INTERNATIONAL IP PERSPECTIVES
Bridging the Gender Gap in Intellectual Property

COPYRIGHT SYMPOSIUM
ARIPO holds the Second Symposium on Copyright and Related Rights

HIGHLIGHTS
Zimbabwe Launches its National IP Policy and Implementation Strategy

Copyright Symposium
BACKGROUND INFORMATION ON THE AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO)

INTRODUCTION
The African Regional Intellectual Property Organization (ARIPO) is an intergovernmental organization, which was established on 9 December, 1976 under the Lusaka Agreement signed in Lusaka, Zambia. Its mandate is to develop, harmonize and promote intellectual property in the Member States of the Organization and in Africa.

Membership of the Organization is open to all the States members of the United Nations Economic Commission for Africa (UNECA) or the African Union (AU). Currently there are nineteen Member States, namely; Botswana, The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, Sierra Leone, Somalia, Sudan, Swaziland, United Republic of Tanzania, Uganda, Zambia and Zimbabwe.

Substantive activities of the Organization are implemented through three treaties each focusing on a specific field of intellectual property. These treaties are: (a) the Harare Protocol on Patents and Industrial Designs; (b) the Banjul Protocol on Marks, and (c) the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore. A fourth treaty, the Arusha Protocol for the Protection of New Varieties of Plants is yet to enter into force.

The Harare Protocol was concluded in 1982 and entered into force on 25 April, 1984. Among other functions, it empowers the ARIPO Office to grant patents and register industrial designs as well as utility models on behalf of the treaty’s contracting states. The Harare Protocol incorporates other international treaties of relevance, for instance, the Paris Convention, the Patent Cooperation Treaty (PCT) and therefore enables applicants from the African region and elsewhere to file international applications and obtain protection of their intellectual property rights. The Harare Protocol has also been linked to the Budapest Treaty, which enables applicant to provide information on new micro-organisms claimed in patent applications. All Member States of ARIPO, with the exception of Somalia, are party to this treaty.

Search services
ARIPO has custody of worldwide patent documents. With the available documentation and information retrieval systems, the organization offers several search services to the public including state of the art, novelty, validity, Bibliographic and Patent map searches.


The Protocol empowers the ARIPO Office to register marks for goods and services in respect of and on behalf of the contracting states. Similar to the Harare Protocol, the Banjul Protocol provides a centralised system of registration and provides a mechanism for the ARIPO system to co-exist with the national systems of the Banjul Protocol contracting states. Thus, an applicant can choose to register a mark with a national office for protection limited to that country or may elect to use the ARIPO route in which case the application should designate at least one contracting state up to the maximum of ten.

The Swakopmund Protocol was concluded on 9 August, 2010 at a diplomatic conference held in Swakopmund, Namibia. It entered into force on 11 May, 2015. It acknowledges that traditional and local communities have for long utilised their traditional knowledge and culture for their survival and livelihood, and that there is now a gradual disappearance, erosion, misuse, unlawful exploitation and misappropriation of this traditional knowledge and folklore. Thus, the treaty seeks to empower and enhance capacity of custodians of traditional knowledge and folklore to realise their aspirations and prosperity through an effective protection system that will create a conducive environment for the respect, recognition, development and promotion of traditional knowledge and expressions of folklore and their continued use and development.

The Arusha Protocol for The Protection of New Varieties of Plants
The Arusha Protocol for the Protection of New Varieties of Plants was concluded by a Diplomatic Conference that was held in Arusha, the United Republic of Tanzania on 6 July, 2010. The Protocol will enter into force only when four States have deposited their instruments of ratification or accession. The Protocol will protect Member States with a national or regional plant variety protection system that recognizes the need to provide growers and farmers with improved varieties of plants in order to ensure sustainable agricultural production.

Protection of Copyright and Related Rights
ARIPOs mandate on Copyright and Related Rights aims to ensure the Organization coordinates and develop policies for the effective growth and protection of Copyright and Related Rights, recognizing the value of creative industries to the contribution of national economies and employment in Member States, the emancipation of copyright from all forms of piracy and strengthening infrastructure used for enforcement of copyright laws in the Member States and Africa at large.

Capacity Building Activities and Awareness Creation
ARIPO established a state of the art Acaderny, which was inaugurated on 15 February, 2006 to serve as a center of excellence in teaching, training, research and skills development in the field of intellectual property for different target audiences, including creators, inventors, artists, business managers and IP professionals, journalists, parliamentarians, policy makers, university lecturers, government officials of IP institutions, students and the civil society. The Academy provides intellectual property training in different areas including Masters in Intellectual Property, tailor-made courses, professional courses, research studies, attachments, internships and fellowships, and training programmes that focus on industrial property, copyright, enforcement, traditional knowledge, genetic resources and folklore.
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The second quarter of the year has been a busy time at ARIPO with exciting activities around intellectual property. On April 26, ARIPO joined the world to celebrate the World IP Day whose theme was “Powering change: Women in innovation and creativity”. ARIPO together with the Zimbabwe Institute of Patent and Trademark Agents held a session at the ARIPO Secretariat to celebrate women in innovation and creativity. The occasion was graced by notable women in the technology and arts in Zimbabwe including Engineer Mavis Maunganidze from Powertel Zimbabwe and musician Hope Masika. On the same day, ARIPO together with the National Gallery of Zimbabwe awarded children who had participated and won in the “Striking Idea Schools Art Competition”. The children were also introduced to the basic concepts of intellectual property.

In May, ARIPO was at the 140th International Trademark Association (INTA) Annual Meeting in Seattle, Washington in the United States of America. ARIPO had an exhibition booth that received over 500 participants with enquiries on our work, an indication that more and more people from around the globe are interested in ARIPO’s core business. At the meeting, ARIPO held bilateral meetings with the leadership of INTA as well as the European Union Intellectual Property Office among others. We also took part in panel discussions, presentations and networking activities that proved successful following the enquiries on trademark registration in Africa that followed at the Secretariat. In the same month, Malawi adopted a new Trademarks Act that formally domesticates the ARIPO Protocol on Marks (The Banjul Protocol).

The Annual Copyright Symposium was held on June 12 to 13. This second symposium took stock of the gains made since the first symposium held in 2017. At the symposium, it was noted that there is a growing demand for creative content globally hence the need for laws that offer protection for creative work. Generators of copyright and related rights are still deriving minimum benefits from their creative work hence the need to put a mechanism that not only protects their work but also enhances their economic power.

This year, ARIPO kicked off the intellectual property roving seminars targeting universities and research institutions in our member states in March. These seminars are intended to enhance IP awareness in Academic and Research Institutions with a view to promoting the creation, protection and utilization of research results using IP tools for the economic and technological development. Until end of June, the seminars have been held at the following institutions: The National University of Science and Technology in Bulawayo, Zimbabwe in March, the University of Liberia in Monrovia in May and the International University of Management in Windhoek, Namibia in June. Other seminars this year will be conducted in Botswana and Mozambique.

As usual, ARIPO values your opinion and contribution on intellectual property in Africa. We appreciated your feedback and look forward to meet your needs on IP issues. Please write to us on the email below.

We look forward to get feedback from you through our email below.

communications@aripo.org
Universities and Research Institutions Urged to Develop IP Policies

In the first half of 2018, ARIPO held three intellectual property (IP) roving seminars in Zimbabwe, Liberia and Namibia. The roving seminars held under the theme, “Fostering Creativity and Innovation for Economic Growth and Development in Africa” are a continuation of ARIPO’s target at universities and research institutions where at least 90% of innovations are created but not much is protected. As a matter of fact, most of the institutions of higher learning have no IP policies in place and no incentives for the academics to put more effort in innovation and registration of the creation. Most of the great ideas come to an end once published as thesis or publications.

