

WORLD INTELLECTUAL PROPERTY ORGANISATION (WIPO)

Support to NEPAD

Period of Report: August 2004 to April 2005

WIPO's activities in support of NEPAD

WIPO attaches great importance to the economic benefits of intellectual property and focused a significant part of its activities on this aspect, in conformity with the vision of African leaders as articulated in the New Partnership for Africa's Development (NEPAD).

Assessing the benefits of national intellectual property systems to African countries

WIPO undertook in 2004, a project to assess the benefits of the intellectual property system to countries in the African region.

The assessment consists of examining current intellectual property policies, practices and strategies for the development, management and commercialization of intellectual property rights, with a view to generating empirical data which can serve as a strategic tool for making informed intellectual property decisions.

This project aims at making a diagnosis of the economic, social, cultural and technological situation in each country. It will allow us to assess the use of the "intellectual property" tool for developing and promoting economic, social, cultural and technological growth.

In order to guarantee quality and harmonized results, a methodology as well as targeted questionnaires have been developed for this purpose. The deliverables will be a series of national intellectual property profiles. The pilot project started in five countries, namely Ghana, Kenya, Nigeria, South Africa and the United Republic of Tanzania. In each country, a local consultant has been assigned to conduct a national assessment for a three-month period and three assistants have been recruited to help him/her carry it out.

In cooperation with a number of partners, namely the Common Market for Eastern and Southern Africa (COMESA) (15 member countries), the Central African Economic and Monetary Community (CEMAC) (5 member countries) and in Portuguese-speaking African countries (PALOP), the Africa Bureau has just started new series of assessments of the intellectual property system in the African region.

The results of each of these assessments will lead to building, in cooperation with the country concerned, a plan aimed at strengthening the contribution of intellectual property in the key sectors of the economy.

An analytical study on intellectual property and small and medium-sized enterprises (SMEs)

An analytical study on intellectual property and small and medium-sized enterprises (SMEs) was undertaken in Sierra Leone and the United Republic of Tanzania with the objective of examining the present level of awareness and use of intellectual property by SMEs in order to facilitate the development of intellectual property strategies for the sector.

Geographical indications project

Protection of trademarks and geographical indications is another area of great potential for generating income and improving access by African countries to global markets. In this respect, WIPO has intensified sensitization of countries on the importance of protecting geographical indications for the commercial exploitation of African products and increasing their access to export markets. A pilot project has been developed in some African countries to demonstrate the utilization of geographical indications for promoting agricultural products and crafts.

A cooperation plan on the implementation of this project was signed by WIPO; the African Intellectual Property Organization (OAPI); the National Industrial Property Institute (INPI) of France; the French Ministry of Agriculture, Food, Fisheries and Rural Affairs; and the National Institute for Appellations of Origin (INAO) of France. The Ministry of Foreign Affairs of France recently joined the group in charge of implementing the project which started in 2002.

The project is in its pilot phase in four countries, namely: Burkina Faso, Cameroon, Côte d'Ivoire and Guinea, and should be extended to other countries in the near future.

An official from WIPO participated in the Technical Meeting of Experts from Industry and Agriculture Ministries on Geographical Indications, with a view to preparing a Ministerial Conference on the subject. The meeting took place in Ouagadougou, Burkina Faso, from December 13 to 16, 2004, and brought together 16 countries.

Capacity building

Seminars were organized on various aspects of the economic impact of intellectual property such as the economic importance of distinctive signs, the strategy for acquisition, effective management and dissemination of intellectual property information, intellectual property and electronic commerce, support of the SMEs on licensing and distribution of royalties.

WIPO and the African Intellectual Property Organization (ARIPO) organized a joint Subregional Workshop to Develop Intellectual Property Licensing and Negotiation Skills in Harare, in February 2005, which brought together about 60 participants drawn from the academics, law firms, the business sector and research and development institutions (R&D). The principal objectives of the workshop were on one hand to develop capacity in intellectual property licensing and build negotiation skills in the region, and to test the WIPO Successful Technology Licensing (STL) as a training tool on the other. To this end, lectures had been built around the following chapters of the STL, the Basic principles of technology licensing, the Subject matter, the Scope, Financial arrangements and Negotiations.

In the framework of the agreement between WIPO and the *Agence intergouvernementale de la francophonie (AIF)*, which aims to Strengthen Expertise of French-speaking African countries in Trade Agreement Negotiations (REXPACO), training programs were organized in Kinshasa, Democratic Republic of Congo, from September 6 to 10, 2004, and in Kigali, Rwanda, on December 5 and 6, 2004. The trainees were senior officials from the ministries of commerce and university lecturers in law and economics.

