

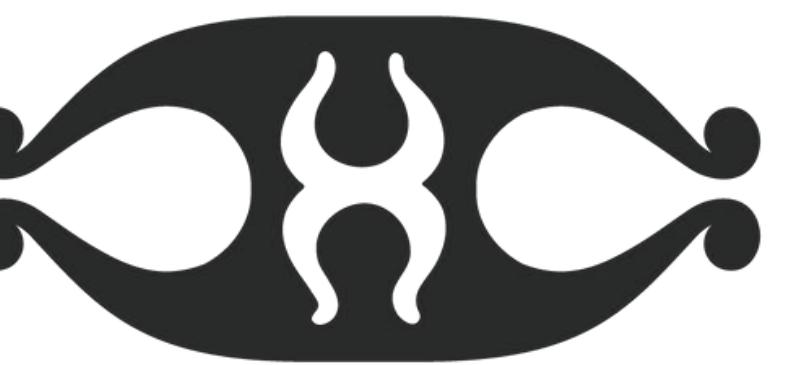


# THE OMA PEOPLE OF LAOS

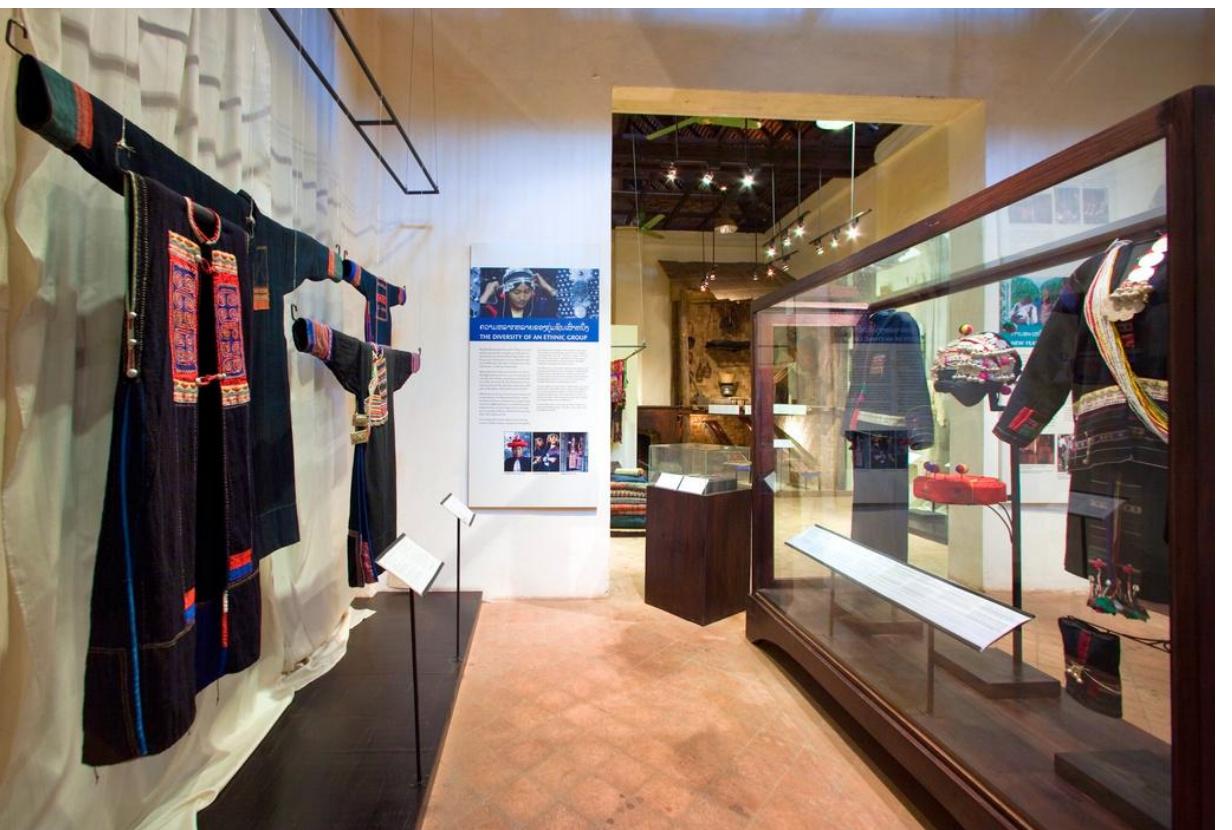
&  
**CREATING A WAY FORWARD  
FOR TRADITIONAL DESIGNS**



**Tara Gujadhur**, Co-Director  
ASEAN IP Register Coordinating Meeting  
7 December 2024



## TRADITIONAL ARTS AND ETHNOLOGY CENTRE







Nanam Village, Phongsaly Province



















<OMA

MIS>  
APPROPRIATION