The first roving seminar was organized in partnership with the Zimbabwe Intellectual Property Organization and the National University of Science and Technology (NUST) based in Bulawayo, Zimbabwe from March 26 to 27, 2018. It was held at NUST and attracted not only the institutions of higher learning in Bulawayo but also the business community as well as small medium enterprises.

At the opening ceremony of the seminar, the Director of TechnoPark at NUST, Dr. E. Mtetwa highlighted that science, technology and innovation are indispensable for social and economic development. “In modern economies innovation is a source of ever increasing productivity and therefore rising wages and incomes. This is a sign of our quest to improve academic research and innovation as well as build a knowledge-based economy in Zimbabwe,” added Dr. Mtetwa. This was a good sign as NUST has only registered one patent since it started 25 years ago. According to the ARIPO Director General, Mr. Fernando dos Santos, these seminars are intended to enhance IP awareness in academic and research institutions with a view to promoting the creation, protection and utilization of research results using IP tools for the economic and technological development.

“We are aware that there is a lot of creativity and innovation going on in our research and institutions of higher learning yet the benefits of this creativity, innovation and inventiveness may not be fully realized or adequately rewarded. This happens due to lack of awareness on the important role that IP plays in rewarding and promoting creativity and innovation,” said Mr. Dos Santos.

In Liberia, it emerged that only six IP rights have been protected in the country. At the IP roving seminar held from May 7 to 8, 2018 at the University of Liberia in Monrovia, the universities and research centres were urged to develop IP policies that would help both the teaching faculty and students to prosper.

The officer in charge of the Liberia Intellectual Property Office, Prince E. Decker II, emphasized the need to strengthen the legal instruments and frameworks for a robust IP regime aimed at generating, protecting and ensuring commercial exploitation and enforcement of IP rights. Mr. Decker is a graduated of the Masters in Intellectual Property (MIP) programme offered at the Africa University in Mutare, Zimbabwe. He was hopeful that one day, through the help of ARIPO, Liberia universities will be able to offer degrees on IP.
Liberia IP Roving Seminar.

In Namibia, the IP roving seminar was held at the International University of Management (IUM) in Windhoek, Namibia from June 19 to 20, 2018. It was organized in partnership with the Business and Intellectual Property Authority (BIPA) and in collaboration with IUM.

The Seminar was officially opened by the Permanent Secretary of the Ministry of Industrialization, Trade and SME Development, Mr. Gabriel Sinimbo who made the keynote address on behalf of the Minister of Industrialization, Trade and SME Development, Hon. Tjekero Tweya.

In his address, he noted that despite the expectation that IP is supposed to encourage and reward the innovation drivers in a country, if IP is not promoted and there is no political will, such expectations would fall flat.

According to the Permanent Secretary, IP Issues have gained significant importance in Namibia over the years and today IP reflects as a central part of Namibia’s economic strategy. Namibia recently gazetted the Regulations of the Industrial Property Act, Act 1 of 2012 and will be taking effect in August 2018. This will assure compatibility of Namibia laws to the regional and international legal framework.

Namibia, through BIPA which is the National IP office, is also working on a new Copyrights Bill which is awaiting the second reading from the stakeholders. This Bill aims to expand the scope of copyright protection and to provide a stronger framework to fight piracy while creating a more conducive environment for investment in the digital industry.

Between 2016 to 2017, Namibia has seen a total of 3038 applications for Trade Marks, from that number a total of 924 were registered. Copyright applications were 204 of which 190 were accepted. The country received 64 applications for patents and industrial designs of which 37 were registered and granted. These figures exclude designations received through the Banjul Protocol and Madrid system for Trademarks, as well as designations through PCT & Harare and Hague & Harare for Patents.

Through the ARIPO system, at least 5217 patents, 794 industrial designs and 41 utility models from all over the World are enjoying protection in Namibia.

In her welcoming remarks, the BIPA Acting CEO, Mrs. Selma Ambunda said that innovation can only flourish if fostered through investment in research and development (R&D). “According to the 2014/15 Research and Development survey conducted by the National Commission on Research, Science and Technology (NCRST), Namibia’s Gross Expenditure on R&D stands at 0.34% of GDP. In the National Development Goal 5, it is articulated that we would like to reach at least 1% of GDP, which will, in the end, drive research, innovation, and technology output, of which IP is an inevitable end result,” she said.

“In note with satisfaction that these efforts are beginning to bear fruit and that more and more researchers and students are routinely consulting BIPA for advice on IP issues before publishing their research results,” noted Mrs. Ambunda.
Since 2017, ARIPO has partnered with National Intellectual Property Offices and Academic and Research Institutions in its member states to conduct seminars on IP. Until June, a total of 685 participants benefited from the roving seminars.

ARIPO and the World Intellectual Property Organization (WIPO) have also been working together to develop Institutional Intellectual Property Policy and Strategy guidelines which lack in most Academic Institutions.

To address the critical need of IP experts in Africa, ARIPO and WIPO have also partnered with the Africa University in Mutare, Zimbabwe to offer the master’s degree in intellectual property since 2008. To date, the program has graduated 296 students from 26 countries across Africa. The MIP programme is to be launched at the Kwame Nkrumah University of Science and Technology in Kumasi, Ghana in September this year. Another MIP programme will be launched in May 2019 in partnership with the University of Dar es Salaam in the United Republic of Tanzania.

The other roving seminars this year will be held in Botswana and Mozambique. Last year, four seminars were conducted in partnership with universities in Sierra Leone, Zambia, Swaziland and Rwanda.

The Tete goat from Mozambique is the first Geographical Indication to be registered in an ARIPO Member State, a big milestone in the history of the Industrial Property System in Mozambique.

The goat meat from the Tete province is unique as it has a sweet and juicy flavor from grazing on baobab fruit during the country’s long, dry season as well as being grass-fed.

According to the World Intellectual Property Organization (WIPO), a geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place. In addition, the qualities, characteristics or reputation of the product should be essentially due to the place of origin. Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production.

The Certification of Mozambican’s Tete Goat as a Geographical Indication is rather important since it allows to expose in a more visible way, both in the national and international market, a product with exclusive characteristics, coming from a specific region. Its meat, well rated by consumers for having a high standard of quality, makes the meat unique, having conquered the right to a Geographical Indication. This exclusive quality is due to a mix between the feeding of the animal itself (which feeds on natural pastures, especially dry grass, apple, malambe and canhú) with geographic characteristics of the Tete region, where the tropical and dry climate prevails. The flavor of the product is sweet and prolonged, with a soft aroma and soft texture, in addition to a low caloric level and cholesterol.

In this way, the protection of the efforts made by the producers, the product’s reputation (uniformization of the quality) and the preservation and maintenance of the species is assured.

The province of Tete has a goat population estimated in about 300 thousand animals, which has been increasing over the years, and is classified as the first goat producer in this country.

*Additional information used from Inventa International.
Zimbabwe Launches its National IP Policy and Implementation Strategy

By Aleck Ncube

On Thursday the 28th of June, 2018, Zimbabwe launched its long awaited National Intellectual Property Policy and Implementation Strategy. The occasion was graced by the Honorable Minister of Justice, Legal and Parliamentary Affairs, Cde. Ziyambi Ziyambi. This was a milestone achievement for Zimbabwe as strong intellectual property protection is an essential requirement for innovation, which in turn is fundamental for economic growth. IP protection also enhances economic growth, technology transfer, foreign direct investment and localized innovation. As Zimbabwe seeks to move away from the traditional resource based economy towards a knowledge based economy, IP protection will ensure that right holders have sufficient incentive to bring their works to the market for the benefit of all stakeholders in society. Zimbabwe also joined an elite group of African countries that have formulated and launched their National IP policies and implementation strategies. This truly emphasizes that Zimbabwe is Open for Business!

