

Hale Kū'ai Cooperative
invites Native Hawaiian Artists to gather

Native Hawaiian Cultural Trademark Study

INFORMATIONAL WORKSHOPS

Funded by the Office of Hawaiian Affairs

Maui Island

Scheduled Speakers:

Leighton Chong & Maile Andrade

Saturday • April 8, 2006

Maui Arts & Cultural Center

Gallery Meeting Rm. – 9am to 12noon

MEETING SPONSOR:

Maui Arts & Cultural Center

HOST:

Hokulani Holt Padilla
hokulani@mauiarts.org
(808) 242-2787 ext.269

ADDITIONAL MEETINGS:

O'ahu

To Be Announced

Hawai'i

Study hopes to hold meetings in Kona & Hilo.
Tentative dates are May 19 & 20; Times TBA

**LINK TO THE STUDY'S SITE FOR UPDATES:
WWW.NHTRADEMARKSTUDY.NET**

**LINK TO OUR ON-LINE ARTIST SURVEY:
WWW.PAIFOUNDATION.ORG**

**FOR MORE INFORMATION, PLEASE CONTACT
Study Coordinator, Ho'oipo K. Pa (808) 778.4030
or e-mail: malamaonakii@hawaii.rr.com**

TRADEMARK STUDY SPONSORS

Office of Hawaiian Affairs, PA'I Foundation,
Hale Kū'ai Cooperative, and Native Books/Nā Mea Hawai'i

Native Hawaiian Cultural Trademark Study 2006

The Native Hawaiian Trademark Study is a seven month long process to determine the need for, and parameters of, a cultural trademark program for distinguishing authentic Native Hawaiian cultural arts. The study is proceeding in two phases. Four public informational meetings for Native Hawaiian artisans will be held through May 2006, on O'ahu, Hawai'i, Maui, and Kaua'i.

What is a Cultural Trademark?

It is a distinctive word, phrase, logo, design, or combination thereof that is not merely descriptive, is subject to legitimate control of a legal entity, and is used to designate or certify origin, quality or authenticity of cultural goods or services. A cultural certification trademark may be used to certify the cultural authenticity of goods and services, in this case, produced by Native Hawaiian artists and practitioners.

Who Would Use a Trademark?

Although many people think that a trademark is a logo or mark distinguishing one corporation's products from its competitors, a trademark can also be used by a non-commercial entity to certify and legally define products, services, and even intellectual property, of a particular group of people with a distinct native culture; Native Hawaiians are such a group.

Why Might a Cultural Certification Trademark be Needed?

Authentic cultural arts and crafts or even contemporary works produced in a form true to an authentic culture or tradition are important as expressions of the traditional knowledge of a particular culture. The products and their production help to perpetuate that culture and its traditional knowledge for future generations. A trademark under Western law can assist, in this case Native Hawaiians, in preserving our culture by helping to distinguish authentic cultural arts and crafts work to visitors and purchasers from those products that are mass produced fakes.

Cultural Trademarks in Use

The First Peoples (Native American Indians) have various trademarks that were instituted and are protected under the Indian Arts & Crafts Act or the IACA. In addition, the Native Maori people of Aotearoa also have a cultural trademark, created in 2000, called *Toi Iho*. Native Hawaiians can adopt and use a cultural trademark under existing trademark law.