



African Regional Intellectual  
Property Organization (ARIPO)

# ARIPO Annual Report 2014



**ARIPO**  
**Annual Report**  
**2014**

**ARIPO Office,  
Harare, Zimbabwe  
2015**



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# Interpretation of Acronyms

| ACRONYM | MEANING  |
|---------|--|
| ABS     | Access and benefit sharing arising from the use of genetic resources                               |
| AMSCO   | African Management Services Company  |
| ARCT    | African Regional Centre for Technology   |
| AIDS    | Acquired Immune Deficiency Syndrome  |
| ARIPO   | African Regional Intellectual Property Organization  |
| ARTC    | ARIPO Regional Training Centre   |
| ARV     | Antiretroviral drug  |
| AU      | African Union  |
| BP      | Banjul Protocol  |
| BRELA   | Business Registrations Agency (United Republic of Tanzania)  |
| CBD     | Convention on Biodiversity   |
| CIPTC   | China Intellectual Property Training Centre  |
| EoF     | Expressions of folklore  |
| ESAMI   | Eastern and Southern Africa Management Institute   |
| EU      | European Union   |
| FAO     | Food and Agriculture Organization  |
| GM      | Genetically modified [plant]   |
| GR      | Genetic resources  |
| HP      | Harare Protocol  |
| HIV     | Human immunodeficiency virus   |
| ICT     | Information and communication technology   |
| IGC     | Intergovernmental Committee on Genetic Resources, Traditional Knowledge and Folklore (WIPO)        |
| INTA    | International Trademark Association  |
| IP      | Intellectual property, unless otherwise indicated in the context that it means industrial property |
| IPC     | International Patent Classification  |
| IPRs    | Intellectual property rights   |
| IPAS    | Industrial Property Automation System  |

| ACRONYM | MEANING  |
|---------|--|
| IPSAS   | International Public Sector Accounting Standards                         |
| KOICA   | Korea International Cooperation Agency                                   |
| KIPI    | Kenyan Intellectual Property Institute                                   |
| KIPO    | Korean Industrial Property Office  |
| LIPO    | Liberia Intellectual Property Office                                     |
| MoU     | Memorandum of understanding  |
| MIP     | Masters in Intellectual Property   |
| MSs     | Member States  |
| NORCODE | Norwegian Copyright Development Association                              |
| NUST    | National University of Science and Technology (Zimbabwean)               |
| OAPI    | African Intellectual Property Organization                               |
| OHIM    | Office for Harmonization in the Internal Market                          |
| PAIPO   | Pan African Intellectual Property Organization                           |
| PCT     | Patent Cooperation Treaty  |
| PVP     | Plant variety protection   |
| R&D     | Research and development   |
| SADC    | Southern Africa Development Community                                    |
| SAIC    | State Administration for Industry and Commerce (China)                   |
| SIPO    | State Intellectual Property Office (China)                               |
| SMEs    | Small and medium enterprises   |
| SOMAS   | Mozambique Association of Authors  |
| STI     | Science, technology and innovation                                       |
| TK      | Traditional knowledge  |
| TCE     | Traditional cultural expressions   |
| TCPM    | Technical Committee on the Pharmaceutical Manufacturing Plan [of the AU] |
| TISC    | Technology and innovation centre   |
| UDC     | Universal Decimal Classification   |
| UNDP    | United Nations Development Programme                                     |
| UNECA   | United Nations Economic Commission for Africa                            |
| UNIDO   | United Nations Industrial Development Organization                       |
| UPOV    | International Union for the Protection of New Varieties of Plants        |
| WHO     | World Health Organization  |
| WIPO    | World Intellectual Property Organization                                 |
| ZIPO    | Zimbabwe Intellectual Property Office                                    |

# FOREWORD



In the focus year 2014, we continued earnestly to implement the ARIPO Strategic Plan 2011-2015.

One of the remarkable achievements of the year was the joining of Sao Tome and Principe in the African Regional Intellectual Property Organization (ARIPO) which was done through the country's accession to the Harare Protocol on Patents and Industrial Designs. Thus, Sao Tome and Principe became the 19th ARIPO Member State. The country was already enjoying benefits of the Harare Protocol by the second half of 2014. Having joined only on 19 May 2014, with the Harare Protocol becoming operational in the country only on 19 August, the country managed to muster 9 designations from patent applications filed in the year and 38 designations by industrial design applications.

Further reflection of the Organization's performance in industrial property operations reveal that of the 800 patent applications forecast for 2014, the Organization received 835 applications. We achieved a gain in patent grants from 271 of last year to 255 of 2014. Although industrial design applications experienced a slight drop, registrations increased from 114 to 221. Similar to patents, the field of marks achieved increase both in applications filed (which rose from 321 of last year to 362 of 2014) and in registrations made (from 160 of 2013 to 219 of 2014).

Additional sectors of our operation recorded successes in the year. One of these sectors of success was our sustained presence in several of our Member States, for the first time since many years, where we conducted roving seminars and technical missions. These activities, planned to increase awareness of intellectual property in populations of Member States, will continue to be held in selected Member States at a time each year until all our Member States have been visited.

Related to these engagements were capacity building activities by which the Organization held training sessions aimed at enhancing numbers of intellectual property personnel among Member States' These activities

came in the form of short-term training sessions and as a post graduate programme in the form of a Masters in Intellectual Property (MIP) in which ARIPO is partnered with Africa University and the World Intellectual Property Organization (WIPO).