Sustainable economic growth is a crucial topic for any governments. Innovation is emerging as an effective tool to solve the challenges to economic development and the intellectual property system provides the most effective way to ensure the innovation process. Intellectual Property (IP) is an economic asset. For this reason many countries are seeking practical information on how IP can be used to promote economic growth. Like other types of property, it can be developed, owned and managed so that it creates an economic return. Proactive policies need to be undertaken by nations to support the development and management of IP assets. A national IP policy and implementation strategy calls for the development and management of IP over a period of time. It outlines the national approach for developing and importing human capital and IP as well as the methods to be employed for commercial exploitation of IP assets. The national IP strategy addresses education and funding, identifies priority areas for research, human resource development needs, and the expected products for research initiatives. Education is the foundation of IP asset development and universities and research institutions play a critical role in the development of IP in the country.

National policies on competition and economic development, which aim at the creation, utilization and protection of intellectual properties, have become common in the developing world. The national IP policy and implementation strategy aims at how to effectively intervene in the economy through the usage of IP, in order to create a sound development environment, and push and pull the enterprises to fulfill the goal of a national development strategy. The national IP policy and implementation strategy is intended to promote measures for the creation, protection and exploitation of IP in a focused and planned manner. When it comes to the intercession between an IP policy and implementation strategy and Technology Transfer from research and development institutions, the role of a national IP Policy and implementation strategy is divided into four main roles which are;

- strengthening IP awareness;
- Promoting IP training;
- strengthening IP academies;
- developing IP policies and regulations;

Zimbabwe’s national IP policy and implementation strategy seeks to strengthen the maintenance of legislation and raise awareness of Intellectual Property Rights (IPR) in the country. Through the policy, the government as the rule maker and signatory to international agreements is responsible for the fulfillment of its commitments. Government plays a key role as it is the most powerful protector of the value of IPRs through domestic legislation to international agreements by which it has committed to abide with. Trade Related Aspects of Intellectual
Property (TRIPs Agreement) is one of the three cornerstones of the World Trade Organization (WTO) framework. Zimbabwe as a member of this organization is not exempt from the obligations and has to act under its rules. The Zimbabwe IP policy and implementation strategy emphasizes the role of the government in actively educating the people and highlighting the importance of the value of IPRs, and advocating and reshaping the public opinion towards value of IPR. It is through respect of IPR values that governments can build up the basic market system for the IPRs working as capital and assets.

Intellectual property is cross-sectoral in nature. IP issues relate to health, agriculture, environment, trade, industry, culture, education, science and technology etc. Effective use of IP as a tool for development requires greater coordination amongst key government and private bodies in the development and implementation of policies, strategies and laws. There are research institutions in Zimbabwe that are involved in the generation and use of intellectual property assets. However, these institutions do not have institutional IP policies that guide and support the generation, protection, and exploitation of IP assets and determine rights and benefits of researchers. As a result of this, there are cases that demonstrate loss of valuable research results that could have been patented due to disclosure through publication. The national IP policy and implementation strategy calls upon universities and research institutions to formulate inclusive institutional IP policies so that they can leverage on their research creativity to commercialize their research outputs.

Generation or protection of IP assets is not an end in itself. The assets should be put to use and exploited. Commercialization of IP assets will help to transform the assets into products, services and new business. The government of Zimbabwe through the Ministry of Higher and Tertiary Education, Science and Technology Development is in the process of setting up Incubation Hubs at select universities and the commercialization of research results is expected to be enhanced through this process. The level of IP awareness among businesspersons, SMEs, researchers in R&D organizations, and academic staff of higher learning institutions; policy makers and implementers such as politicians, government officers; and members of the general public is low or inadequate and the launching of the Zimbabwe IP policy and implementation strategy is expected increase the level of IP awareness as a matter of urgency as it prioritizes and promotes IP education and awareness.

**Importance of a national IP policy and implementation strategy**

It is widely accepted that a well-functioning and balanced IP system is key to promoting innovation and creativity, which are the main drivers of economic development of knowledge-based economies. The success of a Knowledge Based Economy is dependent on a system that promotes knowledge-based enterprises, strengthens linkages between industry and research institutions, and develops the workforce necessary to deliver IP services. Such a system presupposes the appropriate integration of IP into the national development framework, and the interfacing of broad national IP policies and strategies with relevant national policy issues.

An IP policy and implementation strategy is important as it will strengthen the country’s ability to generate economically valuable IP assets. Zimbabwe has wealth in the form of human capital, universities, research institutions and entrepreneurial businesses. The aim of the IP policy and implementation strategy is to, over time, provide a plan whereby all national stakeholders can work together to create, own and exploit research results, innovations, new technologies and works of creativity. It is time for Zimbabwe to occupy its rightful place as a nation looking to the future with confidence.

*This article was first published in The Chronicle Newspaper in Zimbabwe on July 9, 2018.*

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ARIPO Signs MoU with Arterial Network to Promote and Protect Creativity in Africa

ARIPO and the Arterial Network signed a Memorandum of Understanding (MoU) for the cooperation in the area of copyright and related rights on 2 May, 2018 at the ARIPO Headquarters. The objective of this Agreement is to facilitate cooperation between the two with a view to promoting creativity and the protection of creative works for the socio-cultural development of ARIPO member States, Arterial Network member States and Africa at large.

The two parties highlighted the value and importance of copyright and related rights to the growth of developing countries and the need to protect and defend the rights of artists and creative practitioners on the African continent in order to foster the sustainable development of the creative industry.

The Arterial Network is a vibrant pan-African network of civil society that brings together artists, organisation and institutions involved in the African creative sector. It supports arts through advocacy, capacity building, market access, knowledge management and information dissemination. It has 17 affiliates in in Mauritania, Morocco, Nigeria, Mali, Togo, Senegal, Seychelles, Uganda, Cameroon, Congo, Democratic Republic of Congo, Central African Republic, Chad, South Africa, Zimbabwe, Swaziland and Mozambique.

The signing ceremony was done by the ARIPO Director General, Mr. Fernando dos Santos and the Chairman of the Arterial Network, Mr. Daves Guzha in the presence of the Arterial Network Secretary General Ms. Tojo Yharimanana. Also in attendance were ARIPO Executives and Heads of Departments.
ARIPO and Arterial Network signed a Memorandum of Understanding (MoU) for the cooperation in the area of copyright and related rights on 2 May, 2018 at the ARIPO Headquarters in Harare. Find out more about ARIPO in this interview with Mr. Fernando Dos Santos, Director General of the Organization.

Mr. Fernando Dos Santos:
ARIPO is an inter-governmental organization that was established in 1976 with the objective of harnessing resources in the African continent to support the development of the intellectual property system. ARIPO currently has 19 Member States from Southern Africa, Eastern Africa, and West Africa. We work primarily in the harmonization of policies, strategies, legislation, procedures in terms of administration of the Intellectual Property Rights. In our activities we have very important areas like the protection of intellectual property rights, which is done through registration of copyrights.

Back in 2002 we started promoting the development of the copyright system on the continent. We also support production and management organizations in efficiently managing their collective rights. ARIPO strives to raise awareness and help the continent in meeting the challenge of the accurate appreciation of intellectual property in our economies through the organization of conferences, seminars and workshops. In addition, we work in areas like capacity building, with the ARIPO Academy, that organizes a number of training activities for executives and various stakeholders, in different areas of intellectual property. Most importantly, we have a Master in Intellectual Property Programme, organized jointly with the World Intellectual Property Organization and the Africa University. This Programme was initiated in 2008 and we are now in our 10th edition this year with 251 (37 more students graduated in June 2018 after the article was published) graduates from 26 different countries in Africa, as the Master degree programme is not restricted to member states only.

Arterial Network:
What are some of the challenges that artists face in the continent and how does ARIPO support them?