Cotton poplin skirt

€329.00

DETAILS COMPOSITION AND CARE

Long skirt in cotton poplin with contrasting ethnic print. Unlined. Relaxed, loose fit with an elasticated drawstring waist.

Colour:

Italian size

Size guide

36 38 40 42 44 46 48 50

ADD TO SHOPPING BAG

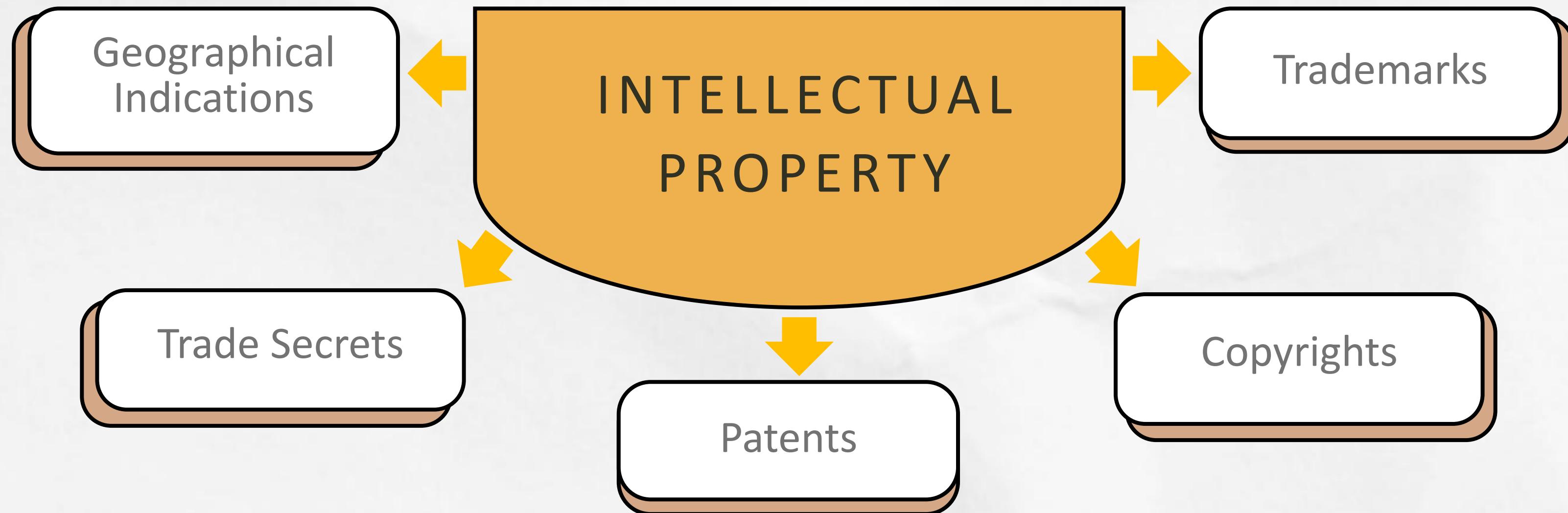
Free Shipping and Returns

Delivery is always free and is usually within 4-8 working days.