Equally, convinced that a skilled manpower is indispensable in moving work processes successfully, the ARIPO Office sent close to half of its workforce on various training courses. These ranged from imparting skills in patent examination, information management and finance to secretarial, administrative and procurement training courses. Further courses covered trademark operations and fleet management as well as information and communication (ICT) management. In order to equip staff with knowledge of construction and managing of the ARIPO Strategic Plans, staff attended a Strategic Planning Workshop in Harare. This training effort was augmented with an employee innovation programme which introduced a monthly award and an annual award for initiative-oriented employees.

Another sector of operation worthy noting is financial management. During the year 2014, there was an increase of 20.6 percent over the 2013 level of earnings. The Organization managed a surplus of US\$151,168 in the year. The focus year managed a decrease in expenditure from last year's.

We, furthermore, are diversifying beyond ordinary functions of an industrial property in order to fulfil the spirit of the Lusaka Agreement by which the Organization is founded. For instance, the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore, concluded in 2010, awaited only two signatures in 2014 to bring it into force.

In regard to initiatives for evolution of further ideas for protection of creative outputs, the Organization was involved in an advanced preparatory stage toward possible conclusion next year of an ARIPO Protocol on the Protection of New Varieties of Plants. Additional subjects under serious consideration by the ARIPO Office for making subject of a system each of

protection are geographical indications and the mechanism of access and benefit sharing arising from the use of genetic resources (ABS). In fact, in this regard, The Organization scored a step toward that possibility when during the year its Administrative Council approved guidelines on ABS which would be distributed to all Member States.

In infrastructural development, the year enabled the ARIPO Office to execute preparatory activities necessary for inception next year of the KOICA Project mentioned earlier. One of these very essential activities was the engagement and stationing of an ICT expert at the ARIPO Office in Harare, Zimbabwe, who even after departure of the KOICA consultants in

the life of the project would ensure upkeep of continuity in KOICA's on-site supervision of the project.

All these activities, many of which reflected the growing nature of mandates and the number of personnel at the Office, are indicative of the pressure for more floor space which has been placed on the Office. To satisfy this need, the Organization has planned to construct a second extension to the Headquarters premises. Therefore, the review year was spent in organizing funding for the construction project whose commencement, expected to be in early 2015, was heralded by a groundbreaking ceremony presided over by the government of Zimbabwe, the host country.

All these achievements, however, minute and many others not mentioned in this report can never be chronicled without making full mention of our cooperating partners, Member States and other stakeholders to which the successes are attributable.

It is with a good and clear mind about this year that I look forward in earnest to 2015.

F. Dos Santos  
Director General

# ARIPO's Legal Instruments

## LUSAKA AGREEMENT AND MEMBER STATES

### General Overview

The Organization was established in 1976 by a treaty now commonly known as the Lusaka Agreement. The Organization's objectives are, *inter alia*, to promote, harmonize and develop intellectual property systems in the ARIPO region.

### Membership

#### Eligibility

Membership to the African Regional Intellectual Property Organization is open to member states of the Economic Commission for Africa (UNECA) or the African Union (AU). Today, ARIPO is comprised of 19 Member States.

### São Tomé and Príncipe Joins ARIPO

At the beginning of 2014, the African Regional Intellectual Property Organization comprised 18 Member States. With the accession of the Democratic Republic of São Tomé and Príncipe to the Harare Protocol on Patents and Industrial Designs on 19 May 2014, that country became the Organization's 19th Member State.

With effect from that date, furthermore benefits of membership in ARIPO were accessible by the new Member State. The country began to be designated by applications filed under the Harare Protocol thereby earning foreign exchange income. The country furthermore became open to technical assistance and training missions which the Organization began to undertake to the new Member State in the year.



# HARARE PROTOCOL AND ITS CONTRACTING STATES

## General Provisions

The Lusaka Agreement was complemented by a *Protocol on Patents and Industrial Designs* (the Harare Protocol) adopted at Harare, in Zimbabwe, on 10 December, 1982, which entered into force on 25 April, 1984. The protocol empowers ARIPO to grant patents and register industrial designs as well as utility models on behalf of the Harare Protocol contracting States. Currently, the contracting States are those listed below.

## Efforts to Modernize

### Regular Amendments

Since its coming into operation in 1982, the Harare Protocol has been amended several times. These have aimed to either modernize the treaty's procedure or bring the treaty into conformity with international practice accepted under given multilateral treaties.

## Harmonious Relation to Certain Multilateral Treaties

In the latter case, the protocol was amended to adapt itself for instance to the Patent Cooperation Treaty (PCT) which link has brought tremendous benefits to both the Organization and each one of its Member States party to the protocol.

A further amendment adapted the protocol to the *Budapest Treaty on International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure*. This aimed to increase legal security of patent applications involving microorganisms.

### Current Efforts

With cooperation from WIPO, the ARIPO Office is currently working to adapt the Harare Protocol to the *Hague Agreement for the International Registration of Industrial Designs*, a WIPO treaty.

Once achieved, this will enable ARIPO and its Member States to become party to the Hague Agreement thereby enabling the ARIPO Office to act as the sole industrial design office for all of the Harare Protocol contracting States.

Before then, however, ARIPO should put in place certain preparatory conformations. Firstly, all the participating States should achieve uniform industrial design laws.

Already Botswana, Ghana, Namibia, Rwanda and São Tomé & Príncipe are party to the Hague Agreement but even these do not have harmonious laws amongst themselves. They are also urged to replace their industrial design national routes with the ARIPO Office as their sole industrial design office.

