

WORLD INTELLECTUAL PROPERTY ORGANIZATION (WIPO)

Support to NEPAD

Period of Report: August 2005 to August 2006

Support for areas relevant to the implementation of NEPAD

The Economic Development Bureau for Africa of the World Intellectual Property Organization (WIPO) is working hand-in-hand with its Member States to promote intellectual property as a strategic tool for economic growth and national development. WIPO is focusing on assisting the Member States in their efforts to build national capacities in order to enable them to take full advantage of their intellectual property systems. The expected outcome is that 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.

The Assessment of Intellectual Property Systems in Selected Countries and Member States of the Common Market for Eastern and Southern Africa (COMESA)

The major challenge for African countries is to develop carefully designed strategies, based on empirical data, to integrate intellectual property into their national development goals. A methodology was designed to comprehensively assess the situation of intellectual property in selected African countries. The result was a user-friendly questionnaire for the main intellectual property stakeholders, namely, government entities such as the patent and copyright offices, research and development institutions, universities and small and medium-sized enterprises.

The following five pilot countries were selected: Ghana, Kenya, Nigeria, South Africa and the United Republic of Tanzania. COMESA expressed interest in the project and obtained funding from the European Union (EU). It requested WIPO to carry out a similar assessment in all COMESA Member States. It was agreed that WIPO would fund the assessment in eight COMESA States and COMESA would fund the assessment in the other eight States.

Assessments of the intellectual property situation in the following countries were made: Burundi, Democratic Republic of the Congo, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Nigeria, Seychelles, Sudan, Uganda, Zambia and Zimbabwe.

During the November 2005 sessions of the Administrative and Ministerial Councils of the African Regional Intellectual Property Organization (ARIPO), WIPO carried out a **peer review** among ARIPO member and potential Member States (Botswana, Gambia, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Sierra Leone, Somalia, Sudan, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe (Member States); Angola, Burundi, Eritrea, Ethiopia, Liberia, Mauritius, Nigeria, Rwanda, Seychelles,

South Africa (potential Member States)) in order to obtain a comprehensive assessment of the intellectual property situation in their countries from the heads of intellectual property offices. As a result of the peer review exercise, which was designed to feed into the assessment process, the following concrete follow-up process has been elaborated:

- a) ARIPO member and potential member countries will submit 30 to 40 names of individuals from stakeholder institutions who will form a national intellectual property committee, with the purpose to provide each country with a core multisectoral body to help develop and drive national intellectual-property-oriented initiatives, activities and strategies.
- b) Each national committee will take part in a three-day training workshop on intellectual property strategy formulation.
- c) Each national committee will study the assessment report of its country and prepare a draft national intellectual property strategy plan within three months.
- d) A national stakeholders' meeting will be held in each country to finalize, validate and adopt the strategy plan for formal presentation to the Government.
- e) In parallel with the above-mentioned process, each intellectual property office will draw up an intellectual property policy to complement the national strategy at the micro level.

Assessment of the Intellectual Property Systems of Member Countries of the Central African Economic and Monetary Community (CEMAC)

The Central African Economic and Monetary Community (CEMAC) also requested WIPO to carry out assessments of its six Member States (Cameroon, the Central African Republic, Chad, Congo, Equatorial Guinea and Gabon). The intellectual property assessment began with an information seminar in Yaounde, Cameroon, on May 12 and 13, 2005, that explained the methodology and its purpose to the consultants. Five of the six countries have completed their research (the Central African Republic is the exception). As in the COMESA member countries, the assessment will be followed by a peer review session.

Geographical Indications

WIPO continued implementing the Pilot Project for the Promotion and Protection of Geographical Indications in Africa in Burkina Faso, Cameroon, Côte d'Ivoire and Guinea. The objectives of the project are: (a) commercialization of traditional agricultural produce; (b) promotion of national produce through marketing and branding; (c) development of strong professional groups/associations for the promotion and defense of their collective interests; and (d) seeking of investment in the promotion and commercialization of produce with added value as a result of intellectual property protection.

The following activities have been completed: (a) training of a team of experts from the Ministries of Agriculture and Industry; (b) elaboration of the technical criteria for the selection of the produce; (c) selection by four countries of two products each, in cooperation with the professionals in the field and the authorities.

