

REMARKS



**HON. ANTHONY HYLTON
MINISTER OF INDUSTRY,
INVESTMENT**

&

COMMERCE

**INTERNATIONAL REGGAE DAY
CONFERENCE**

MONDAY, JUNE 30, 2014 @ 9:00 A.M.

THE COURTLEIGH HOTEL

Salutations

- **Mr. Michal Thompson – Co-Founder International Reggae Poster Contest**
- **Miss Lilyclaire Bellamy, Acting CEO JIPO**
- **Members of the Music Fraternity**
- **Distinguished guests,**
- **Members of the media,**
- **Ladies and gentlemen,**

Greetings to everyone, as we celebrate International Reggae Day.

Reggae is one of the most sustainable music genres of all times, and one which continues to evolve with time and through the influence of different generations. We have moved through mento, ska, rock steady, reggae, deejaying, dub, dancehall, and we never know what will come tomorrow. What we all know here today, however, is that reggae is here to stay. That is why we have an International Reggae Day, and I want to commend you, the organisers, in your efforts to keep reggae on top.

As a nation, we are more certain than ever that reggae is one of our most valuable assets. It must be treasured. It must be nurtured, and we must be able to reap from the seeds that we have sown over the years. In that regard, we must preserve reggae as you are now doing, and it must be protected, as we are now doing.

The Ministry through the Jamaica Intellectual Property Office (JIPO), along with the Entertainment Division of the Ministry of Tourism and Entertainment, has been engaged in dialogue with reggae industry stakeholders on the best approach to protect reggae.

We have had consultations with various music industry stakeholders, including musicians, composers, producers, performers and representatives from the Jamaica Reggae Industry Association (JaRIA), and the Jamaica Association of Vintage Artistes and Affiliates (JAVAA). Consultations have also been held at the University of the West Indies, the Edna Manley College for the Visual and Performing Arts, and with representatives of the Rastafarian community, including the Ethio-Africa Diaspora Union Millennium Council.

JIPO also hosted Professor Rob Bowman from York University, Canada earlier this month to lead a series of consultations in Jamaica related to the protection of reggae, with assistance from the World Intellectual Property Organization (WIPO). Professor Bowman's study will be used to determine the role that intellectual property can play in supporting the development of reggae, and the music industry generally.

Two strategies are being looked at:-

1. A certification mark to designate 'authentic reggae' and/or obtaining inscription of reggae on UNESCO's List of Intangible Cultural Heritage.
2. A possible certification mark for "Reggae" and/or "Jamaica Reggae" to promote the use of Jamaican artistes, studios, musicians and merchandise.

Further consultations will be held with various reggae industry stakeholders and the work being done by WIPO consultant, Rob Bowman, is to be included into these consultations.

In recent times, we have received through the Jamaica Intellectual Property Office (JIPO) a number of queries from persons regarding the legal protection of reggae as an authentic music form. JIPO has sought to address this situation primarily by not granting exclusive rights in respect of trademarks which use the word “reggae”. However, in the absence of international or domestic legislation, we recognize the need to holistically protect reggae, both as a brand and as an industry. We need to prevent others outside of Jamaica from defining what reggae is. We need to protect against others from outside Jamaica acquiring legal rights and economic benefits around the word and brand “reggae, without authorization from the Government of Jamaica, or some other entity representing the interests of the Jamaican reggae industry.

Overall, Government’s policy is to preserve and protect the traditional knowledge and traditional cultural expressions of Jamaica and of our indigenous and local communities. This is in keeping with our CARICOM obligations, under Article 66 of the Revised Treaty of Chaguaramas.

The formal recognition of reggae as a national heritage, a traditional cultural expression and art form, such as Tango in the

case of Argentina and Uruguay, would better enable Jamaica to maintain control over the definition, recognition and identification of the musical form. What this would do, is to ensure that economic rights, trade mark rights, and geographical indication rights, are retained **in and within** Jamaica.

JIPO, therefore, is seeking a greater degree of governmental involvement in the development of a framework that is conducive to the protection of reggae. The following activities are being considered:-

1. Protect “reggae” as an international cultural heritage of humanity.

In other words, Jamaica should establish internationally its ownership of reggae. This is important in light of international publications, which attribute other nations as being responsible for the origin of reggae or “current originators” reggae.

Ladies and gentlemen, reggae has only one birthplace, and we must do everything possible to keep things that way.

2. JIPO is also seeking an update of the study commissioned by the World Intellectual Property Organisation (WIPO) on

the contribution of copyright-based industries to the Gross Domestic Product (GDP).

An in-depth study was done on the contribution of Jamaican intellectual property in 2005 and released in 2007. This is now, clearly, outdated. Such analysis is critical to planning and decision-making. JIPO is recommending an update of the study, and that a mechanism be implemented to ensure periodic updates.

3. JIPO also recommends that a national IP inventory and national IP strategy be formulated.

With increasing focus on our creative industries, knowledge services, and international property as critical economic pillars, the eyes of the world are turning to Jamaica. As such, any analysis that does not consider the worth of intellectual property would be inadequate. Therefore, intellectual property that are either owned by the government, or which are deemed to be “orphan works” by Jamaican nationals, should be identified and evaluated, using the income method of evaluation. This should include property owned by the Jamaican people, but are presently held by foreign territories.

4. JIPO is also recommending the development of a certification process, whereby only the genuine article can be deemed “Jamaican reggae”.

Such an undertaking would not only increase the economic potential of our creative industries. Over time, authentic reggae will also develop its own “premium”, and our cultural tourism offerings could also be boosted with more visitors to the island, seeking to experience authentic reggae. It is my hope the long discussed Museum of Reggae music will finally come about and in this, both Government and private sector should join forces to ensure this happens in the shortest possible time.

In a true sense, therefore, we are seeking to reap more from the seeds that we have sown.

Ladies and gentlemen, we welcome the opportunity that International Reggae Day provides, as we continue the efforts to build and yield more from our creative industries.

One love, without any apology.