: [link](#) on 6<sup>th</sup> April 2021

National meeting of rose growers and rose oil producers in Kazanlak, Municipality Kazanlak Official webpage, Source: Retrieved from <https://www.kazanlak.bg/page-485.html> on 6<sup>th</sup> April 2021

VisitBulgaria.com, The Rose Valley – Rosa Damascena and Bulgaria’s Rose Valley, Retrieved from: <https://visitmybulgaria.com/the-rose-valley/> on 4<sup>th</sup> May 2021

Розопроизводителите получиха близо 2 млн. лева подпомагане по de minimis , Investor.bg. Retrieved from: <https://www.investor.bg/ikonomika-i-politika/332/a/rozoproizvoditelite-poluchiha-blizo-2-mln-leva-podpomagane-po-de-minimis-266453/> on 14<sup>th</sup> April 2021

Veneta Nikolova, The Valley of Roses or 9 ideas for a walk in the garden of paradise, 28.05.2020, Pateshestvia.net, Retrieved from: <https://pateshestvia.net/позова-долина-забележителности/> on 1<sup>th</sup> April 2021

Alteya Organics.eu: Retrieved from [https://alteyaorganics.eu/organic-shop/pure-oils/bio-bulgarian-rose-oil-alteya/?gclid=Cj0KCQjw-LOEBhDCARIsA-BrC0TnBFcqhBP6Sj1glyzZm\\_i95Xkx5aSaCY\\_1HrDTe49I\\_xP9Xmsfhtu8aArK5EALw\\_wcB](https://alteyaorganics.eu/organic-shop/pure-oils/bio-bulgarian-rose-oil-alteya/?gclid=Cj0KCQjw-LOEBhDCARIsA-BrC0TnBFcqhBP6Sj1glyzZm_i95Xkx5aSaCY_1HrDTe49I_xP9Xmsfhtu8aArK5EALw_wcB) on 6<sup>th</sup> April 2021

Bulgarian Rose Products, History and production, Retrieved from: <https://www.marseille-soapflakes.com/c-5247447/history-and-production/> on 11<sup>th</sup> April 2021

EU Wants to Ban Australia from Using "Bulgarian Rose Oil" (2019) Signature Name, Article, Novinite.com, August 14th, 2019. Retrieved from: <https://www.novinite.com/articles/199335/EU+Wants+to+Ban+Australia+from+Using+%22Bulgarian+Rose+Oil%22+Signature+Name> on 3<sup>th</sup> May 2021

## Good Practice 15 - The protected “Strandzha Manna Honey” from Bulgaria, a showcase for IP protected products and related business modelling creating news tourism assets



Image 7. Strandzha manna honey,  
Source: [Agro-Journal.com](http://Agro-Journal.com) Bulgaria

This good practice illustrates the whole circle of benefits, business modelling and the IP-enabled financial sustainability mechanisms. The Bulgarian “Strandzha Manna Honey” has a Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) under the European quality schemes of the European Commission.

Strandzha manna honey is largely a product of the natural environment and is produced only in the region of Strandzha Mountain. The production process is inextricably linked to the interactions between the flora and fauna of the forest ecosystem. It is one of the main sources of income in the region. Local producers use time-consuming techniques to ensure that the natural taste and nutrients of honey are preserved in the final product. The healing properties of Strandzha manna honey have been known since ancient times. It is called by the locals the "black gold" of Strandzha.

