

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Support to NEPAD

Period of Report: July 2007 to June 2008

The World Intellectual Property Organization (WIPO) carries out its Technical Assistance and Capacity Building programmes and activities for Africa at the request of Member States. They are designed and implemented in close consultation and cooperation with countries, taking into account each one's specific needs, priorities, challenges and level of development, with due attention paid to the status and requirements of Least-Developed Countries (LDCs).

WIPO's commitment to African Member States focuses on assisting them in their efforts to build national capacities to enable them to take full advantage of their intellectual property systems. It is expected that as a result, each African country will have in place a strong, inclusive and comprehensive national intellectual property system that will allow its citizens to successfully create, protect, promote, and commercialize its intellectual property assets. WIPO is working hand in hand with its Member States to promote intellectual property as a strategic tool for economic growth and national development and to implement NEPAD's priorities and the 10-year Capacity Building Programme for the African Union (AU).

National Intellectual Property Strategies and Intellectual Property Development Plans

A number of countries in Africa have gradually adopted National Intellectual Property (IP) Strategies and Intellectual Property Development Plans. IP strategies are preceded by thorough assessments of a country's IP needs by means of a national audit exercise, which in specific regions has been carried out in cooperation with regional economic communities such as the Common Market for Eastern and Southern Africa (COMESA) and the Central African Economic and Monetary Community (CEMAC). IP strategies have been formulated in countries such as Ethiopia, Kenya, Mauritius, Mozambique, Rwanda and Uganda. Short to medium-term IP Development Plans have also been elaborated in keeping with the needs and priorities reflected in national development plans and/or any other policy framework such as Rwanda's Vision 2020 Plan and the Liberian Poverty Reduction Strategy. Mechanisms for consultation, review, reporting and evaluation between WIPO and the authorities concerned are an integral part of the process throughout the life cycles of the activities. The range of activities deployed within this context varies according to each country and includes, *inter alia*, transfer of technology in Nigeria, research and development (R&D) for universities in Mauritius and Rwanda, creation of networks in West, East, Southern and Central Africa to enhance copyright management. IP strategy and development plans are being implemented in Ethiopia, Kenya, Mozambique, Uganda, Rwanda and Nigeria and others are in the making in Ghana, Sierra Leone, United Republic of Tanzania, Rwanda, Ethiopia, Kenya, Mozambique, Nigeria and Uganda.

Capacity Building of National and Regional Intellectual Property Institutions

WIPO continues contributing to human resources and IT equipment at the two African regional IP institutions, the African Intellectual Property Organization (OAPI) and the African Regional Intellectual Property Organization (ARIPO). As part of the process of imparting an IP culture, WIPO has fostered exchange of information among national stakeholders through various avenues including within the framework of the IP strategies and plans, and by means of a peer review mechanism. Specific programmes are tailored for public institutions, IP stakeholders and users.

In continuing to improve national IP institutional capacity, WIPO has focused on improving efficiency through specific training in corporate governance, streamlining of administrative procedures and business tools in industrial property and collective management organizations as well as office automation through the use of AFRICOS software, for copyright collective management and IPAS software for industrial property administration.

In addressing the legislative needs of countries, due regard is given to the requirement to take into account flexibilities and public interest considerations and ensure that the laws are in conformity with the TRIPS standards. In this context, legislative advice has been given to Botswana, Djibouti, Ethiopia, Ghana, Malawi, Rwanda and Zanzibar. Workshops on TRIPS flexibilities were also organized for Member Countries of the East African Community (EAC).

Within the framework of the WIPO/WTO Agreement, WIPO provides advice to African countries, on a confidential and neutral basis, with no obligations whatsoever attached, on options available in the field of legislation and trains stakeholders on the various aspects of obligations under the laws and treaties and on enforcement.

Innovation and Valuation of Research

In strengthening national capacities for the protection of domestic creations, focus has been placed on encouraging innovation and creativity through medal awards, including the African Union Award, exhibitions, and copyright enforcement through anti-piracy programmes to create an environment conducive to the development of the music industry. In support of inventiveness and creativity focus has been on special programmes, e.g., women inventors, the use of distinctive signs and branding for promotion of trade in the domestic and export markets. In 2008, activities will include an International Symposium on Innovation and Valuation of Research Products, which will be held in Dakar, Senegal.

A Ministerial Conference for the evaluation of the implementation of the Libreville Initiative on the Protection and Valorization of African Inventions in the Field of Medicine was organized in cooperation with the African Intellectual Property Organization (OAPI), in Niamey, Niger, on July 26 and 27, 2007. A large number of Ministers of Health and Ministers of Trade from OAPI member countries attended this important meeting. The aim of the Libreville Initiative is the valorization of African inventions in the field of medicine. At the Libreville Ministerial Meeting (July 2007), the following was agreed:

- a) Elaboration of a national policy for the valorization of the research results in the field of medicine and pharmacopeia ;
- b) Adoption of rules on the harvesting and export of medicinal plants;
- c) Sensitization of high-level officials in OAPI Member States on the implementation of the Libreville Initiative.

WIPO has also participated and contributed in the Technical Committee Meetings on the Pharmaceutical Manufacturing plan for Africa.

Technical Assistance to Small and Medium-Sized Enterprises (SMEs) and Research and Development (R&D) Institutions

WIPO has continued to integrate technical assistance needs of SMEs and R&D institutions. In 2007, an awareness raising meeting for Managers of SMEs was organized in Harare, Zimbabwe, and future activities include a programme on the use of patent information and documentation and all the business-oriented IP management techniques and methods to increase the value of indigenous products created and owned by SMEs.

As part of the efforts to enhance SMEs' capacities, WIPO works toward equipping SMEs to access specialized databases owned by the private sector to spur innovation. Pilot initiatives are to be started in selected OAPI member countries to enhance access to, and sharing of, patent and other IP commercial and technical information by research institutions and industry groups.

Traditional Knowledge: the African Intellectual Property Organization (OAPI) and the African Regional Intellectual Property Organization (ARIPO)

OAPI and ARIPO requested WIPO's assistance in drafting a harmonized regional instrument for developing a *sui generis* system for the protection of traditional knowledge and traditional cultural expressions, the first draft of which was submitted to the ARIPO Administrative Council and Council of Ministers and to the OAPI Administrative Council.

In April 2007, a meeting of experts was held in Harare, Zimbabwe, to discuss further and harmonize the regional instruments of ARIPO and OAPI for the Protection of Traditional Knowledge and Expressions of Folklore and sensitizing scientists on intellectual property.

In line with the joint initiative by OAPI and ARIPO to prepare a harmonized draft regional legislation on the protection of traditional knowledge and folklore, OAPI convened a Diplomatic Conference in Niamey, Niger, on July 26 and 27, 2007, to adopt an OAPI Legal Instrument on "The Protection of Traditional Knowledge and Folklore".

Within the framework of the New Asian African Strategic Partnership (NAASP), WIPO held an Afro-Asian Forum on Intellectual Property and Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources, in Bandung, Indonesia. The aim of the Forum was to explore the possibilities of a broader and enhanced cooperation and coordination between African and Asian countries in the formulation

of concrete strategies to maximize international cooperation in the protection of traditional cultural expressions, traditional knowledge and genetic resources.