

Africa Intellectual Property Newsletter Vol. 89

Index

1. Important topics

- Africa:** Manual for Geographical Indications in Africa
- Ghana:** Invest in intellectual property to drive growth – Attorney-General urges Africa Intellectual Property Organizations
- Kenya:** Seminar opportunities for EU SMEs to leverage intellectual property rights for business growth in Kenya and abroad
- Morocco:** OMPIC and WIPO host a conference
- Nigeria:** Nigerian Copyright Commission calls on publishers and others to honour the Marrakesh Treaty
- OAPI:** OAPI delegation visits Canadian Intellectual Property Office
- Optimizing the Judges' Association and establishing a case law database for the OAPI region
- Meeting between OAPI and INPI (France)
- A regional workshop on Geographical Indications (GIs)
- South Africa:** Japan to give South Africa's hydrogen economy goals a boost
- 5th Meeting of BRICS Heads of Intellectual Property Offices (HIPO) 2023

2. Additional topics:

- Africa:** How African content creators can protect themselves from content piracy
- A growing awareness of the importance of IP and IP policy documents in OAPI states
- ARIPO:** Training program on patent searching and examination
- ARIPO welcomes AIPPI Executive Director
- Algeria:** Algeria hosts CISAC and WIPO
- Egypt:** IP Case Study – infringement of trade marks in sportswear
- Libya:** Economy Ministry to hold forum on trademarks and copyrights in December
- Nigeria:** Leveraging intellectual property rights to improve trade and industry

- South Africa** South Africa to probe Meta, Google competition with news publishers
- Generative AI: Exploring ownership and authorship**
- CSIR launches tech entity to commercialize its technologies, innovations**
- Navigating NFTs, copyright and trademarks: insights from South Africa**
- Snapshot: trademark enforcement in South Africa**
- At a glance: trademark registration and use in South Africa**
- South Africa: Targeted law is already scoring big wins against domestic fakes**
- Which pharmaceutical companies have the most drug patents in South Africa?**
- Intellectual property valuation course**
- Zimbabwe:** Chicken Inn wins trademark case

News

1. Important topics

Africa: Manual for Geographical Indications in Africa¹

An AfriPI LinkedIn posting deals with the fact that the organization has presented a copy of its Manual for Geographical Indications (GIs) in Africa to the man who wrote the foreword for the book, Dr Fernando Dos Santos, a 'leading intellectual property law and innovation expert'.

The posting goes on to say that Dr Dos Santos played a pivotal role in the first nationally recognized GI in an ARIPO member state, Mozambique.

In addition, AfriPI in conjunction with OAPI, presented a workshop on two specific GIs, one in Comoros² and the other in Gabon³, both of which are OAPI member states.

Ghana: Invest in intellectual property to drive growth – Attorney-General urges Africa Intellectual Property Organisations⁴

The Ghanaian Attorney-General and Minister of Justice, Godfred Yeboah Dame, has said that Africa needs to build capacities in the IP ecosystem in order to bring innovative IP closer to businesses, research institutions, women and the youth.

The minister was speaking in Accra, Ghana at a three-day regional workshop on IP rights and innovation organized by ARIPO from 5-8 October 2023, in collaboration with the Intellectual Property Rights and Innovation in Africa (AfriPI) and the Registrar-General's Department of the Ghanaian Ministry of Justice,

¹ https://www.linkedin.com/posts/africaipr_geographicalindications-aripo-mozambique-activity-7122583326472712192-0lrG/?utm_source=share&utm_medium=member_ios (2023.10.24)

² <https://afripi.org/en/news/afripi-supports-registration-geographical-indications-african-intellectual-property> (2023.9.21)

³ <https://afripi.org/en/news/afripi-supports-registration-geographical-indications-african-intellectual-property-0> (2023.10.24)

⁴ <https://www.graphic.com.gh/news/general-news/invest-in-intellectual-property-to-drive-growth-a-g-urges-africa-intellectual-property-organisations.html> (2023.10.6)

with support from the EU. The theme of the event was 'The use of IP rights to foster innovation within ARIPO member states.'

Kenya: Seminar opportunities for EU SMEs to leverage intellectual property rights for business growth in Kenya and abroad⁵

The Africa IP SME Helpdesk, together with the Netherlands Business Hub Kenya (NLBH), presented a joint seminar to highlight opportunities for EU SMEs when conducting business in Kenya and abroad - the event took place in Nairobi on 17 October 2023.

The seminar demonstrated how IP rights are essential business tools, especially for EU SMEs and other businesses, as they navigate the business landscape in Kenya and other foreign territories.

Morocco: OMPIC and WIPO host a conference⁶

On 5 October 2023, The Moroccan Industrial and Commercial Property Office (OMPIC) and the World Intellectual Property Organization (WIPO) hosted a conference in Casablanca entitled *Industrial and Commercial Property at the service of a productive, innovative, and inclusive national economy*.

Representatives from a number of African and Middle-Eastern states attended, as did WIPO President, Darren Tang. One of the highlights was an agreement to create a Master's Degree in IP aimed at students from Morocco and other Arab countries.