A task force appointed in response to a decision of the Administrative Council is spearheading this work. The Thirty-eighth Session of the Administrative Council of 2014 took note of the Task Force's report on its work.

| Member State & Date of Membership | Harare Protocol Status | Member State & Date of Membership    | Harare Protocol Status |
|-----------------------------------|------------------------|--------------------------------------|------------------------|
| Botswana (6 February, 1985)       | 6 May, 1985            | Rwanda (24 June, 2011)               | 24 September, 2011     |
| The Gambia (15 February, 1978)    | 16 January, 1986       | Sao Tome and Principe (19 May, 2014) | 19 August, 2014        |
| Ghana (15 February, 1978)         | 25 April, 1984         | Sierra Leone (5 December, 1980)      | 25 February, 1999      |
| Kenya (15 February, 1978)         | 24 October, 1984       | Sudan (2 May, 1978)                  | 25 April, 1984         |
| Lesotho (23 July, 1987)           | 23 October, 1987       | Swaziland (17 December, 1987)        | 17 March, 1988         |
| Liberia (24 December, 2009)       | 24 March, 2010         | Tanzania (12 October, 1983)          | 1 September, 1999      |
| Malawi (15 February, 1978)        | 25 April, 1984         | Uganda (8 August, 1978)              | 25 April, 1984         |
| Mozambique (8 February, 2000)     | 8 May, 2000            | Zambia (15 February, 1978)           | 26 February, 1986      |
| Namibia (14 October, 2003)        | 23 April, 2004         | Zimbabwe (11 November, 1980)         | 25 April, 1984         |

Table I. Member States and dates when they became Harare Protocol contracting States

# BANJUL PROTOCOL AND ITS CONTRACTING STATES

## General Overview

The *Banjul Protocol on Marks* was adopted by the Administrative Council on 19 November, 1993, in Banjul, The Gambia. It entered into force on 6 March, 1997. This protocol empowers ARIPO to register marks on behalf of the Banjul Protocol contracting States which are listed in Table 2.

## Regular Updating

In 2014, a memorable milestone in the treaty's operation and its ability to attract more signatures amongst the ARIPO Member States or beyond was achieved.

This is because the Thirty-eighth Session of the Administrative Council which met from 17 to 21 November in the year made a very important decision. This is that it approved a policy by which any contracting State under the treaty may communicate to the ARIPO Office a declaration that it intended to adopt an individualized fee structure other than the traditional schedule of fees promulgated under the Banjul Protocol on Marks.

During the focus year of 2014, response on this new provision from Banjul Protocol contracting States (let alone the rest of ARIPO Member States) was very slow as only the United Republic of Tanzania had by the end of the year 2014 effectively communicated a declaration.

One of the outstanding obstacles in signing the Banjul Protocol as often stated by ARIPO Member States is the likely loss of their good revenue from trademark operations under their national routes which, they explain, are higher than levels restricted under the Banjul Protocol. Therefore, introduction of the individual fee structure was intended to liberalize fee charging to enable contracting States to charge levels that they deemed to be more attractive than the levels they are compelled to charge traditionally under the treaty.



Delegates to a meeting of the Banjul Protocol Working Group that met on 19 August at the ARIPO Headquarters in Harare

| Member State & Date of Membership | Banjul Protocol Status | Member State & Date of Membership | Banjul Protocol Status |
|-----------------------------------|------------------------|-----------------------------------|------------------------|
| Botswana (6 February, 1985)       | 29 October, 2003       | Swaziland (17 December, 1987)     | 17 March, 1988         |
| Lesotho (23 July, 1987)           | 12 February, 1999      | Tanzania (12 October, 1983)       | 1 September, 1999      |
| Liberia (24 December, 2009)       | 24 March, 2010         | Uganda (8 August, 1978)           | 21 November, 2000      |
| Malawi (15 February, 1978)        | 6 March, 1997          | Zimbabwe (11 November, 1980)      | 6 March, 1997          |
| Namibia (14 October, 2003)        | 14 January, 2004       |                                   |                        |

Table 2. Member States and dates when they became Banjul Protocol contracting States

## SWAKOPMUND PROTOCOL

### Background

In pursuance of some additional mandates given to the Organization by the Administrative Council, the *Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore* was concluded by a diplomatic conference convened by ARIPO Member States in partnership with cooperating partners in Swakopmund, Namibia, in 2010.

### Achievements of 2014

Amongst the reported roving seminars undertaken to some Member States, the ARIPO Office made roving seminars to Swaziland, Sierra Leone and The Gambia on the protection and utilization of traditional knowledge, expressions of folklore and genetic resources.

In the process of these, The Gambia announced its intention to ratify the protocol during 2014.

The Organization was represented in the 2014 sessions of the WIPO Inter-governmental Committee on Genetic Resources, Traditional Knowledge and Folklore (IGC) and served as one of three facilitators appointed to finalize IGC texts for submission to the WIPO General Assembly that later met in September 2014.

A five year development plan for the implementation of the protocol and valorization of TK-based products in the ARIPO Member States was prepared.