Concurrently with the Twenty-Eighth Session of the ARIPO Administrative Council, WIPO organized a Round Table on Topical Intellectual Property Development Issues for Heads of Industrial Property Offices, in Mombasa, Kenya, from November 22 to 26, 2004. The objective of the Round Table was to offer a platform for exchanging views on topical issues, such as technology transfer and sharing the experience of WIPO's assessment of the intellectual property systems of Kenya and South Africa. Development strategies were also adopted.

Promotion of the use of the intellectual property system by cultural industries

Collective management organizations are an important link between the creators and users of copyright works, as they ensure that, as owners of rights, creators receive payment for the use of their works. To encourage creators to contribute to the development of the cultural sector, attract foreign investment and generally to enable developing countries to derive benefits from the potential of cultural industries, WIPO has initiated a program which aims, on the one hand, at setting up collective management organizations in countries where they do not exist, and strengthening those which already exist, and, on the other hand, at addressing the necessary capacity building of professionals of collective management organizations. In that context, a highly technical training manual on collective management is being developed to respond, in a streamlined way, to the needs of qualified professionals who run collective management organizations in African countries.

In assisting African countries to establish collective management systems which will generate a significant income for authors, musicians and artists, thereby encouraging them to remain in Africa, WIPO has developed a software known as "Africos". It is an all-embracing data processing management software for collective management of copyright and related rights. The software processes, automatically, the three key elements of collective management of copyright and related rights, i.e. (i) data capturing related to the authors and the works; (ii) the identification of the users of the works in order to determine the scope of the exploitation of the works and facilitate the royalty collection process; and (iii) the actual distribution of royalties to right holders, which is the essence of collective management.

In addition to the software, WIPO is in the process of introducing an anti-piracy security device for sound and audiovisual recordings, which will consist of a project involving other UN Agencies, such as the United Nations Industrial Development Organization (UNIDO), to be tested in member countries of the Economic Community of West African States (ECOWAS). Once testing is completed, the two tools will be instrumental in boosting the music and other artistic industries, thus contributing to the economic development of African countries.

WIPO has also started assisting countries in the region in establishing a data exchange system for collective management organizations called the "Africa Copyright Common Networking (ACCN)". As a starting and testing point for the ACCN implementation, a cooperation agreement was signed during a ministerial meeting organized in Ouagadougou, Burkina Faso, on December 12, 2003, among the copyright offices and collective management societies of 11 West African countries.

On the fringe of the African Committee of the International Confederation of Societies of Authors and Composers (CISAC), which took place from December 16 to 18, in Cotonou, Benin, a CISAC/WIPO Training Day on Good Governance for heads of collective

management organizations was held. This activity was proposed as part of programs WIPO had agreed to undertake jointly with CISAC in the framework of the cooperation agreement aiming at assisting African societies in the implementation of “Partnership for Progress” (P4P), a NEPAD-based common working platform crafted by the societies themselves as a means of surmounting the many problems affecting collective management in Africa the objective of which is to “maximize distributions for the creative community by increasing income through good governance.”

Information technology, institution building and strengthening

The automation of industrial property and copyright offices continued and 18 missions were undertaken by, in particular, the WIPO Senior Automation Consultant for Africa.

WIPO has developed and installed a software and purchased various equipment for many African countries. A consultant undertook several missions in different countries (Botswana, Ethiopia, Kenya, United Republic of Tanzania and in Zanzibar and Zambia) in order to train the IP office staff in using the said software “Industrial Property Automation System (IPAS)” in their day-to-day activities.

Fourteen countries were provided with equipment such as workstations, computers, DVDs, CD-ROMs, heavy-duty photocopy machines, faxes and scanners. These were: Angola, Benin, Burkina Faso, Burundi, Gambia, Kenya, Liberia, Mozambique, Namibia, Nigeria, Togo, Uganda, United Republic of Tanzania, Zimbabwe and the African Regional Industrial Property Organization (ARIPO).

Science and technology

WIPO is partnering UNESCO in a project within the framework of NEPAD to provide assistance for the reform of the national science, technology and innovation system of Nigeria and the development of a multi-year Plan of Action for Science and Technology

IP policy development

WIPO organized a Ministerial-Level Round Table in Dar es Salaam, United Republic of Tanzania, on August 13, 2004, and participated in the Meeting of Ministers for Public Health of the Member States of OAPI in Bamako, Mali, on September 2 and 3, 2004. The objective of the Round Table and meeting was to raise the level of awareness of African policy-makers on topical intellectual property issues in the areas of IP and public health and IP and open-source software, to enable strategic planning and policy development by African governments in these fields.