FDS: They are so many challenges currently; Africa is a continent that should have competitive advantage in terms of creative industry because the continent is rich with traditional art and cultural expressions, but unfortunately we are not leveraging from all that potential. As you will notice, although we have so many talented people, most of them are not rich and sometimes not even able to support themselves and their families properly. The real problem is that we are not using the intellectual property system to value what they are doing. African do great work, but there is a need for reward, and the only way to reward art works is by using the copyright system. It’s most specifically by having systems established that will allow the artists to harness from the product of...
their work. One of the intellectual property systems we developed is the collective management society that is dedicated to artists. I believe one of the biggest challenges, is making the artists conscient of the value of their work, and the need to protect it by using the systems that we put into place. Apart from ARIPO’s initiative, there is a need for specific national policies and legislation for a more comprehensive use of these instruments by African artists.

**Arterial Network:** What challenges do you face in your activities?

**FDS:** Concerning the area of copyright, the absence of harmonized systems on the continent is a big challenge. In some countries there is legislation that is very well advanced, but in most cases legislation is not up-to-date. National policies from governments that create mechanisms that support artists are also very important, however, the artists themselves need to be organized, they need to have platforms, forums, where they can channel their issues in a very organized way and come up with potential solutions.

Unfortunately, the issue of awareness from the same artists sometimes is a challenge, therefore they are not responding in the right way to fix intellectual property infringements. With so much difficulty to have their work respected, artists need to come up with systems and work in collaboration with the governments and international organizations; together, they can design mechanisms to protect their rights. We all know the huge issues related to piracy and counterfeiting, which are not exclusive to Africa, piracy and counterfeiting represent 4% to 5% of the world GDP, so it’s a huge problem that cannot be tackled by artists nor by governments alone, only a collaboration and partnership with all the stakeholders can help fix the issue for good.

**Arterial Network:** Does ARIPO also cover French-speaking African countries?

**FDS:** ARIPO only works with the English-speaking part of Africa. We collaborate with OAPI (African Intellectual Property Organization) which is the organization managing Intellectual Property Rights for the French-speaking African countries. We have annual meetings where we discuss issues of mutual interest, including copyright.

**Arterial Network:** Are all disciplines equal regarding copyright or are there specific challenges for some artistic genres?

**FDS:** The issue is for each country to set their own priorities regarding intellectual property rights. For example, we know some countries have more propensities in music; in such case, the government must adapt national development plans accordingly and adopt policies that strengthen the music industry. We also have countries with a vibrant audiovisual industry, Nigeria, Kenya, South Africa and Burkina Faso for instance. Such countries would benefit from focusing on these areas. On the other hand, we have some countries with a tradition of sculpture and tribes well known for their prowess; the governments need to take measures in order to promote, protect and uplift those specific areas.

There is also a new discussion happening right now regarding intellectual property in the works of painters especially, with the “Droit de suite” where unknown artists would sell their art at very low prices that would later on turn into millions of dollars when the artist becomes famous. In this example the art work was already sold let’s say at 10 dollars, but the buyer of the work possibly can now sell it for 2 million dollars while the artist will no longer get any benefit on future sales. A specific Intellectual Property discipline is dedicated to such cases in order to allow artists to add value to all of their work in the long term. I cannot say that some disciplines are disadvantaged in comparison with others because it’s all relative. However, governments have to take the right policies to address such concerns.

**Arterial Network:** What’s ARIPO take on the cultural appropriation of African traditional heritage like the Maasai blanket produced industrially outside of the continent as an example? And how does the organization tackle these issues?

**FDS:** To help face these issues, ARIPO has put into place the Swakopmund Protocol which was adopted in 2010 and entered into force in 2015. Only 9 countries out of the 19 members ratified the protocol. The Swakopmund Protocol aims specially at addressing issues related to traditional knowledge and traditional cultures. This is the legal response that we gave to all those issues. The first step into solving cultural appropriation issues should be for the countries to join the Protocol and build on the basis of this legal framework that would facilitate the protection. Joining the Protocol is not enough, the countries will also need to come up with laws on their own to support and protect tradition knowledge.

However, the Intellectual Property System’s purpose is not to hide what we have but to open-up and protect at the same time. When we talk about protection, we are not saying that we have to create barriers to access our knowledge. We think African knowledge should benefit humanity, while protecting and leveraging from our specificities. The spirit of the Swakopmund Protocol is that if someone wants to have access to our knowledge, access is given but within a framework that allow the community to also benefit from the returns.

**Arterial Network:** What is the vision behind this MOU Agreement with Arterial Network?

**FDS:** ARIPO is one of the key players in the development of Intellectual Property on the
continent and an inter-governmental organization, so for us any stakeholder that is interested in the development of Intellectual Property on the continent is a key partner. In the creative industry sector, governmental institutions, international organizations, and all existing networks are for us very important to advance this common cause and helping the creative sector benefit the continent. We were able to come together with Arterial Network and realize that we both share common interests in advocacy to advance the rights of artists and in capacity building and awareness creation regarding Intellectual Property rights. We are very interested in reaching out more and more people who can benefit from the Intellectual Property system.

**Arterial Network:** What are your hopes for this partnership with Arterial Network?

**FDS:** We would like to see the creative industry growing in Africa. We know that in some countries, the creative industry is contributing around 4% or 5% to the GDP and that’s a huge number. If we do more, most countries could have those numbers growing. We would like to see more artists from different countries organize and talk together. We are also very interested in seeing more researches on the African Cultural Sector, more publications and more information flowing. These are key areas where ARIPO and Arterial Network can work together.

This article was published by the Arterial Network on their website on May 7, 2018 http://www.arterialnetwork.org/article/Arterial_Network_Signs_MOU_With_AR IPO

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**ARIPO Celebrates World IP Day with Children**

ARIPO celebrated the World IP Day at the National Gallery of Zimbabwe. The celebrations were marked by an exhibition entitled *Striking Idea; Powering Change: Women in Innovation and Creativity*. The exhibition was a culmination of a competition staged by ARIPO, with 7 schools from Zimbabwe participating.

The exhibition was segmented into three categories; the 4–7 year olds, 8–11 year olds and 12–16 year olds. The competition was seen as a way of harnessing pupils natural competitive drive by instilling a sense of invention, design and openness to collaboration. The underlying factor of the competition being a value additive knowledge to students that ideas must be trademarked, copyrighted or patented as they are derived from an individual’s intellect; that is, must belong to a person as a unique idea which had never been thought of.

The ideas generated by the students exhibiting were impressive; from vehicles to wearable technology, one would see that imagination is highly generated among the youth of Zimbabwe. The competition was easily interpretable to the participants as it was linked to the National Curriculum, in manner it presented itself in a way that pupils would think and create while having fun.

In his opening remarks, the ARIPO Director General, Mr Fernando Dos Santos, whose speech was read by the IP Executive at ARIPO, Mr. Emmanuel Sackey, stated that the main objective of the competition was to create intellectual property awareness, and this was done in schools that may have no access to information on that matter, a move which arguably creates greater enlightenment on the subject. He further stated that children are capable of changing and developing an Intellectual Property mentality globally, as their minds are open to new ideas. Mrs Doreen Sibanda of the National Gallery of Zimbabwe agreed to these statements as in her remarks she pointed out that Intellectual Property practice was crucial to the development of the creative industry’s practice. Prizes were distributed after the ceremony and there are plans to renew the competition in coming years, on a more expansive level.

A parallel event to mark the day was held at the ARIPO Headquarters. The event was organised by ARIPO and the Zimbabwe Institute of Patents and Trademark Agents.
Malawi Adopts a New Trademarks Act that Formally Domesticates the ARIPO Protocol on Marks (The Banjul Protocol)

The new Malawi Act (cited as “Trademarks Act, 2018”) that was published on 2nd February this year is made of 83 Sections and repeals the existing Trademarks Act of 1957.

The Act caters for a number of fields that were not or poorly covered by the Act of 1957. Among those fields are the protection of service marks, registration of collective marks, certification marks and Geographical Indications, to mention but a few. The Act provides also for criminal offences that may attract fines and/or imprisonment up to ten (10) years in cases of infringement.

