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Marine Genetic Resources in Areas Beyond National Jurisdiction: Intellectual Property Law vs Environmental Law

Marine genetic resources have applications in medicine, chemistry, cosmetics, etc. They have the potential to make a huge impact on the world, which means there is also the potential for a huge amount of money. The regulation and patenting of marine genetic resources has exposed a gap in the existing laws and presented a clash in two bodies of law, intellectual property law and environmental law. The TRIPS agreement lays the foundation for patenting, but conflicts with environmental agreements such as the CBD and UNCLOS. This presentation will introduce marine genetic resources, present the relevant bodies of law involved in the regulatory gap, and look at what the future may hold for these valuable resources.