### Strandzha Mountain Region

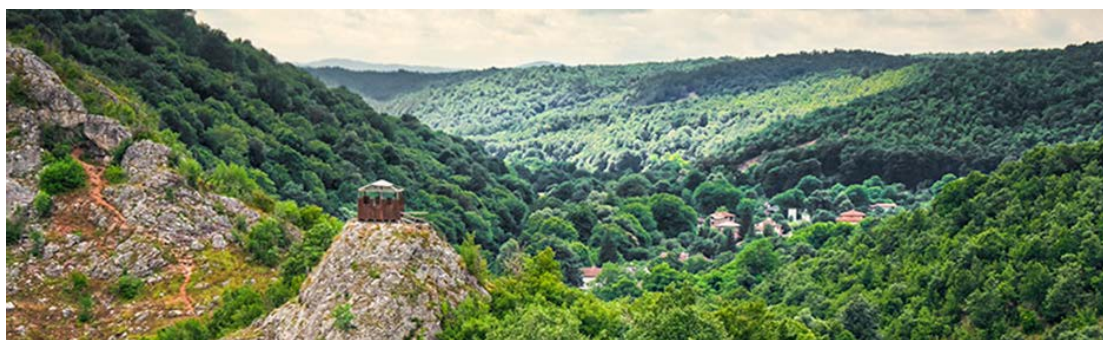


Image 2. Strandzha is home to oak forests. Source: [EU Commission](http://EU Commission), iStock/Clement Peiffer

In fact, Strandzha is the least populated mountain in Bulgaria. The locals live in harmony with nature. In the presence of forest soils with cinnamon and yellow-podzolic soils, it is difficult to develop large-scale agriculture, but oak forests provide enough food for honey bees, which is why beekeeping is a natural activity for local communities. The apiaries are located on the outskirts of the Strandzha forests, many of which include traditional grass and bee logs from the late 19th century.

Due to its ecological depth and diversity, the Strandzha region is recognized as one of the priority areas for protection in the EU. There are several nature reserves in the mountain and it is included in the pan-European ecological network of protected natural habitats "Natura 2000".

## Tourism Development in the Region

### *Ecotourism and rural tourism*

Ecotourism and rural tourism are especially revered in Strandzha. Strandzha Nature Park is one of the destinations that is increasingly popular not only among Bulgarians but also among foreign tourists as a Bulgarian destination EDEN (European Destinations of Excellence) destination. Recently, a special route was proposed, which presents both the manna honey from Strandzha Mountain and the organic bee products that are produced in the forests of the region.

### *Cultural and adventurous tourism*

Tourists can find unique places that are entire architectural reserves with various ancient finds from Thracian fortresses. Tourists can taste unique dishes in the villages of Strandzha and enjoy the mystical fire dance called "Nestinari". Fire-dancing is an ancient pagan custom performed by the ancient Thracians, who welcomed the coming summer, praising the name of the sun god. The local people continue to practice fire dances till nowadays with the same faith in the power of the sun and fire, in magical rites and spells. Many tourists come especially for the fire games in June each year, which is a unique experience.



Image 8. Fire-dance The Magic of Nestinari in Strandzha Mountain, Source: [SmilesAway](#)

### *Tourists and Customer Values*

- Ecologically clean, green and diverse area for ecotourism,
- Opportunity to get acquainted with the mystical mountain Strandzha, its ancient sanctuaries, traditions, nature and local food,
- Opportunity to buy the unique fresh Strandzha manna honey from the place of production, whose healing properties have been known since ancient times.
- Exciting experience in mystical places, local food and unique events.

## Financial Sustainability of the Region and the Local Economy

Eco and rural tourism bring essential income to the rural communities in the region. At the same time ecotourism supports the preservation of cultural heritage and the conservation of Strandzha biodiversity. Also, the economic benefits that ecotourism creates for local communities help to generate increased goodwill towards conservation activities and protected natural areas. However, tourist activities are more seasonal.

On the other hand, local communities have their traditional way of generating financial income from the production of manna honey. Therefore, the protection as Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) has many practical advantages

such for ensuring sustainable regional development by stimulating local manna honey production, which is the natural activity for local communities:

- The protected designation of origin (PDO) ensures that all stages of production, processing and preparation take place in Strandzha specific region. Therefore, in order to be eligible to produce a product labelled "Strandzha Manna Honey", mountain beekeepers must apply to the Bulgarian Ministry of Agriculture in order to receive a special certificate. Then, beekeepers will be able to get a better price for their product on the market and stand out above other honey producers.
- Beekeepers who produce the protected Strandzha manna honey will receive the so-called "de minimis" aid as financial support. The purpose of the minimum aid is, on the one hand, to support current manna honey producers and, on the other hand, to attract more new farmers to produce the unique bee product. The scheme will help preserve traditions and livelihoods in the region.
- There are already many young people in Strandzha Mountain who produce manna honey just to earn extra income.