Product code: 5101039106001 - FLORA

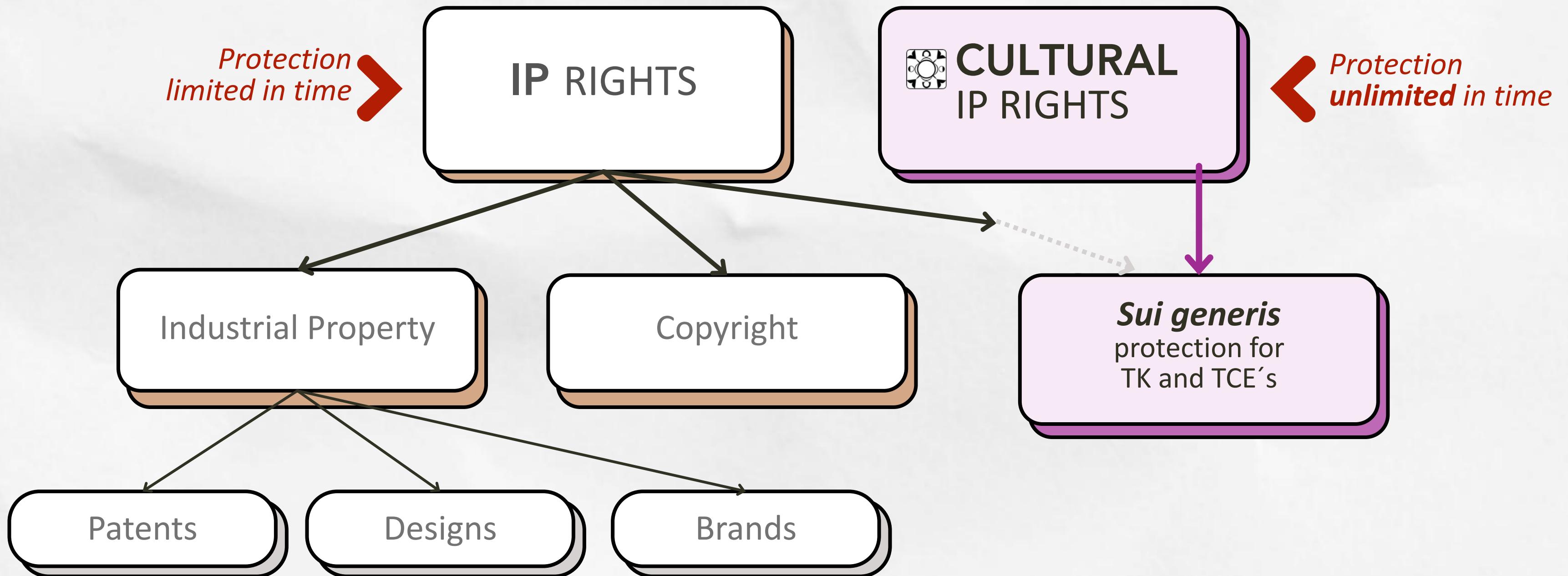


# CONVENTIONAL INTELLECTUAL PROPERTY RIGHTS



- Standard IP law created in a specific time and context
- Foster commercial innovation by protecting industrial inventions and individual creations
- Many indigenous and traditional communities argue it does not serve their interests
- Can actually disenfranchise them

# CULTURAL INTELLECTUAL PROPERTY RIGHTS



# OMA TRADITIONAL TEXTILE DESIGN DATABASE

The monitor displays the homepage of the OMA Traditional Textile Design Database. The header features the text "OMA TRADITIONAL TEXTILE DESIGN DATABASE" in large red letters, followed by "OMA" in a large black font, and a navigation menu with links to "People", "Textiles", "Motifs", "Techniques", and "Rights". A small flag icon is also present.

The main content area has a red background with white text. It reads:

Oma **Traditional**  
Textile Design  
**Database**

Securing Cultural Intellectual  
Property Rights for the Oma  
Ethnic Group of Laos

Below this, there is a video player showing a YouTube video from TAEC. The video thumbnail shows three people, two women and one man, looking at a tablet. The video title is "What Happened? Oma vs. Max Mara" and the subtitle reads:

In April 2019, the Traditional Arts and Ethnology Centre (TAE) in Laos became aware that a line of Max Mara clothing featured Oma designs.

At the bottom of the screen, there is a "Welcome" message and a descriptive text about the database's purpose.

Here, you will discover traditional designs created, passed down, and worn by the Oma People of Laos. This unique database was created with the Free Prior

A photograph showing several individuals, mostly women, working on large-scale traditional textile pieces, likely weaving or embroidery, in a workshop setting. The textiles feature intricate patterns in red, yellow, and brown. The workers are dressed in casual modern clothing like t-shirts and hoodies. A large blue banner with white text is overlaid across the middle of the image.