Noteworthy, the Act has formally domesticated the Banjul Protocol on Marks in the framework of ARIPO. Section 60 under Part IX of the Act (International Registration of Trademarks) stipulates that “Registration of trademarks in Malawi pursuant to the Banjul Protocol shall be made in accordance with the Third Schedule hereto”.

The Third Schedule hereto referred sets out the procedures relating to ARIPO trademarks. The Schedule provides among other things that “An application in which Malawi is a designated state which is accepted by the Trademarks Office (established by the Act) shall be registered by the Office (ARIPO Office) and published as accepted by Malawi in the ARIPO Journal”.

*The Act can be consulted on ARIPO website on the following link: http://www.aripo.org/images/MS_Legislations/Malawi/Trademarks-Act-2018.pdf*
Staff Wellness Day

The ARIPO Staff Wellness Day was held on June 1, 2018. Employees attended a wellness talk given by CIMAS, the medical aid society used by ARIPO.

The talk was followed by blood sugar screening, blood pressure, weight and eye checks.

ARIPO at ZITF

ARIPO was at the 59th edition of the Zimbabwe International Trade Fair that was held in Bulawayo from April 24 to 28, 2018. The ARIPO exhibition was busy as many participants and exhibitors made a stop to learn something new on intellectual property and on ARIPO’s core business.
ARIPO holds the Second Symposium on Copyright and Related Rights

The Annual Symposium on Copyright and Related Rights organized by ARIPO was held from June 12-13, 2018 on the theme, “Shaping the Copyright and Related Rights System in Africa.”

The symposium was officially opened by the Zimbabwe Deputy Attorney General, Hon Kumbirai Hodzi. He said that intellectual property plays a very critical role in the protection and dissemination of knowledge and that the creative industries have assumed major economic significance and contributes to our economies significantly.

He noted that it was important that the second symposium take stock of the gains made since the first symposium in 2017. “Are we grappling with the same challenges or have we made progress? The issues of copyright and related rights in Africa need a concerted effort from everyone from copyright offices, collective management organizations (CMOs), academics, entrepreneurs and the victims such as artists among other players,” he said.

“The year’s topic is very essential and critical for Africa’s,” said the Intellectual Property Executive, Mr. John Kabare who read the opening statement on behalf of the ARIPO Director General, Mr. Fernando dos Santos.

He noted that the online digital era has continued to evolve at a staggering rate, with the traditional norms governing the world of Copyright and Related Rights. However, Africa has not fully engaged these new dynamics effectively. Generators of copyright and related rights are deriving minimum benefits from these digital opportunities. Even greater, are the challenges that CMOs are still facing in light of coordinated approach to managing online markets and effective enforcement.

“It is still our humble call to Governments that they put in place enabling legislations and regulations for the CMOs to function effectively,” added Mr. Kabare.

The World Intellectual Property organization (WIPO) was represented by Ms Carole Creolla, Senior, Counsellor, Copyright Law Division and Copyright and Creative Industries Sector. In her address she pointed out the growing demand for creative content globally hence the need for laws that offer protection for creative work.

The symposium brought together heads of Copyright Offices and Collective Management Organizations from ARIPO Member States and observer states. Some of the key topics discussed included how to harness the broadcasting industry in Africa, resale rights, the content industry in the digital environment, alternative dispute resolution of film and media disputes, the Accessible Book Consortium (ABC) and International Treaties. The symposium also reviewed the implementation status of the African Agenda (Harare Strategic Plan) that was adopted in 2017 at the first Symposium.
Also in attendance was popular Nollywood actress Ms. Shan Walker George known for her film "All for Winnie" among others, Zimbabwean musician and Ambassador for environmental issues Mr. Dereck Mpofu and The Comic Pastor among other artists. The participants were from 20 African countries and from ARIPPO cooperating partners including WIPO, The International Confederation of Societies of Authors and Composers (CISAC), the International Federation of Reproduction Rights Organisations (IFRRO) and International Publishers Association (IPA).
ARIPO at the 2018 INTA 140th Annual Meeting

ARIPO was at the 2018 International Trademark Association Annual Meeting held in Seattle, Washington in United States of America from May 19-23, 2018. A delegation led by the ARIPO Director General displayed a booth that attracted over 500 visitors, many who sought to know how to protect their trademarks in Africa.

At the meeting, the Director General held bilateral meetings with the INTA leadership on trademark priorities in Africa. The INTA team was led by the INTA CEO Etienne Sanz de Acedo, 2018 INTA President, Ms. Tish Berard and INTA Secretary Ms. Jomarie B. Fredericks.

The ARIPO delegation also met with the European Union Intellectual Property Office (EUIPO) represented by Mr. Jose Izquierdo, the Deputy Director International Cooperation Area, International Cooperation and Legal Affairs Department (ICLAD) and Ms Sharon Blackburn, Team Leader, Institutional Relations Service, ICLAD. The team also attended various presentations, discussion panels and networking sessions.

The ARIPO booth was also used by Agents from various African countries who met their clients at the booth. The Agents were Jambo Legal Practice from Zimbabwe, Adams and Adams from South Africa, Vemma Consult Attorneys from Tanzania, Palladium Strategy and IP Consultants from Zimbabwe, Sipi Law Associates from Uganda, Cronje & Co. Attorneys, Notaries & Conveyancers from Namibia and Gill, Godlonton & Gerrans from Zimbabwe.

In a press release issued by INTA in the run-up to the Annual Meeting, it was observed that “INTA members [collectively] contribute almost US $12 trillion to global gross domestic product (GDP) annually. For comparison, the 2016 annual GDP of the top three markets was $11.2 trillion (China), $16.4 trillion (European Union), and $18.6 trillion (United States)”.

The 2018 annual meeting had the most attendees since inception with almost 11,000 attendants from around the world.

zzz
ARIPO Director General with INTA CEO Etienne Sanz de Acedo, 2018 INTA President, Tish Berard & INTA Secretary Jomarie B. Fredericks.

ARIPO DG with Mrs Grace Issahaque, Chief State Attorney, Ghana.

Inventa International officials with the DG.

Helene Cronje from Namibia with ARIPO DG.

ARIPO DG with officials from Inventa International.

ARIPO Booth at INTA.
Why you Should Make your IP Registration with ARIPO?

Susan Mwiti, Documentations and Communications Officer at ARIPO explains why you should make your IP registration with them.

Why you should make your Trademark application with ARIPO

Throughout the world, an efficient and equitable Intellectual Property system is a powerful tool for economic development and social and cultural wellbeing as it rewards creativity and human endeavour by providing an environment for creativity and invention to flourish, to the benefit of national economies and individuals alike.

At the African Regional Intellectual Property Organization (ARIPO), awareness creation on IP in Africa has been one of its key activities in line with its Value and Growth Transformation Strategic Plan running from 2016 to 2020.

According to the ARIPO Director General, Mr. Fernando dos Santos, ARIPO’s current vision is to be pan-African and the leading IP hub in Africa. He says,

Having grown from humble beginnings from its birth in 1976, ARIPO has matured into an IP giant today. “ARIPO adopted the current vision to foster creativity and innovation for economic growth and development on the continent.”

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Membership to ARIPO is open to all African states who are members of the African Union or the United Nations Economic Commission for Africa (ECA). Currently, ARIPO has 19 Member States being; Botswana, The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.

Creating incentives to solve problems innovatively

ARIPO has been key to protecting Africa’s intellectual property rights through patents, trademarks, utility models, industrial designs, traditional knowledge and expressions of folklore and is endeavoring to protect copyrights, plant varieties and geographical indications in the same manner as well as contributing towards the shaping of the African and global intellectual property landscape. In fact, when you apply for registration/grant of a trademark, patent, utility model or industrial design with ARIPO you have a choice of all or some contracting states to a protocol in a single registration.

