

Africa Intellectual Property Newsletter Vol. 86

Index

1. Important topics

- Africa:** Consultative roundtable on enforcement of IPR for North African countries
- WIPO Assemblies open: DG outlines work impact, calls on delegates to conclude key negotiations
- JPO holds bilateral meetings with more than 20 patent offices during the Assemblies of the Member States of WIPO
- WIPO Global Awards
- Communities must be educated on intellectual property rights
- Reaching new horizons in cooperation with our international partners
- ARIPO:** ARIPO Delegation to the 64th Series of Meetings of the WIPO Member States, Geneva, Switzerland, 6-14 July 2023
- Egypt:** AfrIPI's mission on Geographical Indications to Egypt
- Ethiopia:** Ethiopia makes progress in ratifying international IP conventions
- Ghana:** Intellectual property: CopyGhana to assist authors, writers in obtaining royalties
- Kenya:** Manufacturers call for renewed collaboration in fight against counterfeit trade
- Kenya:** ACA welcomes new team of employees to the Authority
- Mauritius:** Mauritius aims to become the new Singapore
- OAPI:** Meetings at the General Assemblies of Member States of WIPO in Geneva
- OAPI:** African Exhibition of Invention and Technological Innovation (SAIT)
- South Africa:** South Africa needs a comprehensive, multifaceted strategy to curb the economic impact of piracy
- Zambia:** Tax clearance certificate now required for IP assignment records

2. Additional topics:

See end of the text.

News

1. Important topics

Africa: Consultative roundtable on enforcement of IPR for North African countries¹

AfriPI will, together with the French National Institute of Intellectual Property (INPI France), present a regional seminar that is dedicated to the fight against counterfeiting in North Africa. The seminar will take place in Tunisia, 12-14 September 2023.

Africa: WIPO Assemblies open: DG outlines work impact, calls on delegates to conclude key negotiations²

In an address at the WIPO Assemblies, WIPO DG Daren Tang made these points:

- WIPO and ARIPO are running IP Clubs – these clubs have taught schoolchildren in Botswana, Malawi and Zimbabwe about IP rights.
- WIPO has trained over 100 women in Africa and Latin America on IP rights in the digital economy.
- WIPO has 14 IP Training Institutes around the world, with another 13 in development – this includes one in Algeria.
- WIPO has established projects to help women entrepreneurs in, inter alia, Egypt and Namibia.
- WIPO has supported IP education games in Africa.
- WIPO has supported groups in Senegal and Togo to protect, brand and commercialize their products through IP.
- WIPO is involved in projects on IP in traditional medicine in Ethiopia, as well as IP and gastro-tourism in Cameroon and Morocco.
- Some 25 IP Offices in Africa are now using WIPO's IPAS 4.0 and IP Office Suite of business software solutions.

Africa: JPO holds bilateral meetings with more than 20 patent offices during the Assemblies of the Member States of WIPO³

The Japan Patent Office Commissioner, HAMANO, and the Deputy Commissioner, KATSURA, held talks with more than 20 national and regional IP offices at the 64th General Assemblies of the Member States of WIPO in Geneva, Switzerland. Amongst these were two African countries, Morocco and South Africa, and one regional African organization, OAPI.

Africa: WIPO Global Awards⁴

WIPO Director General, Daren Tang, announced the winners of the WIPO Global Awards. The awards are intended to *'recognize and support dynamic small and medium-sized enterprises (SMEs) that are using intellectual property (IP) to grow their business and change the world.'*

¹ <https://afripi.org/events/consultative-roundtable-enforcement-ipr-north-african-countries-0> (2023.7.)

² https://www.wipo.int/pressroom/en/articles/2023/article_0006.html (2023.7.10)

³ <https://www.jpo.go.jp/e/news/ugoki/202307/2023071801.html> (2023.7.18)

⁴ https://www.linkedin.com/posts/darentang_wipo-wipoglobalawards-sme-activity-7084507871140311040-QSUm/?utm_source=share&utm_medium=member_ios (2023.7.11.)

The 2023 award for Africa went to the Kenyan company, Yakwetu Online Limited, which is *'helping to fairly distribute digital content from across Africa'*.