Another activity undertaken in the focus year was a study visit to the South African Department of Science and Technology. This aimed to get familiarization with the African Traditional Medicine and the National Recordal System for indigenous knowledge management databases which that department had developed.

| States that Have Ratified, or Acceded to, the Protocol as at 31 December, 2014 | Date on Which State Became Party to the Protocol | States that Have Ratified, or Acceded to, the Protocol as at 31 December, 2014 | Date on Which State Became Party to the Protocol |
|--|--|--|--|
| Botswana (6 February, 1985)  | 28 March, 2012                                   | Rwanda (24 June, 2011)   | 16 July, 2012                                    |
| Malawi (15 February, 1978)   | 20 December, 2012                                | Zimbabwe (11 November, 1980)   | 22 April, 2013                                   |

Table 3. List of countries that had ratified, or acceded to, the Swakopmund Protocol by the end of the focus year, 2014

# Development of New Legal Instruments to Meet New Mandates

## DRAFT PROTOCOL ON PROTECTION OF NEW VARIETIES OF PLANTS

Following approval in 2013 of the Draft ARIPO Protocol on the Protection of New Varieties of Plants by the Fourteenth Session of the ARIPO Council of Ministers, the draft protocol was sanctioned by the Thirty-first Extra-ordinary Session of the UPOV Council which met on 11 April 2014.

In the same year, the consultants completed preparing draft regulations of the proposed protocol on which comments for improvement were made by a stakeholders meeting of October 2014 with further comments expected from ARIPO Member States in 2015.

The stakeholders meeting was a *Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants* which was held in Zimbabwe in October 2014. It made several recommendations one of which urged the ARIPO Office to provide a background paper explaining the evolution of the draft protocol. This should enable participants of the workshop to brief their governments on the subject.

The workshop further urged the ARIPO Office to develop a business plan to guide implementation of the proposed protocol.

The Thirty-eighth Session of the Administrative Council which met in November 2014 took note of progress made in the development of the draft protocol.

Furthermore, the session of the Administrative Council of ARIPO amended and adopted terms of reference of the new Technical Committee on Plant Variety Protection to which it elected Ghana, Kenya, the United Republic of Tanzania, Zambia and Zimbabwe as members for the period 2015 to 2016.



Delegates to the *Regional Workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants* which met in Harare.

# MANDATE ON THE PROTECTION OF GEOGRAPHICAL INDICATIONS

## Background

Since arrival of the mandate on its workload, the ARIPO Office has accomplished major preparatory work which is envisaged to lead to conclusion of a protocol that should govern the proposed regional protection of geographical indications as well as boost development and harmonization of geographical indications laws of Member States.

## Work at Hand

In reference to the activities from first to the fifth, a policy and legal framework was prepared and circulated accordingly during which process it was refined taking aboard all comments and recommendations of stake holders and Member States alike.

With partnership input from the EU, furthermore, the ARIPO Office held workshops on geographical indications in Botswana (from 2 to 3 June) and Mozambique (from 4 to 5 June). Both events were convened under the theme "GIs in Africa: from theory to practice".

During the focus year, furthermore, ARIPO officials also attended a *Training Workshop on Identification and Inventory of Origin Linked Quality Products* from 12 to 16 May in Akosombo, Ghana.

At the global level, the ARIPO Office was represented at the *9th Session of the Working Group on the Development of the Lisbon System (Appellations of Origin)* which was held from 23 to 27 June. This meeting aimed to create mechanisms for making the Lisbon system more attractive to States and users.

## IMPLEMENTATION OF THE MANDATE ON ABS

### Foundations

In October 2010, countries party to the Convention on Bio-diversity (CBD) signed in the city of Nagoya, Japan, the Nagoya Protocol on Access to Genetic Resources (ABS) and the Fair and Equitable Sharing of Benefits Arising from their Utilization.

Recent activities undertaken by the ARIPO Office on access and benefit sharing arising from the use of genetic resources (ABS) emanated from an approval (by the Twelfth Session of the Council of Ministers of ARIPO held in Botswana in 2009) of a proposal for evolution of a regional framework on ABS within the framework of ARIPO.

### Engagements Undertaken in 2014

To keep up the momentum of initiatives for sourcing well accepted practices in ABS, particularly for the ARIPO region, the ARIPO Office fulfilled particular engagements of 2014 at national level and beyond.

For instance, the Office was represented at a *Biodiversity Seminar and Workshop to Review the Draft Zimbabwe National Biodiversity Strategy and Action Plan* in June in Mutare, Zimbabwe. In March, furthermore, the Office attended the *VII Pan-African Workshop on Access and Benefit Sharing* in Cotonou, Benin.

Another international engagement was the *7th Meeting of the Parties to the Cartagena Protocol on Biosafety (Cartagena Protocol COP/MOP 7)* held in October 2014 in Pyeongchang, Republic of Korea.



Expanse of genetic resources at the centre of ABS processes

These activities culminated in further refinement of the ARIPO Draft Policy and Framework on Access and Benefit Sharing Arising from the Use of Genetic Resources in the ARIPO Member States by incorporating the CBD, Nagoya and the IGC processes. The Thirty-eighth Session of the Administrative Council of ARIPO that met in November 2014 took note of this document and approved guidelines on ABS.

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization came into force on 12 October, 2014. It has nine ARIPO Member States (namely Botswana, Gambia, Kenya, Mozambique, Namibia, Rwanda, Sudan, Malawi and Uganda) amongst those worldwide countries that are party to it. Therefore, a guide developed by the ARIPO Office will stretch capability of ARIPO Member States in the tasks of developing national laws and institutional mechanisms for aiding national implementation of that protocol.