# An Introduction to the Oma Traditional Textile Design Database



An Introduction to the Oma Traditional Textile Design Database



## COMMUNITY CONSULTATIONS



ລອກແບບ

Oma





FREE PRIOR INFORMED CONSENT



DOCUMENTATION



4.1.9 Bah deu leu heh: "rainbow"

4.1.8 Si sa ayeh: poison wood motif

4.1.7 Ou zhou mia ghou: chain stitch spiral. Usually in groups of 10.  
Ou zhou zah peh: chain stitch

4.1.6 Abu la mah - spider motif (body with two legs) inside "doh tcheuh" - triangle

## Whole back section: Oh mu mu dang

4.1.5 Ah kheu sa tsoh: "V" shape

4.1.4 Mee shung lee pah: motif of a leaf  
Applique: nyeh dah ner

4.1.2 Sah phah tzoh zah – applique striped line  
Striped line: tzoh zah

4.1.3 Theh cheh "hapa la phyew" – "frog's hand"  
Theh cheh nyeh dah nyer – applique motif

4.1.1

3 stitch line: Gu tzer tzer tcheu

Single line: Gu tzer

Always at the "bottom" of the headdress

## ຖານຂໍ ມູນການ ອອກ ແບບລາຍເຜົ້າດັ່ງເດີມຂອງ ຊື່ນເຜົ້າ ໂອມາ

ການປົກປ້ອງສຶກທີ່ຊັບສິນທາງປັນຍາ  
ສໍາລັບຊື່ນເຜົ້າ ໂອມາ ໃນ ສປປ



## ຢືນດີຕ້ອນຮັບ

ທີ່ນີ້, ທ່ານຈະໄດ້ຄົ້ນພົບການອອກແບບລາຍດັ່ງເດີມທີ່ສືບຫອດວັນມາຈາກຫຼຸນສູ່ຫຼຸນ ແລະ ການນູ່ງເຄື່ອງແບບດັ່ງເດີມ ຂອງເຜົ້າໂອມາ ໃນປະເທດລາວ. ຖານຂໍ້ມູນນີ້ໄດ້ຖືກສ້າງຂຶ້ນມາ ໂດຍ ໄດ້ຮັບການຢືນຍອມ ຈາກເຜົ້າໂອມາ ບ້ານນຳ, ປະເທດລາວເພື່ອເປັນການອະນຸລັກ ວັດທະນາ -ທຳ ແລະ ຫັ້ງເປັນ ການເຊັນຊວນທຸກພາກສ່ວນໃຫ້ການຮ່ວມມື ໃນການເຄົາລົບ ຫຼັກການ 3 ປະເພດທີ່ ອະນຸຍາດ, ອ້າງອີງ ແລະ ສິ່ງຕອບແທນ. ຂໍ້ມູນທີ່ບັນຈຸໃນຖານຂໍ້ມູນນີ້ ເປັນຂອງເຜົ້າໂອມາ ບ້ານນຳ, ປະເທດລາວ. ກົດບ່ອນນີ້ ເພື່ອຮຽນຮູ້ເພີ່ມຕົ່ນ.

## ເຄື່ອງນຸ່ງທີ່ມ

ເລືອກເຄື່ອງນຸ່ງດ້ານລຸ່ມ ເພື່ອຮຽນຮູ້ເພີ່ມຕົ່ນ ກ່ຽວກັບຄວາມສໍາຄັນທາງ  
ວັດທະນາທໍາຂອງເຄື່ອງນຸ່ງເຜົ້າໂອມາ



## ຄົນ

ເລື່ອງລາວຂອງຊື່ນເຜົ້າກຸ່ມນ້ອຍທີ່ອາໄສຢູ່ຫາງ  
ພາກເໜີອຂອງລາວ  
ນີບກັບເຜົ້າໂອມາ



## ລາຍເຜົ້າ

ລາຍດັ່ງເດີມທີ່ໃຊ້ປະດັບເຄື່ອງນຸ່ງ, ການນຳໃຊ້  
ແລະ ຄວາມໝາຍຂອງລາຍຕາງໆ  
ເລືອກເບິ່ງລາຍ