Africa: Communities must be educated on intellectual property rights⁵

An article dealing with copyright infringement in Africa makes these points:

- The types of works that are most frequently pirated in Africa are software, music, literature and film.
- A report by MUSO, a technology company providing anti-piracy and market analytics, says that there has been a 40% increase in film piracy in Africa.
- Many consumers in Africa still don't understand that the unauthorized downloading or streaming content is illegal.
- The public needs to be educated about the negative impact of piracy on the livelihoods of content creators.
- The Kenya Copyright Board (KECOBO) is actively involved in educating the public on copyright issues.

Africa: Reaching new horizons in cooperation with our international partners⁶

At the WIPO General Assemblies of the Worldwide Intellectual Property Organization (WIPO) in Geneva, the European Patent Office (EPO) held meetings with the two major African IP organizations, the African Regional Intellectual Property Organization (ARIPO) and the African Regional Intellectual Property Organization (OAPI). Topics discussed included cooperation on initiatives related to sustainable development; technology transfer and IP commercialization; Knowledge Transfer to Africa (KT2A); and the validation system.

The EPO also renewed the bilateral cooperation Work Plan with OAPI, which includes a training program and capacity-building to support OAPI's transition to becoming an office providing substantive examination.

ARIPO: ARIPO Delegation to the 64th Series of Meetings of the WIPO Member States, Geneva, Switzerland, 6-14 July 2023⁷

At the 64th Series of Meetings of the Assemblies of the WIPO Member States in Geneva, the Director General of ARIPO, Bemanya Twebaze, took the opportunity to list recent ARIPO achievements, such as:

- The regional forum on IP for Women in Agri-business that took place in Rwanda under the WIPO-ARIPO-OAPI framework.
- An Alternative Dispute Resolution for IP and Technology Disputes workshop.
- An initiative to transform the ARIPO Academy into a regional Centre for Excellence for IP training.
- A partnership with the Africa University and WIPO, enabling the Master of Intellectual Property Programme.
- The Heads of IP Offices Conference (HIPOC) in Kigali, Rwanda.

Egypt: AfrIPI's mission on Geographical Indications to Egypt⁸

⁵ <https://www.bizcommunity.com/Article/196/810/240272.html> (2023.7.18)

⁶ https://www.einnews.com/pr_news/645582353/reaching-new-horizons-in-cooperation-with-our-international-partners (2023.7.17)

⁷ https://www.linkedin.com/posts/bemanya-twebaze-922255192_wipoga-activity-7083085495492063232-cm9h?utm_source=share&utm_medium=member_ios (2023.7.7)

⁸ <https://afripi.org/news/afripis-mission-geographical-indications-egypt> (2023.7.21)

A posting says that Egypt is moving towards a *sui generis* system for the protection of geographical indications (GIs), and the organization AfrIPI is helping the Egyptian authorities to achieve this goal.

Representatives from AfrIPI visited the Egyptian Trademark Office on 4-5 July 2023 and meetings were held at the premises of the Internal Trade Development Agency, in the presence of the Egyptian Trademark Office's GI unit. The expectation is that AfrIPI and the Egyptian Trademark Office will reach agreement on a way forward. Egypt previously registered three GIs (Matrouh figs, Matrouh olive oil and black Barrani grapes) using an *ad hoc* registration procedure.

Ethiopia: Ethiopia makes progress in ratifying international IP conventions⁹

A circular from Ethiopian law firm, MLA, says that the Director General of the Ethiopian Intellectual Property Authority, Woldu Yemmesel, headed a delegation that attended the meetings of the assemblies of the WIPO in Geneva. At the meeting, the delegation announced that it was amending Ethiopian legislation to make it possible for the country to ratify the Madrid Protocol and the Paris Convention.

Ghana: Intellectual property: CopyGhana to assist authors, writers in obtaining royalties¹⁰

A literary reproduction rights organization, CopyGhana, is working to ensure that authors and writers obtain royalties from digital works used on campuses - this point was made at a workshop on Collective Rights Management for Text and Image-Based Works in Ghana.

The Deputy Minister of Justice and Attorney General, Daiana Asonaba Dapsang, said that the ministry is reviewing current copyright laws to ensure that they are aligned with international standards. She urged CopyGhana and its partners to develop effective strategies to combat online piracy and protect creative works in the digital domain.