# Main Decisions of the Administrative Council

## PLERIMINARIES

The Administrative Council is the second policy making body of ARIPO. It met in its Thirty-eight Session which took place in Victoria Falls, Zimbabwe, from 17 to 21 November 2014.

It attended to many agenda items amongst which were approving the 2015 budget and other vexing issues requiring the Council's attention. The following decisions were taken on the agenda items of the session:

## DECISIONS

### The Director General's Report on the 2014 Activities

This report was made in respect of the programme of 2014 activities undertaken. The Director General informed the session about the status of certain memoranda of understanding signed with some cooperating partners.

He said that the Office had achieved an increase in industrial property lodgments due, mainly, to increased efforts of engagement of users of the ARIPO system as well as particular activities, such as roving seminars and involvement of some Member States' ambassadors, meant for increased participation by Member States in ARIPO activities.

After deliberations on the matters, the session took note of the report.

### Report of the Finance and Audit Committee

Among several items, the report included its deliberations on the programme of activities and budget for 2015 and activities accomplished in 2014. The report highlighted its concern for a deficit in the 2013 financial performance and particular recommendations

it made to the Secretariat regarding data and other concerns. The Director General assured the Council that no more deficits would be incurred.

The Council took note of the report and split the committee into a Finance Committee and a new Audit Committee. It also amended the Financial Regulations of ARIPO by providing for procedure for meeting future deficits.

### Report of the Special Projects Committee

This report covered deliberations and decisions of the committee's first meeting. These were proposals for funding construction of the Headquarters extension and recommendations made to the Administrative Council session.

The Chairman of the Council urged Member States to expedite delivery of their commitments to the project to avoid costly delays in completing the building.

The Council therefore took note of the committee's report and accepted its recommendations—

- (i) to authorize the Secretariat to borrow \$2.6 million for funding the project;

- (ii) to ask Member States to pay their 2016 contributions toward the project together with the 2015 ones;
- (iii) to approve commencement of the project.

### Report on the 2013 Financial Statements

Prepared in conformity with the International Public Sector Accounting Standards (IPSAS), the report covered the Organization's revenue and expenditure for 2013 including net assets therefor.

Revenue for 2013 increased by 9% over the 2012 level. To this, the Member States' contributions amounted to 13% in which the Harare Protocol raised 82% and the Banjul Protocol 4%.

It was noted that expenditure increased by 23% from that obtained in 2012. Standing at 68%, personnel costs were the largest component

Net assets for the year 2013 stood at \$2.1 million.

After deliberations on the matters, the session took note of the report. Further, it directed the Secretariat to study trends of personnel costs against the budget in comparison with other similarly placed international organizations.

## Report on the Member States Financial Position

This report, which covered a period from the last quarter of 2013 to the third quarter of 2014, explained that all Member States party to the Harare Protocol and the Banjul Protocol combined, except the newest member Sao Tome and Principe, earned amounts beyond their levels of membership contributions.

During the focus period, Member States accrued a total of slightly over \$5.5 million. Several Member States made claims from this, including fees to meet membership contributions, thereby leaving a balance of \$4.6 million in the Member States Trust Fund account.

The Council took note of the report.

## ARIPO Reserve Fund

This fund was created for meeting costs of building constructions for the Organization such as the currently planned project for construction of the second extension to the ARIPO Headquarters building

The project is to cost \$3.2 million towards which 36.25% had already been raised by the end of the third quarter of 2014

The Council took note of the status report.

## Draft Comprehensive Audit Plan

The plan contained a schedule of inputs necessary for accomplishing the plan in accordance with the ARIPO Internal Audit Charter.

Furthermore, the Audit Plan presented critical sectors that need to be studied such as assets management, procurement, information on management of ICT.

The Internal Audit Report 2014 examined the Office's compliance to governance documents, employees' files and benefits as well as implementation of the budget.

The session approved the Comprehensive Audit Plan for 2015 and constituted members of the Audit Committee for the period 2015 to 2016. These are Mozambique, Rwanda, São Tomé and Príncipe, Uganda and Zambia.

Finally, the Council also approved terms of reference of the Audit Committee.

## Internal Audit Report 2014

In regard to difficulties of operational separation between financial software Pastel and the main network database POLite, the Director general said that the KOICA Project is envisaged to eliminate this short coming.

The Council took note of the report.

## Draft ARIPO Procurement Policy

In pursuance of a 2013 directive of the Administrative Council, the Office presented for approval a new procurement policy to the session as a reliable guide in tendering processes and activities.

The new ARIPO Procurement Policy was approved.

## Report of the Joint Staff Affairs Committee and Finance & Audit Committee

This is a report by the sixth assembly of both the Staff Affairs Committee and the Finance & Audit Committee to consider matters that had common interest to the work of each of the committees.

The Council therefore discussed gratuity and provident fund while taking cognizance of the need to keep conclusions on these matters within confines of the law.

While taking note of the report, the Council directed the Joint Assembly of both these committees to discuss the matters raised and to report conclusion to the next session of the Administrative Council.

## Report of the Staff Affairs Committee

This report observed the staff turnover, proposed changes to the ARIPO Staff Rules and Procedures, a draft Human resources plan and staff establishment register.

The Council took note of the report.

## Revised ARIPO Staff Rules and Procedures

A set of revisions to the ARIPO Staff Rules and Procedures was presented to the session for approval. These revisions took cognizance of staff rules of similarly placed international organizations and labour laws of the host country Zimbabwe.

The Council approved the revisions with amendments.