Nigeria: Nigerian Copyright Commission calls on publishers and others to honour the Marrakesh Treaty⁷

On 4 October 2023, the Director General of the Nigerian Copyright Commission (NCC), Dr John O. Asein, called on publishers, state governments and other stakeholders in the book industry to ensure that books and educational materials produced or procured with taxpayers' money are made available in accessible formats for the benefit of the blind, visually impaired and print disabled persons.

Nigeria ratified the 2013 Marrakesh Treaty on 4th October 2017, and domesticated the treaty in the Copyright Act, 2022.

OAPI: OAPI delegation visits Canadian Intellectual Property Office⁸

OAPI officials began a working visit to the Canadian Intellectual Property Office (CIPO) on 26 September 2023. The OAPI delegation, led by Director General Denis Bohoussou, and the Canadian delegation dealt with, inter alia:

- The promotion of the OAPI IP protection system in Canada, and promotion of the Canadian system in OAPI countries;
- The training of SMEs in the OAPI region in the strategic use of IP;
- A contribution to the formation of a Masters' Degree in Patent Engineering;

The OAPI delegation also met with:

- People involved in the protection of indigenous knowledge in Canada.

⁵ https://intellectual-property-helpdesk.ec.europa.eu/news-events/events/seminar-opportunities-eu-smes-leverage-intellectual-property-rights-business-growth-kenya-and-abroad-2023-10-17_en (2023.10)

⁶ <http://www.ompic.ma/fr/actualites/la-propriete-industrielle-et-commerciale-au-service-dune-economie-nationale-productive> (2023.10.6)

⁷ <https://copyright.gov.ng/ncc-celebrates-maiden-accessibility-day-champions-inclusive-publishing/> (2023.10.8)

⁸ <http://oapi.int/index.php/fr/component/k2/itemlist/category/99?start=8> (2023.9.27)

- Canadian IP lawyers who might recommend OAPI protection to their clients.

OAPI: Optimizing the Judges' Association and establishing a case law database for the OAPI region⁹

From 26-28 September 2023, the Intellectual Property Rights and Innovation in Africa (AfrIPI) Project presented a regional seminar for judges and magistrates from the OAPI member states – this event took place in N'Djamena, Chad. The seminar was co-hosted by the African Network of Intellectual Property Magistrates. Judicial officials from the following countries attended: *Benin, Burkina Faso, Cameroon, the Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Gabon, Guinea, Mali, Mauritania, Niger, Senegal and Togo.*

The seminar dealt with the implementation of a digital case-law database in OAPI Member States, as well as continued support to the OAPI Judges' Association. There was a focus on examining administrative and judicial litigation in IP matters, and on building the capacity of the Judges' Association members.

OAPI: Meeting between OAPI and INPI (France)¹⁰

On 13 October 2023, a delegation from OAPI, led by Director General Denis Bohoussou, met with a delegation from the French registry (INPI,) that was led by Pascal Faure.

The purpose of the meeting was to explore the possibility of co-operating with a view to establishing a network of French-speaking expertise in innovation and IP rights. The two sides also discussed the possibility of promoting IP beyond its legal dimension to cover entrepreneurial spirit and growth.

OAPI: A regional workshop on Geographical Indications (GIs)¹¹

OAPI together with AfrIPI, hosted a regional workshop on Geographical Indications (GIs) from 25-27 October 2023 – with financial support from the organization Agence Francais de Development (AFD).

One of the objectives of the workshop was to put participants in a position where they can develop guides on the establishment and functioning of national committees in charge of GIs in OAPI Member States.

South Africa: Japan to give South Africa's hydrogen economy goals a boost¹²

A Memorandum of Cooperation (MoC) that was signed by Japan and South Africa will make it possible for Japan to transfer technologies to South Africa to help it with its hydrogen economy, and to decarbonize some of its key industries, such as the steel, cement and aviation industries.

The South African minister for Higher Education, Blade Nzimande, said that Japan and South Africa plan to work together to commercialize locally developed IP, which will lead to licensing opportunities for both countries.

South Africa: 5th Meeting of BRICS Heads of Intellectual Property Offices (HIPO) 2023¹³

⁹ <https://afripi.org/en/news/optimising-judges-association-and-establishing-case-law-database-oapi-region> (2023.10.10)

¹⁰ <http://oapi.int/index.php/fr/component/k2/item/825-commission-mixte-oapi-%E2%80%93-inpi-france> (2023.10.13)

¹¹ <http://oapi.int/index.php/fr/component/k2/item/827-1-%E2%80%99-atelier-sur-les-indication-g%C3%A9ographiques-amorce-sa-premi%C3%A8re-journ%C3%A9e> (2023.10.)

¹² <https://www.hydrogenfuelnews.com/hydrogen-economy-japan-sa/8560969/> Undated

¹³ <https://www.cipc.co.za/?p=20000> (2023.10.17)

According to the website of the Companies and Intellectual Property Commission (CIPC), the 15th meeting of the BRICS Heads of IP Offices (HIPO) took place on 17 October 2023, and it was chaired by Commissioner Rory Voller, Head of the CIPC.