A guide for applicants on the methodology of filing a geographical indication was prepared. A Ministerial Conference on geographical indications and new varieties of plants which was held in Burkina Faso on December 6 and 7, 2005, adopted a political declaration that will serve as a guide for future action.

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

Africa has untapped economic potential in the field of traditional knowledge as an intellectual property asset. OAPI and ARIPO requested WIPO's assistance in drafting a harmonized regional instrument for the protection of traditional knowledge and traditional cultural expressions, the first draft of which has been submitted to the ARIPO Administrative Council and Council of Ministers and to the OAPI Administrative Council. In 2006, a joint meeting of ARIPO and OAPI experts will approve a final draft text for adoption by their respective governing councils before submitting it to a Diplomatic Conference.

Other activities

Building the capacity of national intellectual property offices remains a priority. In this respect, on-the-job training and other training programs on various aspects of intellectual property, such as licensing, branding, international classification, use of patent information and enforcement have been organized at the request of Member States.

Innovative approaches for funding the priorities of NEPAD

Research Networks and Intellectual Property: a Model for Supporting Developing Country Researchers in Creating, Owning and Exploiting Health Research Results

Many people in developing countries today suffer from malaria, tuberculosis, sleeping sickness, sickle cell anemia, ebola and other diseases. Yet therapies are often too expensive for poor people and difficult to distribute. Interdisciplinary approaches to this urgent problem are needed and creative solutions must be tested and evaluated.

Research institutions in developing countries are working on tropical diseases, using both conventional approaches and traditional medicine. Many of these institutions have excellent and highly motivated researchers, but lack infrastructure and financing. A common theme for most developing country researchers is that it is difficult for them to own and exploit their research by using the intellectual property system because of lack of resources, infrastructure, training, and professional (legal and marketing) services. Consequently, developing country researchers generally do not own the results of their own research and cannot commercially exploit them. There is often no economic return on R&D investment by the developing countries and limited social benefit in terms of needed therapies from those activities. These challenges often discourage developing countries from investing in research to solve pressing health problems.

Thesis

The theory underlying the research is that research and development networks with intellectual property hubs (R&D networks and IP hubs) can help solve the research ownership exploitation (ROE) challenge. Research and development networks are collaborations of research institutions in which each agrees to certain common policies and to share common services. They also help lower costs and accelerate research. The intellectual property hub provides the common services to the network and thereby solves a vital function by supporting and strengthening innovation.

In cooperation with a Swiss institution, WIPO identified a project for funding science and technology that is a priority of NEPAD. The project will involve interdisciplinary research teams in order to develop, test, and evaluate a network and IP hub model for developing country R&D institutions in the health field. The work will focus on two selected developing country sites: the subregion of French-speaking Central Africa (Cameroon, Central African Republic, Chad, Equatorial Guinea, Gabon and the Republic of Congo) and Latin America (Colombia). Academic, governmental and non-governmental partners from Switzerland, Central Africa and Colombia will participate in the project through their experts, professors and researchers/students in the form of interdisciplinary teams for the research, test and evaluation that will be undertaken regarding the model proposed by the project.

Desired outcome by September 2006

Two Research Networks, one of which in Central Africa, will operate with the support of IP Hubs. Researchers will be in the position to make choices with regard to protection and commercial exploitation of their research results. A critical mass of developing country trainees (90) in three key IP fields will have useful skills to offer to their local research community. Interdisciplinary teams from many countries will have worked together to solve a common challenge, forging bonds and exchanging experiences. A model for strengthening R&D carried out in developing countries will have been tested and will be ready to be shared internationally with the scientific community and policy makers in the field of science, technology, health and IP.

Challenges and constraints in mobilizing financial resources

WIPO organized two important meetings in order to mobilize financial resources and identify with its partners projects which correspond to NEPAD's priorities. Unfortunately the NEPAD Secretariat was not able to accept WIPO's invitations to participate in those meetings.

Advocacy and awareness-raising

In most of its meetings in the region, WIPO mentions the importance of NEPAD and tries to identify activities which correspond to its priorities. In December 2005, a meeting was organized with the Rockefeller Foundation during which the NEPAD programme, as far as intellectual property is concerned, was discussed.