### **Financial Benefits for Local Forestry - Building a New Business Model for Supporting the Ecology in the Region**

The production of manna honey under the Protected Designation of Origin (PDO) and Protected Geographical Indication (PGI) also contributes to the conservation of nature and biodiversity in the region. The example below is a short illustration of achieved sustainability:

The state forestry organisation „Kosti“ is working on a joint project with the Bulgarian Society for the Protection of Birds, funded by the LIFE + Program of the European Union. The forestry protects the habitats of a specific wild bird, protected under the Biodiversity Act - the little bald eagle. Strandzha is one of its natural habitats and the idea of the project is to protect the forests and the habitats of the bird. In order not to cut down the trees, the forestry decided to start producing manna honey in order to have another source of income. The forest is rich in "blagun" - a type of oak that creates the most favourable environment for the extraction of Strandzha manna honey. The place is as clean as possible in the country. In order to get things done, the workers in the Forestry, who understand beekeeping and have been producing honey for years, help a lot - the manna honey production became a source of a second income for the local forestry organization. This is the business model that the local forest organization uses as a financial opportunity to receive additional income to carry out its main activities for sustainable and successful conservation of nature and biodiversity.

### **Conclusions**

The PDO and PGI Strandzha Manna Honey provide stability and opportunity for sustainable economic and social development of the region by protecting the brand on *national and international levels*.

Figure 1 illustrates the whole circle of benefits and the IP-enabled financial sustainability mechanisms:

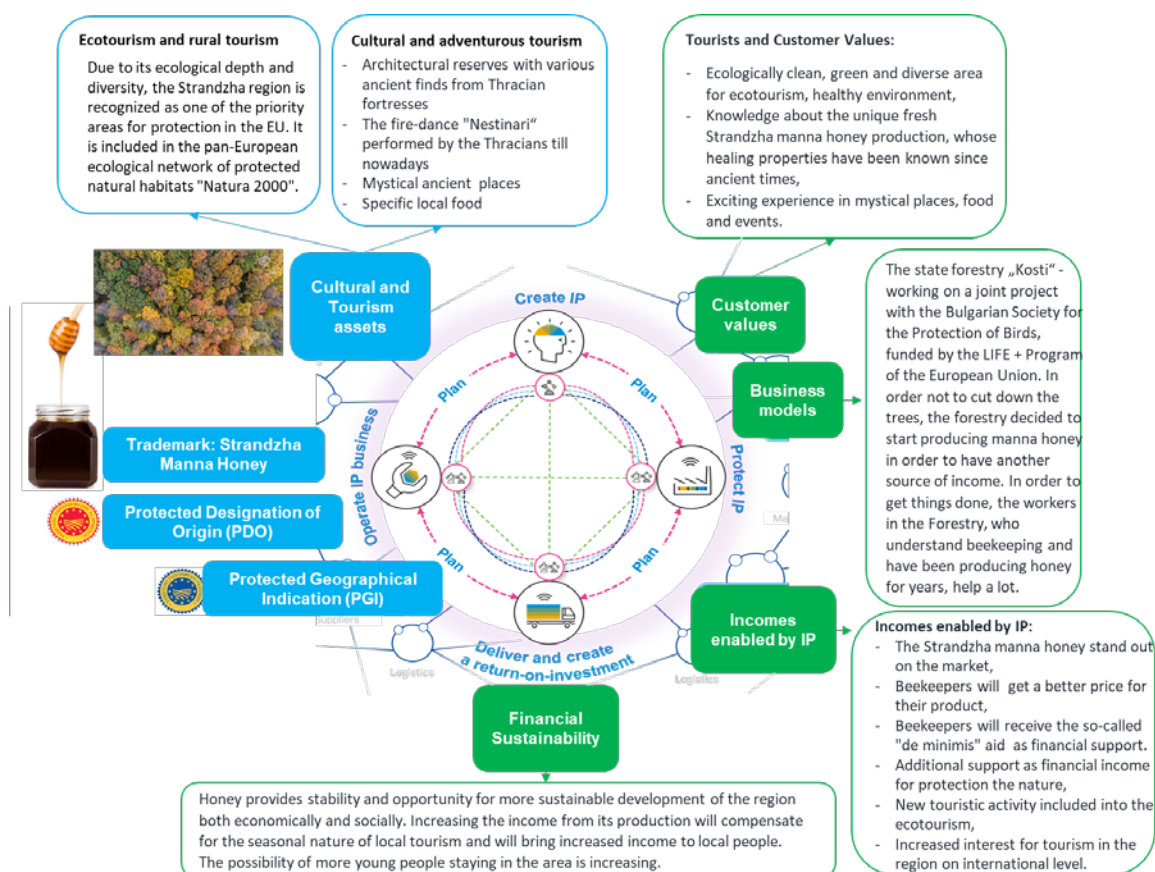


Figure 4. IP-enabled financial sustainability mechanisms, Strandzha Manna honey, Bulgaria

This good practice is based upon secondary data and that has been collected from official EU papers, websites and touristic materials.

## References for Good Practice 15:

European Commission, PDO for Strandzha Manna honey, Retrieved from: [https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/eu-quality-food-and-drink/strandzhanski-manov-med-pdo\\_bg](https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification/quality-labels/eu-quality-food-and-drink/strandzhanski-manov-med-pdo_bg) on 21<sup>th</sup> April 2021

GarilovTourism.Alle.bg, Tourism in Strandzha, Retrieved from: [garilovtourism.alle.bg](http://garilovtourism.alle.bg)

Ekaterina Terzieva, Manna Honey – the Black Gold of Strandzha, February 2019, Duma.bg, Retrieved from: <https://duma.bg/manoviyat-med-chernoto-zlato-na-strandzha-n185157> on 22<sup>nd</sup> April 2021

Mihail Angelov, Beekeepers with Strandzha manna honey receive BGN 1,800 in aid, Agro News, March 2021, Retrieved from: <https://agronovinite.com/pchelarite-sas-strandzhanski-manov-med-poluchavat-po-1800-lv-pomosht/> on 28<sup>th</sup> April 2021

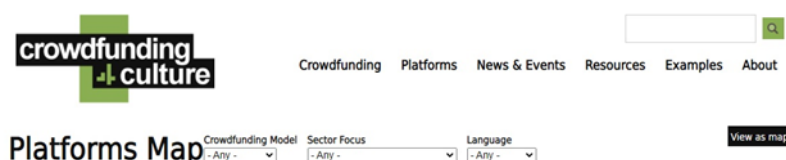
Denis Dzhambazov, The Healing Manna Honey Attracts Tourists to Strandzha, September 2020, Fakti.bg, Retrieved from: <https://fakti.bg/bulgaria/509463-lechebniat-manov-med-pri-lichia-turisti-v-strandja> on 3<sup>th</sup> May 2021

VisitStrabdzha.com, Link: Your holiday makes a difference, Retrieved from: <http://www.visit-strandja.com/ecotourism-Bulgaria-Strandja.php> on 3<sup>th</sup> May 2021

Economy.bg, See what opportunities for tourism Strandzha Nature Park offers (video), January 2017, Retrieved from: <https://www.economy.bg/lifestyle/view/27095/Vizhte-kakvi-vymozhnosti-za-turizym-predlaga-Priroden-park-Strandzha-%28video%29> on 3<sup>th</sup> May 2021

## Good Practice 16 - Crowdfunding and risks

### “Crowdfunding for Culture”



In 2015 The European Parliament approved a budget line (15 04 77 08) for a pilot project on 'Kick-starting the cultural economy (crowdfunding)', whose aim is "the identification and analysis of best practices in Europe's crowd funding market in relation to cultural organisations". Under this mission, Crowdfunding4Culture was launched in February 2016 under a consortium led by IDEA Consult, and its partners European Crowdfunding Network and Ecorys.

