



Coca Cola v. Coca Pola: The Protection of Traditional Knowledge and Cultural Expressions in the Americas

Presenter: Professor Paul Figueroa, UNM School of Law

APRIL 2 Wednesday, April 2, 2025 | 3:00 PM | LAII Conference Room (801 Yale Blvd NE)

Join the LAII and the UNM School of Law for a talk about Coca Cola's influence in Latin America.

In 2022, Coca-Cola sent an indigenous business from Colombia a letter asking them to stop using the name of its Coca-Pola beer because- according to the drinks giant—it could be confused with its commercial brands. In a sense, Coca-Cola claimed that it owns the rights to the word “coca,” which originated in indigenous communities in Latin America. This dispute illustrates how corporations routinely engage in cultural appropriation and economic exploitation of traditional knowledge without the consent of the indigenous creators and authors. The lack of legal protection of indigenous knowledge and creations is at the intersection of human rights and intellectual property law. Indigenous people usually have little or no legal recourse because conventional Western-based intellectual property laws fail- among other reasons- to recognize collective creation and ownership. To address this legal gap, many countries in Latin America- including Mexico, Panama, and Peru- have adopted sui generis legal regimes that better align with indigenous people’s communal views of property and ownership. Professor Figueroa examines those sui generis regimes and finds that they could be adopted in other Latin American countries, like Colombia. Professor Figueroa also argues that because the law already recognizes collective ownership of indigenous land in Colombia, it is uniquely positioned to extend collective rights to indigenous intellectual property. Finally, he examines the opportunities for collaboration between corporations and indigenous communities.

Professor Paul Figueroa is a Professor of Law at the University of New Mexico School of Law. Professor Figueroa brings extensive private and public sector practice experience to the classroom. Most recently, he served as a foreign service officer and the in-house counsel for the U.S. Agency for the International Development in Guatemala. Prior to that appointment, Professor Figueroa worked as an attorney adviser to various regional and technical bureaus at the USAID/Washington office. During his ten years of government service, Professor Figueroa received several prestigious agency-wide awards related to strategic innovation in legal practice and institutional climate. In the private sector, Professor Figueroa served as manager for the Customs and Trade Compliance Group at Deloitte Consulting LLP in Chicago and as a senior associate in the Washington, DC, office of New York City-based Grunfeld Desiderio, where he represented foreign corporations before the U.S. Court of International Trade.



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