Kenya: Manufacturers call for renewed collaboration in fight against counterfeit trade¹¹

On 26 June 2023, the Anti-Counterfeit Authority (ACA) hosted a delegation from the Kenya Association of Manufacturers (KAM) to discuss ways of working together in the fight against counterfeit goods. KAM has been advocating for legal reforms aimed at protecting the manufacturing sector from counterfeit goods. A KAM representative said that the organization estimates that some 40% of its market share is lost annually to counterfeits.

The KAM representative did, however, acknowledge that the ACA has made a significant contribution in the fight against counterfeits, and suggested that increased public education was necessary. An ACA representative drew attention to the new IPR recordation system that is now in place, a system that is aimed at deterring the importation of counterfeit goods.

Kenya: ACA welcomes new team of employees to the Authority¹²

The Kenya Anti-Counterfeit Authority (ACA) has announced that it has employed 18 new staff members in the space of one month. This includes one Director, two Deputy Directors, and seven Anti-Counterfeit Inspectors.

The ACA continues to grow, and it has offices in all the major centres, as well as satellite offices in all Kenya's major border points and international airports.

⁹ <https://www.2merkato.com/news/alerts/7374-ethiopia-makes-progress-in-ratifying-international-ip-conventions> (2023.7.17)

¹⁰ <https://newsghana.com.gh/intellectual-property-copyghana-to-assist-authors-writers-in-obtaining-royalties/> (2023.7.1)

¹¹ <https://www.aca.go.ke/media-center/news-and-events/429-manufacturers-calls-for-renewed-collaboration-in-fight-against-counterfeit-trade> (2023.6.26)

¹² <https://www.aca.go.ke/media-center/news-and-events/433-aca-welcomes-new-team-of-employees-to-the-authority> (2023.7.4)

Mauritius: Mauritius aims to become the new Singapore¹³

A recent article about Mauritius argues that the island is an excellent location for companies seeking to invest in Africa. It says that:

- Mauritius is classified as an upper-middle-income country by the World Bank, and it aspires to be a high-income country within the next decade.
- Mauritius is no longer dependent on agriculture and tourism, and it is moving towards being a knowledge-based economy. Its workforce is well educated.
- Mauritius is consistently ranked as the most innovative country in sub-Saharan Africa in the World Intellectual Property Organization's (WIPO) Global Innovation Index.
- Mauritius has built up a strong outsourcing and financial services sector, and there is significant scope for further progress.
- Mauritius as an ideal base from which to exploit the economic potential within Africa.

Mauritius is regarded as one of Africa's more successful and forward-thinking countries and it is actively courting investment. The fact that this has been recognised by WIPO, and the fact that Mauritius sees itself as a 'knowledge-based' economy, suggests that IP will play a significant role in its future.

OAPI: Meetings at the General Assemblies of Member States of WIPO in Geneva¹⁴

At the General Assemblies of Member States of the World Intellectual Property Organization (WIPO) in Geneva, the Director General of OAPI, Denis L BOHOUSSOU held meetings with the following influential people:

- Mr. Etienne Sanz de Acedo, chairman and chief executive officer of the International Trademark Association (INTA);
- Mr. Grigory Ivliev, president of the Eurasia Patent Office (EAPO).

According to the OAPI website the following things were discussed: The exchanges between the parties focused on their respective news, the results of the last INTA annual meeting in Singapore from May 16 to 19, the holding next September of the OAPI Brand Awards in Lomé, Togo, but also on supporting INTA in the fight against counterfeiting through training and awareness programs on trademark protection.

OAPI: African Exhibition of Invention and Technological Innovation (SAIIT)¹⁵

According to the OAPI website, the Salon Africaine de l'Invention et de l'Entperise Innovante /African Exhibition of Invention and Technological Innovation (SAIIT) took place from 24-26 July 2023 in Abidjan, Ivory Coast. This was the 9th time the exhibition was presented, with the first one having taken place in Dakar, Senegal in 1997. Partner organizations include WIPO, EUIPO, EPO and ARIPO. The exhibition aims to:

- Uncover inventions and innovations that have commercial potential;
- Provide a forum for inventors, researchers and economic operators, finance providers to interact;
- Encourage collaborative work between researchers, companies and funding institutions;
- Reward excellent innovations and award prizes.
- Promote technology transfers.