## ວິທີການ

ຫັກສະ ແລະ ວັດສະດຸຕ່າງໆທີ່ຕ້ອງການໃນການ  
ຜະລິດເຄື່ອງນຸ່ງ

## ເສື້ອກັກ 002



## ເສື້ອກັກແມ່ຍິງ

ແມ່ຍິງເຜົ້າໄອມານຸ່ງເສື້ອກັກໃສ່ດ້ານໃນແລ້ວນຸ່ງເສື້ອແຂນຍາວບົກນອກໃນລະດູຫາວ ແລະ ນຸ່ງສະເພາະເສື້ອກັກໃນລະດູຮອນ. ເສື້ອກັກບາງເຜົ້ນບໍ່ໃຊ້ກະດຸມ ແລະ ບາງເຜົ້ນໃສ່ກະດຸມຫຼືໃຊ້ຊີບ. ເສື້ອກັກມີສີສັນລົດໃສ່ເປັນເຕືອນຸ່ງທີ່ນີ້ຍືນຂອງຍົງຫຼຸ່ມທີ່ມັກນຸ່ງໃນງານບຸນຕ່າງໆ ທອງຊຸມຊົນປະສົມປະສານກັບເຕືອນຸ່ງທີ່ “ທັນສະໄໝ” ກວ່າ (ເຊັ່ນ “ສິນ” ແບບໄຕລາວ).

ເສື້ອກັກເຜົ້າໄອມາເຮັດດ້ວຍຜົ້າຜົ້າຍຕໍ່າມີ, ຍັນສີຄາມປະດັບດ້ວຍລາຍຕັດຫຍົບຕິດ ແລະ ປັກແລ່ວ. ດ້ານ ຫັ້ນປະດັບດ້ວຍລາຍຕັດຫຍົບຕິດສອງຮູບສື່ງມລວງຕັ້ງ. ຂອບເສື້ອດ້ານລຸ່ມປະດັບດ້ວຍລາຍຕັດຫຍົບຕິດຫຼືຜົ້າທີ່ຕໍ່າ. ມອຈາກນີ້ຍັງໃຊ້ຜົ້າສີແດງຫຍົບອົມຄໍເສື້ອກັງຄໍຄໍເສື້ອ ແລະ ລາຍກົ່ນຫອຍຢູ່ຂອບອີກດ້ວຍ.

ລາຍທີ່ພົບເຫັນຢ່າງເສື້ອກັກສ່ວນຫຼາຍ ແມ່ນ:

- |  |                           |
|--|---------------------------|
|  | 1. ລາຍກົ່ນຫອຍ             |
|  | 2. ລາຍຕົນໄກ່              |
|  | 4. ລາຍກ່ານ                |
|  | 5. ລາຍຈຳມັດ               |
|  | 8. ລາຍແມງມູນ              |
|  | 12. ລາຍຮຸ້ງກົນນ້າ         |
|  | 14. ລາຍສາມຫຼູ່ມຫຍົບຕິດ    |
|  | 15. ລາຍນົ້ວມີ             |
|  | 16. ລາຍຕັດຫຍົບຕິດຢ່າງຫຼາຍ |