According to the ARIPO Director General, Fernando dos Santos, “The IP system creates incentives for people who come out with innovative ideas to solve problems facing society.” It does so by protecting their rights so that they are not robbed of the products of their minds.

Thus, efficient IP systems have become even more critical today, as “the world has shifted to the knowledge economy of which IP is the main driving force,” says Mr. Dos Santos.

Filing trademarkes with ARIPO

The Banjul Protocol, adopted in 1993, entrusts ARIPO with the function of registration of marks and administration of such registered marks on behalf of the contracting states in accordance with the provisions of this protocol. Ten states are currently party to the protocol and these are Botswana, Lesotho, Liberia, Malawi, Namibia, São Tomé and Príncipe, Swaziland, Tanzania, Uganda and Zimbabwe. In addition, strong intentions by two member states to be party to the system have been shown recently.

The ARIPO route for the registration of marks is very easy!

It has become even smoother with the use of new technology especially the availability of the ARIPO e-services of online filing. The online services allow applicants, attorneys, agents and other users to conduct their ARIPO business electronically in a secure state of the art environment. This facility allows for online filing of IP files, online payment of fees, sending and receiving notifications and general tracking of filed applications. Currently on average, 60% of the applications are now being filed online. By filing online, one also gets a 20% discount on the application fee. It is also easier to process the applications internally.

Since December 2015 ARIPO has made its published Trademarks information available on the TMView platform and in April 2018, ARIPO was integrated to the TMClass that offers users the opportunity to search and translate goods and services to and from many languages available.

ARIPO has developed a pilot database with more than 350,000 Trademarks from ARIPO and its member states which include; Botswana, Gambia, Ghana, Kenya, Malawi, Mozambique, Namibia, Rwanda, Tanzania, Uganda, Zambia and Zimbabwe. The objective is to create a centralized database for its published IP titles and those of its Member States.
Enforceability of ARIPO Registrations

As to the enforceability of ARIPO registrations, it is important to note that, many of the Contracting States are adopting new legislations on Trademarks and, importantly, they are formally domesticating the Banjul Protocol on marks in the framework of ARIPO. The most recent is Malawi that dedicated a schedule in its new Act on the procedures applicable to ARIPO registrations. There are also other contracting States that do not even need to formally domesticate the Banjul Protocol or any other international treaty they ratify or accede to simply because of their legal tradition that recognizes any international treaty duly ratified as part of the legal arsenal. This is the case for Namibia and São Tomé and Príncipe.

There are also countries that, though not yet contracting parties to the Banjul Protocol, have already enacted provisions in their domestic laws that pave way to the immediate implementation of the Banjul Protocol if these countries became party. This is the case of Kenya and Mozambique.

Additional services

ARIPO also offers other services to promote the use of the IP system by its Member States and Africa as a whole. ARIPO carries out substantive examination of patent applications, grants patents, registers trademarks, industrial designs and utility models and administers the same on behalf of the Member States.

The office also conducts several search services for the public (in most instances for free to citizens of the member states). Some of these are; state-of-the-art searches, novelty searches, validity searches, bibliographic searches, infringement (Freedom to Operate) searches, patent family searches, copy searches, as well as trademark searches.

Supporting training & helping to build the future

As part of its mandate, ARIPO also trains staff of industrial property offices from its member states in proper administration and processing of intellectual property under the ARIPO treaties. The Organization also assists member states nationals and institutions to acquire and utilise foreign appropriate technologies and encouraging indigenous inventors to utilise available patent information and technologies to start their small business enterprises.

ARIPO has also been creating a critical mass of IP experts on the continent, in partnership with the World Intellectual Property Organisation (WIPO) and the Africa University in Mutare, Zimbabwe. Together with these partners, ARIPO has supported a Masters in Intellectual Property (MIP) programme at the Africa University, which has so far produced 252 graduates drawn from over 25 African countries. In furtherance of the programme, ARIPO, in partnership with the Kwame Nkrumah University of Science and Technology (KNUST) in Kumasi, Ghana, and the Intellectual Property Office of Ghana, enrolled the first intake of MIP students at the KNUST in February 2018. Another programme targeting East Africa is in the pipeline, to be hosted by the University of Dar es Salaam in Tanzania.
Bridging the Gender Gap in Intellectual Property

By Dan L. Burk, Chancellor’s Professor of Law, University of California, Irvine, USA

Intellectual property (IP) law is generally recognized as a means to celebrate and reward the contributions of creative individuals by giving them legal exclusivity over their creations for a period of time during which they may determine who may exploit their work – possibly in return for a fee.

A self-published broadsheet by Charlotte Smith, one of the earliest champions of women inventors in the United States. According to the Women’s history blog, from 155 to 1865, women received on average just over 10 patents per year while men were granted more than 3,760 patents per year.

This is believed to generate incentives for creativity not only for the benefit of creators, but also for the general benefit of society. It therefore follows that to the extent that IP law fails to engage or recognize creators, it fails in its essential purpose. Unfortunately, there is growing evidence that it has dramatically failed a large group of creators.

IP and Gender: An Historical Perspective

For much of modern history, and certainly in the early days of legal grants in IP, the formal roles from which IP might arise were closed to women. The creative occupations of artist, engineer, writer, scientist and musician were dominated by men, if not exclusive to men. At that time, social convention frowned on female activity in such professions. IP law, as it developed, followed such social prohibitions. For example, as noted by Professor Shelly Wright, copyright historically encompassed the “fine arts” such as sculpture, painting, literature and music – fields that were male dominated if not exclusively masculine, with “crafts” such as needlework, knitting, quilting and other “domestic” fiber arts until relatively recently excluded from the canon of copyrightable subject matter.

Similarly, where women developed inventions or creative works outside formal professional settings, social or legal recognition of such work was considered taboo. In some cases, creative works by talented women were circulated anonymously or pseudonymously. This was the case, for example, with Clara Schumann, spouse of the celebrated Robert Schumann, and Fanny Mendelsohn, sister of the widely acclaimed composer Felix Mendelsohn. At that time, acquisition of patents or copyrights was viewed as improper for women. Careful historical reconstruction has revealed clues suggesting patents for inventions produced by female inventors were taken out in the name of a brother, father or husband. For example, when Sybilla Masters developed a way to process Indian corn in 1715 and her achievements were recorded in the patent document, the associated right was issued to her husband. At that time, the prevailing laws stated that women could not own property.
A Persisting IP Gender Gap

Thankfully, social views have changed, and there are now few explicit deterrents to female inventors and creators. But strong evidence of latent gender bias remains. For example, when looking at modern patent filings, it is clear that a substantial gap exists between the number of female and male patent applicants; women are conspicuously absent in every aspect of the patent system. This gap varies somewhat by jurisdiction; patent applications include a female inventor only about 4 percent of the time in German-speaking nations, only 10 percent of the time in the United States, and around 20 percent in a number of Spanish-speaking nations. In no case does the number of patent filings by women approach anything near population parity. Perhaps not surprisingly, studies of patent law practitioners also show the number of female attorneys and agents to be dramatically lower than that of male practitioners.

The most immediate and natural response to such statistical information is to advocate in favor of greater inclusion of women in the technically oriented “STEM” occupational fields, that is, science, technology, engineering and mathematics. Entry and retention of women in these technical fields is notoriously poor despite initiatives to make opportunities available. But these are the fields from which patentable inventions are most likely to arise. With fewer women in STEM fields, one would expect categorically fewer patent applications from women; conversely, if the number of women in STEM fields were to increase, one would expect larger numbers of patent applications from women.

While there are many compelling reasons to advocate increased female participation in STEM areas, and such increased participation would likely boost the overall number of patent applications by women, diminished numbers of women in technical fields is clearly not the sole cause of their lower level of engagement with the patent system.