The mission of Crowdfunding4Culture is to facilitate the connection between creative professionals and organisation with crowdfunding, by identifying, analyzing and publicizing the best practices in Europe's crowdfunding markets referring to the cultural and creative sectors (CCS) and to provide an overview of the different crowdfunding models currently operating in Europe, which can be used to finance cultural projects.

In addition to the report, the Crowdfunding4Culture study includes 12 case studies, the First European Conference on Crowdfunding for Culture in Europe, as well as a Platform Map of all crowdfunding platforms active in culture in Europe. (Source: Crowdfunding4Culture.eu) The Platform Map of all crowdfunding platforms is a database searchable with various parameters like “crowdfunding model”, sector focus”, “language”.

Link to the platform: <https://crowdfunding4culture.eu/map-as-table>. Retrieved on 11.11.2021

Link to case studies for successful practices related to crowdfunding in culture:

<https://crowdfunding4culture.eu/case-studies>, Retrieved on 11.11.2021

Source of the text: Crowdfunding4Culture, Link: <https://crowdfunding4culture.eu/about>

Retrieved on 11.11.2021

### Crowdfunding and risks related to Intellectual Property

Crowdfunding is a great way of raising funds for business ventures and business initiatives. However, there are risks that need to be considered by the companies and organizations aiming to use this method. Crowdfunding involves wide and rapid disclosure of information. This can be beneficial to your business initiative or venture but may also pose some risks to

your Intellectual Property. Based on their experience, the European and UK Patent and Trade Mark Attorneys provide well synthesised explanations in an article “Protecting Your IP when Crowdfunding” published in June 2021:

- **Risks for the Trade mark.** Trade marks protect brands as a sign of origin. Disclosure does not prevent you subsequently registering a trade mark. However, it increases the chances of someone copying your brand name or logo. If they register it before you, they are likely to secure the prior rights in the trade mark.
- **Risks for the Designs.** Designs protect the appearance of a product. In many countries, prior disclosure is fatal to registering a design. A few countries (including the UK and the EU) have a 12 month ‘grace period’.
- **Risks for the Copyright (and Unregistered Design Right).** These rights arise automatically upon creation in a variety of ‘creative’ works and subsequent disclosure is not fatal. However, they only provide protection against copying (and do not protect technical innovations).
- **Risks for the Confidential Information (Know How and Secrets)** - Once disclosed, this type of information is obviously no longer confidential.

Source of the text: J A Kemp- European and UK Patent and Trade Mark Attorneys, “Protecting Your IP when Crowdfunding”, June 2021, Link:<https://jakemp.com/en/knowledge-centre/briefings/protecting-your-ip-when-crowdfunding> . Retrieved on 11.11.2021

Below we present good practice for financing a trademark for intangible cultural heritage and the subsequent financing of activities related to the brand without the use of crowdfunding, taking into account the risks described above:

### National Festival “Seme Bulgarsko”



The Bulgarian National Festival "Bulgarian Seed" is a private initiative of the Advertising Agency "Elmazovi" EOOD and is organized annually hosted by the Municipality of Sevlievo. The goal of the organizers is to bring together the intangible heritage of Bulgaria as spirit, way of life and traditions that have preserved the identity of the Bulgarian people to this day.

Even before its realization, the organizers registered its trademark in The Patent Office of the Republic of Bulgaria using their own private funds.

Consequently, the festival is annually funded by sponsoring organizations at regional and national level. The benefits are multifaceted: for the participants from the cultural organizations, for the dancers, the singers, the artists and actors, for the craftsmen, for the visitors who get involved in all activities and buy hand made and natural products of the craftsmen, for the region, and for the whole country.





Source of the pictures: The YouTube video of the 6<sup>th</sup> National Festival “Seme Bulgarsko”. Link: <https://youtu.be/Peb7qxvEM-4>, Advertising Agency "Elmazovi" EOOD. Retrieved on 11.11.2021



Co-funded by the  
Erasmus+ Programme  
of the European Union

The European Commission support for the production of this publication does not constitute an endorsement of the contents which reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Project number 2020-1-DE02-KA202-007523