ເສື້ອກັກເຜົ້ນນີ້ເຮັດໄດ້ນາງ ຈັນ ແລະ ແມ່ຍ່າຂອງລາວຊື່ ນາງ ຫຼັ້າ. ຕາມປະເພນີແລ້ວແມ່ຍິງເຜົ້າໄອມາ ຈະໃຫ້ຜົ້າຜົ້າຍຕໍ່າດ້ວຍມີຫຼຸ່ມກັ້ນ ມີຄວາມຍາວປະມານ 30 ວາ (ຫຼື ປະມານ 50 ຂັ້ງຕີມັດ) ແກ່ລູກໄພ້. ນາງ ຈັນໄດ້ໃຊ້ຜົ້າທີ່ແມ່ຍ່າລາວໃຫ້ມາຕັດຮັດເປັນເສື້ອເຜົ້ນນີ້ ແລະ ລາວເປັນຜູ້ປະດັບຕົກແຕ່ງດ້ວຍ ການຕັດຫຍົບຕິດ ແລະ ແສ່ວລາຍຕ່າງໆ ໃສ່ຍ່າງປານີດດ້ວຍຕົນເອງ. ກະດຸມເສື້ອສາມໜ່ວຍຮັດ ດ້ວຍອາລູມິນງມເປັນຮູບແມງມູນ. ໂດຍທົ່ວໄປແລ້ວກະດຸມເສື້ອຂອງເຜົ້າໄອມາ ແມ່ນຮັດຄ້າຍຄົກັນ ກັບກະດຸມເສື້ອຂອງຊົນເຜົ້າໃນໝວດພາລາລວ ໄຕທາງພາກເຂົ້າຂອງລາວ ແລະ ທວງດນາມເຊັ່ນ ໄຕດໍາ, ໄຕຂາວ ແລະ ຊົນເຜົ້ອນໆ ແລະ ອົບໃນພາກເພີ່ນ.

ລວດລາຍທີ່ໃຊ້ຢູ່ເສື້ອກັກນີ້ແມ່ນ:

- |  |                           |
|--|---------------------------|
|  | 1.1. ລາຍກົ່ນຫອຍ           |
|  | 2. ລາຍຕົນໄກ່              |
|  | 4. ລາຍກ່ານ                |
|  | 5. ລາຍຈຳມັດ               |
|  | 8. ລາຍແມງມູນ              |
|  | 12. ລາຍຮຸ້ງກົນນ້າ         |
|  | 14. ລາຍສາມຫຼູ່ມຫຍົບຕິດ    |
|  | 15. ລາຍນົ້ວມີ             |
|  | 16. ລາຍຕັດຫຍົບຕິດຢ່າງຫຼາຍ |

# Formalisation of Traditional Textile Design Database



WIPO   PROOF	Trusted Digital Evidence	WIPO	WORLD INTELLECTUAL PROPERTY ORGANIZATION																						
Subject: WIPO PROOF token(s) creation																									
Dear Tara GUJADHUR,																									
This receipt is valid evidence that below 1 token(s) have been created by WIPO PROOF:																									
<table><tr><td>Digital File Name</td><td>Oma Traditional Textile Design Database</td></tr><tr><td>Category</td><td>Creative work</td></tr><tr><td>Created by</td><td>Tara GUJADHUR</td></tr><tr><td>Owner/Legal Entity</td><td></td></tr><tr><td>Client Name</td><td>Oma</td></tr><tr><td>Client Surname</td><td>Nanam Village</td></tr><tr><td>Legal entity of client</td><td></td></tr><tr><td>Status</td><td>Power of Attorney 6/1/2021 Traditional Arts and Ethnology Centre</td></tr><tr><td>Issue Date</td><td>May 31, 2021 08:25 UTC</td></tr><tr><td>Digital File's Hash</td><td>4fa2bd69e525f4ecc6ba45afeb2ba49540713ba32265 d88bd066f43dc555905</td></tr><tr><td>Hash Algorithm</td><td>SHA-256</td></tr></table>				Digital File Name	Oma Traditional Textile Design Database	Category	Creative work	Created by	Tara GUJADHUR	Owner/Legal Entity		Client Name	Oma	Client Surname	Nanam Village	Legal entity of client		Status	Power of Attorney 6/1/2021 Traditional Arts and Ethnology Centre	Issue Date	May 31, 2021 08:25 UTC	Digital File's Hash	4fa2bd69e525f4ecc6ba45afeb2ba49540713ba32265 d88bd066f43dc555905	Hash Algorithm	SHA-256
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<table><tr><td>Mode of payment</td><td>Online payment (Credit Card)</td></tr><tr><td>Payment details</td><td>20.0 CHF</td></tr><tr><td>Order id</td><td>EPAY-SW92-SHIQ</td></tr></table>				Mode of payment	Online payment (Credit Card)	Payment details	20.0 CHF	Order id	EPAY-SW92-SHIQ																
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Order id	EPAY-SW92-SHIQ																								