## Draft Human Resources Development Plan

By the proposed plan, the ARIPO Office plans to establish a reliable guide for attracting skilled employees, motivating and developing them, sustaining the skilled workforce, and keeping peaceful industrial relations at the Office.

This plan, ultimately, would achieve laid out strategic goals.

The Director General explained that the strategy of results-based management was an important component of the ARIPO Strategic Plan 2016-2020.

The Council approved the Human Resources Development Plan.

## Technical Committee on Copyright and Related Rights

Having been created by the Thirty-seventh Session of the Council, the committee comprised a membership, ratified by the session, of Botswana, Kenya, The Gambia, United Republic of Tanzania and Zimbabwe.

The Council discussed a report of the First Session of the technical committee on , inter alia, activities undertaken in 2014 and the Marrakesh Treaty. It further discussed the imperative need to involve copyright offices of Member States in the Administrative Council proceedings and ARIPO Office's participation in the WIPO Standing Committee on Copyright and Related Rights.

After fruitful deliberations, the Council took note of the committee's report. It directed the Secretariat to ensure communication on copyright and related rights with copyright offices and with the Ministry of foreign affairs of each Member State.

### **Report on Copyright and Related Rights**

This report explained activities accomplished in 2014 in pursuance of the ARIPO Strategic Plan 2011-2015. The Council took note of the report after due discussions.

### **Draft Copyright Awareness raising Guide for ARIPO Member States**

This guide comprehensively presented input and strategies required in establishing awareness programmes and sources of cooperation arrangements, such as ARIPO, WIPO and other copyright practitioners. It proposed use of such effective methods as outreach activities, commemoration of IP days and dissemination of copyright information through social media.

The Council adopted the guide.

### **Guidelines for Signing and Domestication of International Copyright Treaties by ARIPO Member States**

The guidelines presented practice for signing and domestication of international copyright treaties by ARIPO Member States. Of particular focus was the Marrakesh Treaty and its benefits to the Member States.

The ensuing discussion revealed that while a few Member States were already party to the treaty, others were in differing stages of preparing to access to or ratify the treaty.

The Council approved the guidelines.



Mr. B. Twebaze, Chairman of the Administrative Council of ARIPO and Registrar General of the Uganda Registration Services Bureau



Mr. F. Dos Santos, Director General of the African Regional Intellectual Property Organization



Group picture of delegates (top) and proceedings (right and bottom) of the *Thirty-eighth Session of the Administrative Council of ARIPO*



## Technical Committee on Industrial Property and Draft Rules of Procedure for Technical Committees of the Administrative Council

The report of the Fourth Session of the Technical Committee on industrial property presented status levels of many of ARIPO's new mandate areas, notably the plant variety protection system, geographical indications, KOICA Project, the development plan of the ARIPO Academy, genetic resources, the ARIPO protocol, and roving seminars.

In compliance with the Lusaka Agreement, ARIPO's constitutional treaty, the draft rules of procedure were drafted to meet needs of all present and future technical committees.

The Council approved the rules of procedure and took note of the report of the Fourth Session of the Technical Committee on Industrial Property.

Further, the Council elected new members of the committee to replace the outgoing ones. The new ones are Lesotho, Namibia, Swaziland, Uganda and Zimbabwe.

## Report on the KOICA Project for Upgrading of the ICT Infrastructure

This report gave an account on the development of the KOICA Project which is planned to upgrade the ICT infrastructure of the Secretariat and of each one of the ARIPO Member States' industrial property offices. The KOICA Project will foster greater efficiency enabling users to track any record and to perform online data exchange amongst three types of users, namely the ARIPO Office, its Member States and the public.

The report stated that, with four of five phases completed, the project would be implemented in February 2015. With this in view, some experts from the Korean Industrial Property Office (KIPO) are already attached to the Secretariat with more to arrive later.

The project provides for training of users, particularly from the Secretariat and from Member States. Thus, heads of industrial property offices are planned to attend a sensitization seminar in Korea by June 2015.



Left to right:

Delegates from the World Blind Union (Mr. and Mrs. Friend) and a delegate from the African Blind Union (Mr. Nair)

The project system will be linked to each Member State's Industrial Property Automation System (IPAS). This, i.e. IPAS, is an automation system created and supported by WIPO which is used in ARIPO Member States for management of patent, trademark and industrial design data. IPAS will shortly be enhanced by a further project for digitalization of paper-based data in ARIPO Member States.

The Council took note of the report and approved a proposal to integrate Member states' data into the ARIPO regional database.

## ARIPO PVP System and Draft Regulations of the Draft Protocol on the PVP System

A report on development of an ARIPO plant variety protection (PVP) system, and proposed regulations under a draft protocol on the protection of new varieties of plants, presented a detailed account of activities undertaken in 2014.

Notable among these activities was the affirmation by the UPOV Office of the draft protocol's conformity to the 1991 Act of the UPOV Convention. Another activity was a regional workshop held in October 2014.

In 2014, furthermore, His Excellency the Ambassador of the United Republic of Tanzania to Zimbabwe re-affirmed his country's offer of 2013 to host a diplomatic conference for adoption of the draft protocol in 2015 and urged ARIPO to confirm acceptance any time.

The Council took note of the report.

## Technical Committee on Plant Variety Protection

The Council elected Ghana, Kenya, United Republic of Tanzania and Zambia (with Zimbabwe as an *ex officio* member) for the term 2015-2016.