¹³ <https://www.bjia.com/mauritius-aims-to-become-the-new-singapore/> (2023.7.2)

¹⁴ <http://oapi.int/index.php/fr/component/k2/item/791-les-assembl%C3%A9es-g%C3%A9n%C3%A9rales-de-l%E2%80%99ompi-2023,-on-y-est> (2023.7.6)

¹⁵ http://www.oapi.int/oapimobile_saiit/ (2023.7.)

South Africa: South Africa needs a comprehensive, multifaceted strategy to curb the economic impact of piracy¹⁶

In a magazine article the Chairperson of the Copyright Coalition of South Africa, Chola Makgamathe, argues that urgent steps need to be taken to amend South African copyright law in order to prevent theft of content. She says that:

- Copyright piracy has negative effects on South Africa's economy and the ability of creative professionals to earn a living. Theft of content can severely harm investor confidence and tax revenue, and it can affect trade opportunities.
- The Copyright Amendment Bill is not fit for purpose and it should be significantly amended - passing the bill in its current form would be the death of any reward for creators, and it would not remedy the problems which arise from content theft.
- Strong laws mean strong economies - South Africa needs to show other countries that it protects copyright in the creative industries so that they feel confident to invest in the South African economy.
- Policymakers urgently need to facilitate a meaningful engagement that addresses the glaring weaknesses of the current law.

Zambia: Tax clearance certificate now required for IP assignment records¹⁷

In order to record the assignment of an IP right in Zambia, it is now necessary to submit a Tax Clearance Certificate issued by the Zambia Revenue Authority (ZRA) - this is in terms of the Property Transfer Tax Amendment Act No. 11 of 2017.

Please note that it has only recently been made clear that the 2017 legislation applies to Zambian IP rights that are owned by foreigners. Appeals have been submitted in an attempt to reverse this decision and we will issue a further update when there is news.

2. Additional topics

Africa:

NFT adoption in Africa: Challenges and opportunities (2023.6.30)

<https://furtherafrica.com/2023/06/30/nft-adoption-in-africa-challenges-and-opportunities/>

Intellectual Property WIPO Weeks Activity (2023.7.6)

https://www.linkedin.com/posts/loretta-asiedu-072ba8121_intellectualproperty-wipo-ipweeks-activity-7081328307719282688-DIR2/?utm_source=share&utm_medium=member_ios

OAPI at WIPO General Assemblies (2023.7.6)

<http://oapi.int/index.php/fr/component/k2/item/790-l%E2%80%99oapi-aux-assembl%C3%A9es-g%C3%A9n%C3%A9rales-de-l%E2%80%99ompi> (2023.7.6)

WIPO Assemblies Open: Director General Outlines Work Impact, Calls on Delegates to Conclude Key Negotiations (2023.7.6)

https://world.einnews.com/pr_news/643298934/wipo-assemblies-open-director-general-outlines-work-impact-calls-on-delegates-to-conclude-key-negotiations

¹⁶ <https://www.bizcommunity.com/Article/196/15/240416.html> (2023.7.24)

¹⁷ <https://spoor.com/zambia-tax-clearance-certificate-now-required-for-ip-assignment-records/> (2023.7.24)

BRICS Heads of IP offices hold informal meeting in Geneva, Switzerland (2023.7.19)

http://english.cnipa.gov.cn/art/2023/7/19/art_3090_186421.html

Regional workshop on the development of university/enterprise innovation platforms (2023.7.24)

https://www.linkedin.com/posts/africaipr_afripi-abidjan-saiit-activity-7089321336375808001-bkFC/?utm_source=share&utm_medium=member_ios

Side event on Geographical Indications at the 5th AU-EU Agricultural Ministerial Conference (2023.7.3)

<https://afripi.org/news/side-event-geographical-indications-africa-5th-au-eu-agricultural-ministerial-conference>

Africans put their trust in global brands (2023.7.10)

<https://www.1africafocus.com/africas-top-brands-in-2023-africans-put-their-trust-in-global-brands-african-business/>

Tay Grin invited to speak at intellectual property event in Uganda (2023.7.6)

https://malawi24.com/2021/07/06/tay-grin-invited-to-speak-at-intellectual-property-event-in-uganda/#google_vignette