ການວາງສະແດງໃໝ່  
AN EXHIBITION



Source: weekendmaxmara.com

ການພື້ນຜູ້ສິດທິ  
**CLAIMING  
INSPIRATION**  
ຊາວຊ່າງຫັດຖະກຳ, ວັດທະນະທຳ ແລະ ການຫັນເປັນທຸລະກິດ  
*Artisans, Culture, and Commercialisation*

# ເຄື່ອງນິ້ງແບບທັນສະໄໝ ແລະ

## “ແຮງບັນດານໃຈ”

# FASHION AND

# “INSPIRATION”

ເມື່ອການພົບສຳເນົາໄດ້ກຳນົດ “ກຳນົດຕົວປົວ” ຖ້າມີການພົບສຳເນົາໃຫຍ່ໃນການພົບສຳເນົາຕົວປົວຂອງອົງການທີ່ມີຄວາມຮັບຮັກຂອງລົງທຶນ ຂອງການພົບສຳເນົາຕົວປົວຂອງອົງການທີ່ມີຄວາມຮັບຮັກຂອງລົງທຶນ ຂອງການພົບສຳເນົາຕົວປົວຂອງອົງການທີ່ມີຄວາມຮັບຮັກຂອງລົງທຶນ ຂອງການພົບສຳເນົາຕົວປົວຂອງອົງການທີ່ມີຄວາມຮັບຮັກຂອງລົງທຶນ ຂອງການພົບສຳເນົາຕົວປົວຂອງອົງການທີ່ມີຄວາມຮັບຮັກຂອງລົງທຶນ

Fashion taking “inspiration” from traditional cultures is not a new phenomenon. However, the popularity of international travel, the availability of digital cameras, smartphones, and the accessibility of the internet and social media has ensured its rapid proliferation. The economic stakes have also risen – fashion brands are now worth billions of dollars, and the ease of manufacturing and distributing large quantities of printed clothing means that misappropriated designs may no longer reach a far wider audience than was once possible.

Simultaneously, the term “cultural appropriation” has become a provocative catchphrase that can refer to many types of behaviour and misuses. But what does it really mean? Simply, “cultural appropriation” can be defined as the use of symbols or characteristics of a culture by an outsider, without respect or understanding of the culture. Power plays an important role in this dynamic – when dominant communities selectively adopt aesthetics and ideas from marginalised cultures, stereotypes can be reinforced.

However, it is not easy to draw a definitive line between “cultural appropriation” and “cultural appreciation”. A Native American feathered war bonnet being worn as a fashion statement to a music festival is decidedly inappropriate behaviour. But what if a Korean tourist rents a kimono for a day of taking photos in Kyoto? Or a Parisian woman wears a *poufia* purchased from a market in La Paz? What about if an American fashion student travels to India, purchasing handwoven fabrics and threads to incorporate into a school design project?

This exhibition focuses on a more specific problem: the practice of designers and brands copying and profiting from traditional designs.

A traditional textile can take a master artisan months skilled work, using knowledge accumulated over many generations. Why is it that when a textile is created by a Parisian fashion house it is called “luxury” and given high social and economic value, but when it is made in a rural house in Laos, it is considered a “local handicraft” that can be bargained for in a market?



ໄຊ້ ມີຄວາມຮັບຮັກສະໄໝ  
ວຽກເນັດວຽກ ແລະ ວຽກເນັດວຽກ  
Video: Respecting Tradition:  
Ethical Textile Inspiration and Design