## Swakopmund Protocol and a traditional Know-ledge Digital Library

A report on, firstly, the progress made in implementing the Swakopmund Protocol for Protection of Traditional Knowledge and Expressions of Folklore as well as, secondly, a Project Proposal for the ARIPO Traditional Knowledge Digital Library explained activities undertaken in 2014. It contained, furthermore, activities planned for 2015 and expectation of The Gambia's ratification of the Swakopmund Protocol.

Several delegates gave a status account each of the progress made in their country's effort to accede to or ratify the protocol.

It was noted that the delay to develop the traditional knowledge digital library emanated from the Secretariat's understaffing in this area but that this would be redressed in the Strategic Plan of 2016-2020.

The Council took note of the status report on the Swakopmund Protocol and approved the Project Proposal for the ARIPO Traditional Knowledge Digital Library.

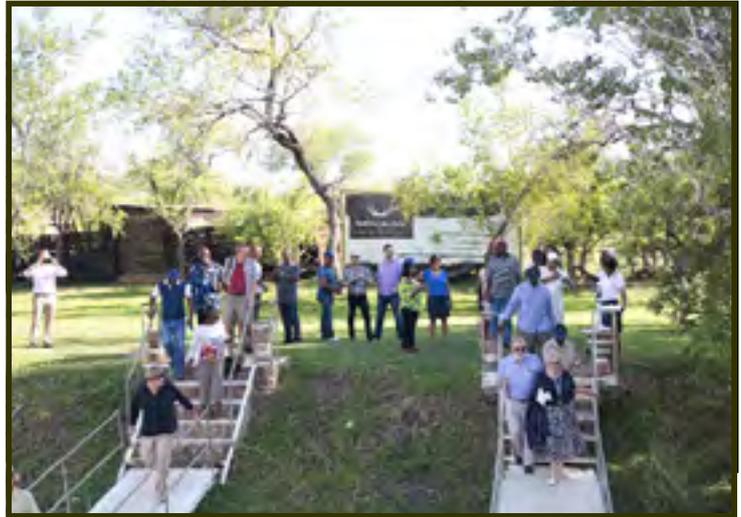
## Draft Legal Framework on the Protection of Geographical Indications

The report detailed a historical account of achievements made in implementation of the mandate on geographical indications before and after the roadmap of 2013. It outlined activities planned for 2015.

It was observed that, except Ghana and WIPO who had done so, all Member States and particular cooperating partners were still awaited to send comments on the draft legal framework.

Member States were requested to appraise the Secretariat regularly with changes in their addresses in order to enable the Secretariat to maintain effective communication.

The Council took note of the report.



Delegates to the session being entertained at the Zambezi River (first two) and at the dinner (above)

## **Report on the Implementation of the ARIPO Academy's Five-year Development Plan**

A report presented on this matter explained activities undertaken in 2014 and all those planned for 2015. It outlined the number of students trained under the Masters in Intellectual Property (MIP) Programme and those sponsored by ARIPO.

After deliberations, which focused mainly on funding of the ARIPO Academy's training activities for Member States, the Council took note of the report. Additionally, it tasked the ARIPO Office to study (with input from the Finance Committee) funding options and report to the Administrative Council.

## **Draft ARIPO Medium-term Strategic Plan Based on Result-based Management Practice for 2016-2020**

Unlike the currently existing one, the forthcoming plan will be driven by a result-based management component that ensures that all activities undertaken lead to the achievement of an auditable outcome.

The lifespan of the new plan is to be guided by a roadmap whose preparatory activities will include engagement of a reputable consultant to train staff on basics of result-based management.

The Council took note of the plan.

## **Report on Agreements With Cooperating Partners**

A report on this subject detailed five cooperating partners with which the Office concluded, fresh or renewal, agreements in pursuance of Article VI of the Lusaka Agreement.

These cooperating partners were IMPI Mexico, State Administration for Industry and Commerce (SAIC) of China, IP Australia, OHIM, and NORCODE of Norway.

The Council took note of the agreements.

## **Revised Policy Framework on Access and Benefit Sharing**

The document explained progress made in preparing the Revised Draft Policy Framework on Access and Benefit Sharing Arising from the Use of Genetic Resources.

It further contained a proposal for use by ARIPO Member States in requesting the ARIPO Office to do studies on the disclosure requirement provision in Member States' patent laws and in the Harare Protocol. This clause is in meeting with an instruction by the African Group of the IGC of the World Intellectual Property Organization to African countries in order to make their patent laws receptive to the Nagoya Protocol which the Office has urged its Member States to accede or ratify.

Member States were informed that the Secretariat will undertake the said study in early 2015 and make results known to them.

The session took note of the document.

## **Proposal to Amend the Harare Protocol to facilitate Accession to the Hague Agreement**

The proposal presented a history of the Harare Protocol and the purpose for planning to link it to the Hague Agreement.

It was noted that only 5 of the protocol's 18 contracting States are party to the Hague Agreement and that all Member States, including the 5, were urged to amend their laws in order to convert the ARIPO region's multi-routed industrial designs system into a unitary one served solely by the ARIPO Office.

The Council took note of the proposal and concluded that each Member State must amend its industrial designs law accordingly to exclusively empower the African Regional Intellectual Property Organization to manage industrial designs functions centrally.

## **Report on Roving Seminars and Evaluation of the Country Action Plan**

This report contained, *inter alia*, recommendations by all roving seminars held in Member States, objectives of all those roving seminars and economic indicators of the countries targeted for the seminars.