ARIPO:

Call For Expression Of Interest - Development Of ARIPO's Communications Strategy (2023.7.6)

<https://www.aripo.org/notice/Call%20For%20Expression%20Of%20Interest%20-%20Development%20Of%20ARIPO%27s%20Communications%20Strategy-1688478769>

Statement of the ARIPO DG at the opening of the 64th Series of Meetings of the Assemblies of the WIPO Member States (2023.7.7)

<https://www.aripo.org/news/Statement%20Of%20The%20%20Of%20ARIPO,%20Mr.%20Bemanyz%20Twebaze,%20At%20The%20Opening%20Of%20The%2064TH%20Series%20Of%20Meetings%20Of%20The%20Assemblies%20Of%20WIPO%20Member%20States-1688742228>

Cote d'Ivoire:

Geographical Indications in Côte d'Ivoire (2023.7.26)

https://www.linkedin.com/posts/oapi-linkedin_oapi-pampig-afd-activity-7090354150005166080-Emm/?utm_source=share&utm_medium=member_ios

Ghana:

Govt committed to protecting intellectual property, DG (2023.7.10)

<https://www.graphic.com.gh/news/general-news/govt-committed-to-protecting-intellectual-property-a-g.html>

Kenya:

Collaboration with creative industry to spur economic development (2023.6.27)

<https://www.aca.go.ke/media-center/news-and-events/431-collaboration-with-creative-industry-to-spur-economic-development>

Morocco:

Opening of the 64th series of General Assemblies of the World Intellectual Property Organization (WIPO) to be held from 6-14 July in Geneva, Switzerland (2023.7.8)

<http://www.ompic.ma/fr/actualites/ouverture-des-travaux-de-la-64eme-serie-de-reunions-des-assemblees-generales-de>

Nigeria:

Order your copy, new book unveils African economic integration laws and implementation framework in Nigeria (2023.7.8)

<https://thenigerialawyer.com/order-your-copy-new-book-unveils-african-economic-integration-laws-and-implementation-framework-in-nigeria/>

Low research volume, investments worsen Nigeria's healthcare outcomes (2023.7.11)

<https://businessday.ng/health/article/low-research-volume-investments-worsens-nigerias-healthcare-outcomes/>

OAPI:

OIM -OAPI: prospects for cooperation on the horizon (2023.6.17.)

<http://oapi.int/index.php/en/component/k2/item/786-oim-oapi-perspectives-de-coop%C3%A9ration-%C3%A0-l%E2%80%99horizon>

Closing of the Master in IP cuvée 2023, winning bets for the winners (2023.6.29)

<http://oapi.int/index.php/en/component/k2/item/789-cl%C3%B4ture-du-master-en-pi-cuv%C3%A9e-2023-paris-gagnant-pour-les-laur%C3%A9ats>

OAPI and JPO strengthening their collaboration (2023.7.12)

https://www.linkedin.com/posts/oapi-linkedin_wipoga-saiit-oapi-activity-7085287699036667905-7PVv?utm_source=share&utm_medium=member_desktop

African Exhibition of Invention and Technological Innovation (SAIT) (2023.7.26)

http://www.oapi.int/oapimobile_saiit/

OAPI Geographical Indication (2023.7.22)

https://www.linkedin.com/posts/oapi-linkedin_oapi-indicationgeographique-cemapi-activity-7088218757679992832-DXIV/?utm_source=share&utm_medium=member_ios

South Africa:

National Brands Limited v Continental Biscuit Manufacturers (Pty) Ltd (43416/2020) [2023] ZAGPPHC 526 (30 June 2023)

<https://www.saflii.org/za/cases/ZAGPPHC/2023/526.html>

Using divisional patent applications to protect multiple or complex inventions (2023.7.10)

<https://www.bizcommunity.com/Article/196/825/240017.html>

Keep it secret, keep it safe! A lesson on how to protect your trade secrets (2023.7.27)

<https://www.golegal.co.za/trade-secrets-protection/>

[Commissioned by JPO]
Africa Intellectual Property Newsletter Vol. 86

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

[Published by]
Japan External Trade Organization Dubai Office

JETRO
JAPAN EXTERNAL TRADE ORGANIZATION

Published in August 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.