THAC

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Training of facilitators



Replicating database model in additional communities



Supporting ethical collaboration

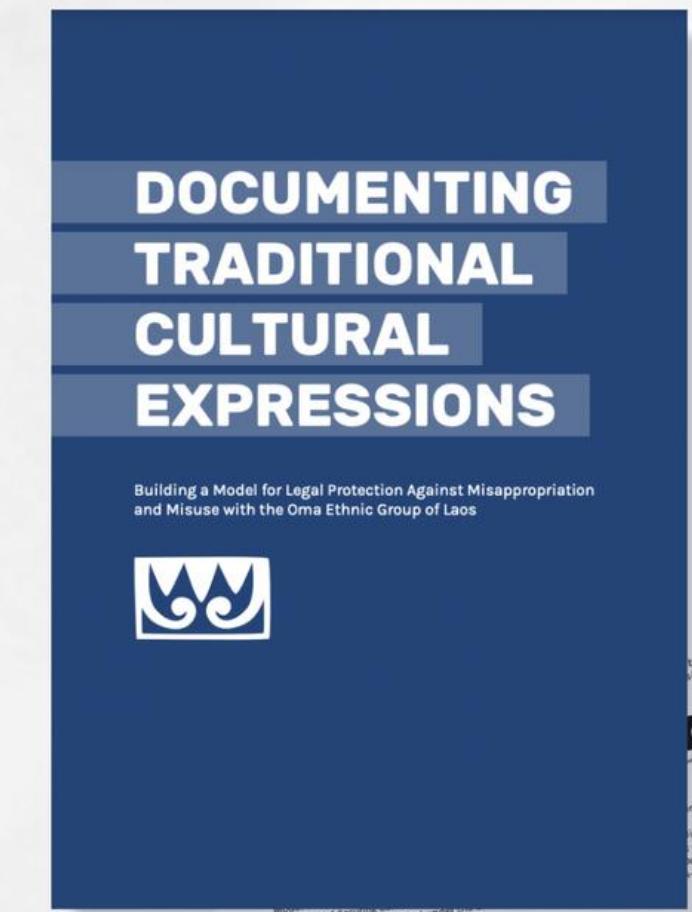


## TEXTILE DESIGN DATABASE

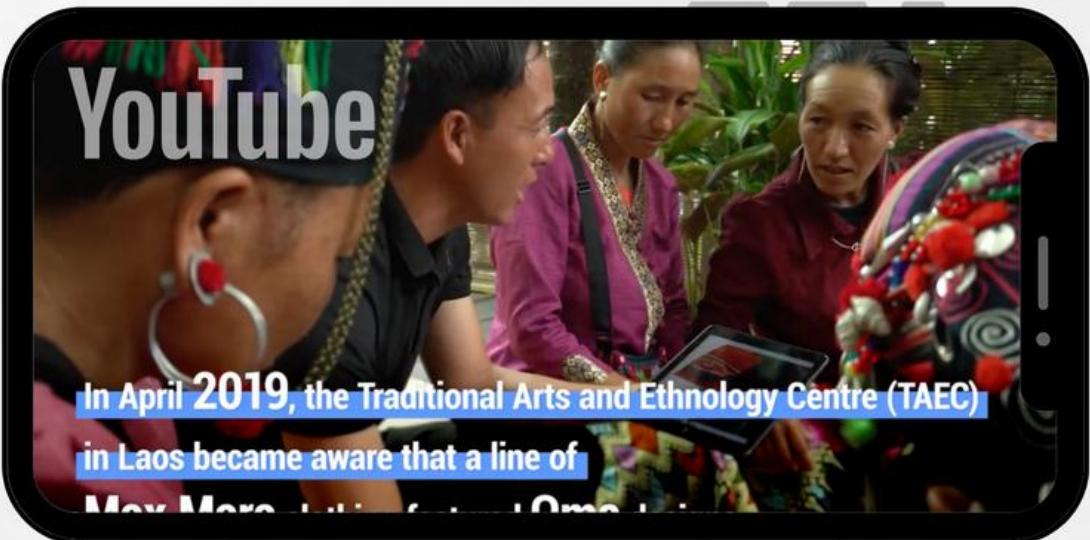


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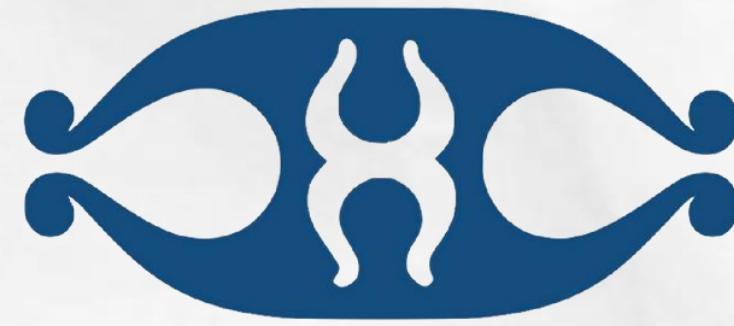


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