The posting says that these meetings are aimed at *'leveraging BRICS HIPO strategic partnerships to advance IP policy goals, harmonising the IP environment, and supporting the overall BRICS objectives.'* There is also an *'exchange of best practices, measures and information on maximizing the use of digital technologies in processing of the IP applications.'*

2. Additional topics

Africa:

How African content creators can protect themselves from content piracy (2023.9.27)

<https://www.bizcommunity.com/Article/196/15/242159.html>

A growing awareness of the importance of IP and IP policy documents in OAPI states (2023.10.12)

https://www.linkedin.com/posts/oapi-linkedin_innovation-contrefaaexon-propriaetztaezindustrielle-activity-7118279618863751168-C_mi/?utm_source=share&utm_medium=member_ios

ARIPO:

Training program on patent searching and examination (2023.10.16)

https://www.linkedin.com/posts/africaipr_afripi-aripo-aripo-activity-7119699253274300416-Y79f/?utm_source=share&utm_medium=member_ios

ARIPO welcomes AIPPI Executive Director (2023.10.)

https://www.linkedin.com/posts/african-regional-intellectual-property-organization_aippi-aippi-aripo-activity-7122575888780541953--p4m/?utm_source=share&utm_medium=member_ios

Algeria:

Algeria hosts CISAC and WIPO (2023.9.27)

<https://www.facebook.com/ONDADZOFFICIEL/>

Egypt:

IP Case Study – infringement of trademarks in sportswear (2023.9)

https://intellectual-property-helpdesk.ec.europa.eu/system/files/2023-09/Africa-Helpdesk-SME_Egypt_Case%20Study.pdf

Libya:

Economy Ministry to hold forum on trademarks and copyrights in December (2023.10.18)

<https://libyaherald.com/2023/10/economy-ministry-to-hold-forum-on-trademarks-and-copyrights-in-december/>

Nigeria:

Leveraging intellectual property rights to improve trade and industry (2023.9.26)

<https://tribuneonlineng.com/leveraging-intellectual-property-rights-to-improve-trade-and-industry/>

South Africa

South Africa to probe Meta, Google competition with news publishers (2023.10.17)

<https://www.reuters.com/world/africa/south-africa-probe-meta-google-competition-with-news-publishers-2023-10-17/>

Generative AI: Exploring ownership and authorship (2023.10.24)

<https://www.bizcommunity.com/Article/196/16/243097.html>

CSIR launches tech entity to commercialize its technologies, innovations (2023.10.25)

<https://www.sanews.gov.za/south-africa/csir-launches-tech-entity-commercialise-its-technologies-innovations>

Navigating NFTs, copyright and trademarks: insights from South Africa (2023.9.25)

<https://www.lexology.com/commentary/intellectual-property/south-africa/spoor-fisher/navigating-nfts-copyright-and-trademarks-insights-from-south-africa>

Snapshot: trademark enforcement in South Africa (2023.9.27)

<https://www.lexology.com/library/detail.aspx?g=df167252-afcc-4205-accb-f8464bf1b6ab>

At a glance: trademark registration and use in South Africa (2023.9.27)

<https://www.lexology.com/library/detail.aspx?g=5c4414cd-0609-46f8-9630-e1bbe558a731>

South Africa: Targeted law is already scoring big wins against domestic fakes (2023.9.29)

<https://www.worldtrademarkreview.com/guide/anti-counterfeiting-and-online-brand-enforcement/2023/article/south-africa-targeted-law-already-scoring-big-wins-against-domestic-fakes>

Which pharmaceutical companies have the most drug patents in South Africa? (2023.10.3)

<https://www.drugpatentwatch.com/blog/which-pharmaceutical-companies-have-the-most-drug-patents-in-south-africa-2/>

Intellectual property valuation course (2023.10.)

<https://www.linkedin.com/events/intellectualpropertyvaluation3d7116882304735621120/>

Zimbabwe:

Chicken Inn wins trademark case (2023.10.9)

<https://www.herald.co.zw/chicken-inn-wins-trademark-case/>

[Commissioned by JPO]
Africa Intellectual Property Newsletter Vol.89

[Author]
Spoor & Fisher
spoor • fisher
patents • trade marks • copyright

[Published by]
Japan External Trade Organization Dubai Office

JETRO
JAPAN EXTERNAL TRADE ORGANIZATION

Published in November 2023
All Rights Reserved

This newsletter was written by Spoor & Fisher and reviewed by JETRO Dubai. In addition, this newsletter is based on information available at the time of creation and may change due to subsequent revisions to laws. The information and comments posted are at the discretion of the author and our office, but we do not guarantee that the general information is correct. Unauthorized reprinting, redistribution, or posting on other websites of the content of this newsletter is prohibited.

Furthermore, JETRO strives to make the information provided as accurate as possible, but it is the reader's responsibility and judgment to confirm the accuracy of the information provided, etc.

JETRO is not responsible for any disadvantages caused using the information supplied through this document.