More than a Numbers Game

The gender gap in patenting is too complex and intractable to be solved by simple numerical parity. This has been empirically demonstrated in cohort studies that compare similarly situated men and women in STEM occupations. These studies indicate that the women who are already in STEM fields engage the patent system far less frequently than their male counterparts.

Female scientists and engineers are less than half as likely to obtain a patent for their research as their male colleagues. This effect occurs in both academic and industrial settings, although it is less pronounced in the latter. The patenting gap appears to hold true across all ages and all cohorts of women in STEM fields, despite the rising total number of women entering these fields. Indeed, the gap is also evident in sectors like the biological sciences, which have been most amenable to female entry and include a larger number of female researchers. Comparisons of other metrics for research significance, such as research grant awards, do not reveal this gap, and when female researchers do obtain patents they appear to be as significant as those obtained by their male counterparts. Thus, the gap in patenting does not appear to be attributable to the merit or significance of research results.

Such quantitative studies can outline certain parameters of the problem, but are limited in their ability to identify the source of the patenting gap. At some point they must be supplemented by qualitative research to fill in missing details. Ethnographic studies undertaken by a number of researchers indicate a complex of social barriers continue to deter even present-day female inventors from engaging with the patent system. Detailed survey and interview data indicate that women in STEM fields have developed social responses...
that deter their participation in patenting and commercializing their research. Female scientists and engineers are less likely than their male counterparts to think about commercializing their inventions, and are less comfortable marketing themselves and their work to potential business partners.

These internalized responses are then reinforced by socially-structured obstacles. Female scientists and engineers are more likely to be excluded from social networks that would enable them to get support for commercializing their outputs; for example, they are less likely to be invited to sit on prestigious scientific boards or advisory panels where they could meet potential innovation partners. And from the other side of the table, there is evidence that essential partners such as venture capitalists and other financiers are less likely to take seriously proposals from female innovators than from their male counterparts.

**Lack of Data**

According to the Lemelson Center, the feminist reformer Charlotte Smith spearheaded one of the earliest attempts to accurately count women inventors. Thanks to her efforts, the United States Patent Office compiled the first official list of women patentees in 1888.

Evidence therefore suggests that there is a clear and recalcitrant gender gap in patenting, but what of other creative areas? Much less is known regarding copyright, as most of the empirical work done to date on gender in intellectual property has concentrated on the patent system. This is not because copyright poses less of a concern; informal or anecdotal observations regarding the participation of women in the creative industries that thrive on copyright protection – publishing, movie making, music recording – suggest that females in those industries may be no better off than those in technical industries that rely on patent protection.

Rather, patenting more readily lends itself to empirical study because patents only issue after administrative review of a patent application. This generates a considerable body of data which can be easily collected and made available for statistical scrutiny. This is generally not the case in other areas such as copyright. Unlike patents, copyright arises spontaneously upon fixation of an expressive work, and under international treaties such as the Berne Convention for the Protection of Literary and Artistic Works administrative formalities are not a prerequisite for the grant of copyright. As a result, there are fewer data available to assess use of the copyright system than for the patent system, making empirical assessment of gender in the copyright system more challenging.

In the United States, however, U.S. copyright law sets out strong statutory incentives for creators to register their works with the Library of Congress, and these data offer interesting insights. For example, recent pioneering work by Robert Brauneis and Oren Bracha on the registration data generated by the United States Copyright Office for gender trends indicates that registered authors are overwhelmingly male.

This effect differs by category of copyrightable subject matter: it is least pronounced in filings for artistic and textual works and more prevalent in the categories of music and motion pictures, where more than three-quarters of registered works are authored by men. Movies and textual works have shown modest increases in female authorship in recent years, whereas the number of music-related registrations by women has remained static. Unsurprisingly in light of women’s participation in the patent system, the lowest rate of female authorship is found in the area of software registrations. The study also discloses several additional interesting patterns in authorship that point to other potential biases in the social structure of creative activity; for example, the data show that coauthors are significantly more likely be of the same gender.
While myriad social factors contributed to gendered outcomes, a particular concern is that IP laws that are ostensibly gender-neutral may put women at a distinct disadvantage. Work by cultural ethnologist, Boatema Boateng, shows that laws to protect traditional crafts and knowledge of traditional weavers in Ghana have unexpectedly reinforced gender disparity within the community (photo: Olivier Asselin / Alamy Stock Photo).

Gender Bias in IP Laws?

While myriad social factors are at work in generating such gendered outcomes, a particular concern is that IP laws that are ostensibly gender-neutral may put women at a distinct disadvantage. A growing body of legal scholarship is exploring the latent assumptions and unexpected outcomes related to patent, copyright and trademark doctrines.

Beyond that, however, the interaction between IP and other social structures may play out in unexpected ways. Cultural ethnologist Boatema Boateng, for example, discusses the sale of machine-made cloth that incorporates patterns resembling those in traditionally made fabrics. She found that local weavers invoked statutes protecting traditional crafts and knowledge to prohibit the sale of imitation cloth and that those laws appeared to function as intended – that is, until broader perspectives, including gender, were taken into account. On closer inspection, she found that in Ghana, the focus of her study, weaving is traditionally a male occupation, and the infringement claims were brought by male weavers against small business operators who were primarily female. Here we see that an ostensibly neutral law unexpectedly helped to reinforce long-standing gender disparities within the community in question.

While considerable work remains to be done to fully understand the root causes and scope of gender disparities in IP, what we have learned so far suggests various solutions that may help to bridge the gender gap. In this respect, longitudinal comparisons indicate that early exposure to inventors and innovation fosters innovation later in life. Clearly education, information and the provision of role models must play an important role in the uptake and use of IP across genders.

I fell in love with intellectual property after I investigated and discovered the gaps in my field of work. I felt that IP strategies could complement my strategic management background as part of a business competitive advantage and a distinct way to make a difference. My Dissertation topic was: “Challenges and opportunities in branding of products by food vendors in Midrand (South Africa). Our informal sector is our tomorrow’s formal businesses as such one needs to develop a positive entrepreneurial mind-set from the start. Imagine what a better world it could be with innovations and great ideas commercialized to eradicate pandemics and poverty. I have since decided to empower the small entrepreneurs in my circle for them to realize the valuable IP assets they own and better utilize them. I have more upcoming projects in the pipeline and to be launched. The journey to all this began with enrolling for the 10th cohort of the MIP program at Africa University.

The 10th Cohort was comprised of a unique group of professionals representing 20 African countries.

On the first day, the humorous MIP programme coordinator, Mr. George Mandewo advised everyone to “derole” to fit in the student mind set. As I was later to appreciate his advice, indeed there was a clash of personalities and egos. Thankfully, the spirit of Africanism could not be unheeded for long. My experience from the cultural diversity is priceless. The journey was not easy, but I developed emotional strength along the way.

I kept myself encouraged by reading my bible in the morning and sharing my readings or quotes with my friends. In prayer we find purpose for the pain, strength for the struggle. My faith level was untouchable, thanks to the university being a church based institution.

Thanks too to the good internet service at Africa University, I could reconnect with my kids, who fervently expressed the emptiness of my absence. Their voices always echoed in my mind and became my driving factor to focus, and bring out the cry deep down my heart of an ambitious woman fighting to leave a legacy for her kids. “My background will not determine my future” was my motto.

Coming up with dissertation proposal and then writing it while juggling between work backlogs, family and motherly responsibilities made me feel like drawn into a black hole – I forgot how to live. It’s beautiful at the end. All efforts will make sense as the dots connect backwards.

Life is what you choose it to be, it’s all in your mind, and with God anything is possible.

Personal Experience with the MIP at Africa University

Moreblessing Sithole
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Email: mobbymurex@gmail.com
I received an email from Africa University (AU) telling me that I had been accepted in the 10th Cohort of the Masters in Intellectual Property (MIP). I was on the self-sponsorship list, it was a good time because I had set my agenda clearly thus, ‘school is the way’, scholarship or no scholarship. I packed my bags and headed to AU in Mutare to further my knowledge and education. The most interesting part was to connect and find inspiration from other young women and men from different parts of Africa.

I am grateful the music is now sounding more melodious, everything now looks more beautiful and making more sense; food tastes nicer, and colors now look brighter. My career started to develop and change the day I was at AU. It was the transformation phase that has begun to shape my life. AU provides a good environment with excellent facilities such as the library and a reliable Wi-Fi.

IP is everywhere and a driver of our economy. I have graduated thanks to the collaboration between AU and its partners ARIPO and WIPO in rolling out the MIP program. I am now looking forward to a great future of applying the IP concepts I have acquired and to also help in preaching the IP gospel.

As the late Nelson Mandela rightly taught us, education is the most powerful weapon one can use to change the world. To fulfill this teaching, one of the best decisions I have since made is to enroll in the MIP degree programme at Africa University.

My Experience at Africa University as an MIP 10th Cohort student

Winnet Mupaso
Principal IP Examiner ZIPO

It was a great opportunity for me to be enrolled in the 10th cohort of the MIP class at Africa University. The journey started with three months of distance/on-line learning. On 1 August 2018 the journey took another twist as we went to Africa University (AU) for the residential phase of the study. At AU, I met and lived with a new family – my MIP 10th cohort fellow students. I also met a team of eminent IP professionals, experts and IP industry gurus, who imparted IP knowledge and skills to us.

Lectures were organized in a methodological approach, which ensured connection between class lectures and practical sessions through group presentations. I met people from various backgrounds, both professionally and culturally. I so much appreciate the multi-cultural setup which exposed me to a unique and diverse platform for exchange of ideas, values social and cultural life experiences. I learnt so much through working and discussing with others during group assignments and class discussions. I am happy to say that the environment at AU is just conducive and effective for networking especially in light of sharing experiences from our different walks of life. My stay at AU helped me to respect other people’s opinions and views which enhanced my team work skills.

As another author says, ‘the Chakata fruit on the ground belongs to all, but the one on the tree is for she who can climb’, as an MIP 10th cohort student, I have learnt not to pick up fruits on the ground but to climb the tree to get them. My experience at Africa University has taught me not to give-up and fight hard in building respect for IP in my country Zimbabwe and Africa at large. The Masters in Intellectual Property has left me with a passion and the zeal to dig more and join hands with other IP professionals in creating an IP culture in my country as well as the continent.

I will forever cherish my life at Africa University with special thanks to WIPO, ARIPO and Africa University for affording me this great opportunity to advance and to make my dream come true as far as IP is concerned.
The 24th Africa University Graduation Ceremony took place on 9 June, 2018. The 10th Cohort of the Masters in Intellectual Property Programme had 37 students that graduated, 14 female and 23 male. Ten were sponsored by ARIPO while 19 were sponsored by the World Intellectual Property Organization.

The Guest of Honour and Key note Speaker of the graduation ceremony was Mr. Timothy Keating, the Vice President of Government Operations for The Boeing Company who delivered a rousing speech to the graduates encouraging them to rely on integrity, hard work and passion to achieve their goals and aspirations.

Ms. Grace Florence Nakabugo from Uganda. She was the best overall Masters student with the highest CGPA and the first best MIP graduating student.
INTRODUCTION

The new ARIPO Headquarters Building was officially inaugurated on 9 December 2016. Its location is a premier area, a diplomatic zone and has a greenery view. The new building incorporates extensive office space, conference facilities, state-of-the-art auditorium, cafeteria and courtyard garden which is set to become a gallery/exhibition space displaying samples of registered Intellectual Property (IP). It also has an ample parking lot. It is within this context that the Organization is making available some of the new facilities to the public for hire.

This business model provides the basic information for hiring the state-of-the-art facilities and the premier IP services that ARIPO offers.

ARIPO FACILITIES FOR HIRE

The new ARIPO Headquarters Building offers state-of-the-art facilities geared towards providing excellent impressions for a professional outlook that any business would be proud to be associated with. First impressions are crucial and a great environment can give a business pitch and the best chance of success. The facilities offer a variety of meeting packages that range from intimate private spaces to ambient conference rooms that can accommodate up to 150 participants. All meeting facilities are equipped with designer furniture and aesthetic artwork, high performance audiovisual and conference equipment.

ARIPO FACILITIES FOR HIRE

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<td>Stationery (writing pad, pen, markers, flip charts)</td>
<td>Stationery (writing pad, pen, markers, flip charts)</td>
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<tr>
<td>Overhead projector</td>
<td>Overhead projector</td>
</tr>
<tr>
<td>PA system</td>
<td>PA system</td>
</tr>
<tr>
<td>Teleconferencing equipment</td>
<td>Teleconferencing equipment</td>
</tr>
<tr>
<td>Refreshments (juices, sweets, water)</td>
<td>Refreshments (juices, sweets, water)</td>
</tr>
<tr>
<td>Lunch, morning and afternoon teas</td>
<td></td>
</tr>
</tbody>
</table>

Wi-Fi available for both packages

1. THE AUDITORIUM

The ARIPO state-of-the-art auditorium has a seating capacity of 150 people and is acoustic and sound engineered to function as a broadcast centre that enables live presentations and discussions through large flat screen monitors.

The auditorium, the first of its kind in Harare, has:
- 3rd Generation Confidea® conference system which features, focused intelligent audio visual equipment, state-of-the-art Quad-Band wireless technologies, fault-tolerant error correcting protocols and advanced encryption algorithms
- Equipment allows moderated discussion, simultaneous interpretation and electronic voting
- 3 x 60inch LED monitors
- 3 interpretation booths
- Fully air-conditioned
- Individual charging ports
- Wheel chair access
- Spacious and comfortable seats
2. JEREMIAH HERBERT NTABGOBA CONFERENCE HALL

The Jeremiah Herbert Ntabgoba Conference Hall with the seating capacity of 50 people has:
- State-of-the-art digital projector
- High speed wireless audio system
- Interpretation booth
- 50 inch LED Screen
- Projector
- Desk microphones

3. MULTI-PURPOSE HALL

ARIPO has a multi-purpose hall with the seating capacity of 60 people, which can also be converted into other usage such as entertainment, catering and seminars. However with a large number of participants using the main conference hall, the multi-purpose hall can be given as gratis for catering services.

CAFETERIA

For all meetings, conferences or symposiums, ARIPO offers a spacious cafeteria with a seating capacity of 60 people. The cafeteria may be used for events and meetings taking place at ARIPO or can be hired separately by those seeking to outsource meals for their guests. Additional arrangements can be made for hosting dinners and other meals outside working hours. If the number exceeds 60, the multi-purpose hall can be used as a cafeteria.

BOARDROOMS

There are two impressive Boardrooms which accommodate up to 10 people each and are ideal for executive meetings including conference calls, presentations, screenings or breakout sessions. The Boardrooms are supported by integrated audiovisual equipment including video conferencing facility.
• The Boardrooms are equipped with:
  • Integrated AV equipment
  • HDLCD TV
  • Polycom conference phone
  • Featured artwork
  • White board
  • Free Wi-Fi

**TRAINING LAB**

Technical, online and virtual training are a key part of modern learning. ARIPO offers a spacious modern training lab equipped with 25 workstations, Wi-Fi, projector and audio equipment. The training lab can be used for practical trainings that require use of computers.

**Anderson Ray Zikonda Library**

The library facilities offer:
  • Free access and subscription
  • Specialized collection of books, dissertations on IP
  • Free access to specialized IP collections and books
  • Free virtual library access
  • Free information research services

Our highly qualified and experienced Team also offers:
  • Indexing services
  • Editorial services
  • Bibliography services
  • Reproduction and binding services for a fee

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