There were five Member States that had benefited from the roving seminars. These were Swaziland Mozambique, Liberia, Sierra Leone and The Gambia. A total of 258 attended these seminars.

The Council took note of the report and the evaluation of the country action plans.

## **Report on the Implementation of the Recent Amendments to the Banjul Protocol**

The report contained an explanation of the status of the Banjul Protocol on ratifications, its performance and the performance specifically of the individual fee structure introduced in meeting with the WIPO Madrid System.

It was observed that the United Republic of Tanzania would be the first Member State to take advantage of the individual fee structure and that notifications from Member States on the individual fee structure would take three months before becoming operational in that State.

Valuable comments made in the session included a request for all Member States to advise the ARIPO Office on obstacles that prevent them from signing the Banjul Protocol.

The Secretariat explained that the Banjul Protocol underwent changes in the year in order to make the protocol much more effective and efficient and that Member States would be losing nothing to sign the protocol as it is more beneficial to them to sign than being excluded from the protocol.

The Council took note of the implementation of the amendments.

## Draft Programme of Activities and 2015 Budget Therefor

The Draft Programme of 2015 Activities and Budget Therefor was comprised of 15 programmes into which activities were clustered.

Notable among these activities was the plan to hold a diplomatic conference for the Adoption of a Protocol for Protection of New Varieties of Plants. The Draft Programme also earmarked roving seminars in several Member States.

As for the Draft Budget, expectations for the Organization's expenditure and income stood at, respectively, \$5.2 million and \$5.5 million.

The Director General assured the Council of institution in 2014 of an aggressive strategy for elimination of a backlog of unexamined patent applications by mid-2015 and for ensuring non-accumulation of any backlogs.

The Council approved the Programme of 2015 Activities and Budget Therefor.



The three pictures: delegates to the session at the dinner party

# Missions to Member States

## GENERAL OVERVIEW

During the Thirty-seventh Session of the Administrative Council which was held in Kampala, Uganda from 25 to 26, November 2013, the Administrative Council directed the Secretariat to undertake Roving Seminars to the Member States of ARIPO. The main objective of the Seminars was to demystify intellectual property in all sectors of the economy, sensitize participants on the operations of the ARIPO Office and to enable the Office to tutor national offices in the processing of applications which use the ARIPO route.

## ROVING SEMINARS

### Swaziland: 24 to 26 March

#### Background

From 24 to 26 March, the ARIPO Office held twin seminars in Mbabane, Swaziland. While the first of these covered industrial property, the second focused on the protection and utilization of traditional knowledge, expressions of folklore and genetic resources.

A technical training session was undertaken during the last two days of the seminars and covered practical training on ARIPO procedures and management of a national IP office.

The ARIPO Office was represented by Mr. F. Dos Santos (Director General), Mr. C. Kiige (Director of Industrial Property), Mr. E. Sackey (Chief Examiner) and Mr. C. Pundo (Head of Formality Examination).

#### Joint Opening of the Seminars

The seminars were officially opened by the Minister of Commerce, Trade and Industry, Mr. Gideon Dhlamini.

#### Seminar on Industrial Property

This was held from 24 to 26 March, 2014 and was attended by 44 participants. While covering the general subject "Intellectual property", it went into the following details:

- (1) Swazi registration procedures and challenges;
- (2) international and regional IP systems;
- (3) use of IP to promote innovation;
- (4) making better use of technological information;
- (5) marks as a tool for adding value to products and services;
- (6) using designs, utility models and marks to enhance competitiveness of micro, small and medium enterprises;
- (7) commercialization of research results;
- (8) Harare Protocol procedures (and improvements thereto) on patents, utility models and designs;
- (9) exercises in the processing of marks at the ARIPO Office; and
- (10) a roundtable discussion on maximizing IP for economic development in Swaziland.

#### Seminar on Protection and Utilization of TK, Expressions of Folklore and Genetic Resources

The second seminar was attended by over 40 participants. It focused on the protection and utilization of traditional knowledge, expressions of folklore and genetic resources.

This second seminar, which was held from 27 to 28 March was dedicated to the following topics specifically:

- (1) concepts and systems of traditional knowledge, folklore and associated genetic resources;
- (2) international developments and debates on the protection of TK, GRs and folklore;
- (3) development of the Swakopmund Protocol and its implementation;
- (4) implementation of the Convention on Biological Diversity and the Nagoya Protocol;
- (5) copyright protection and promotion of cultural industries;
- (6) practical measures to support effective protection of TK, GRs and folklore: inventories and databases;
- (7) promotion of TK-based industries (branding and innovation).

## Issues Raised by the Seminars

Both seminars urged ARIPO Member States to address several critical issues in order to move forward in beneficial implementation of intellectual property. These are as follows:

- (a) the countries should update their national policies and laws to enhance their benefits from intellectual property,
- (b) participation in the ARIPO National Roving Seminars should provide platform for exchange and sharing of experiences,
- (c) legislators and policy-makers should be trained on the urgent need to legislate regularly and without delay on IP,
- (d) they should ratify/accede to the Swakopmund Protocol, Nagoya Protocol and Banjul Protocol and domesticate these obligations in their relevant national law and implement those obligations,
- (e) they should establish national competent authorities to manage traditional knowledge, and folklore,
- (f) they should create more awareness on IP and capacity building through partnerships in the use of traditional knowledge for nature conservation, hydrological disaster management and promotion of tradition-based industries.



Front row: The Minister, Hon G. Dhlamini, is 3rd from left with his permanent secretary (on his left). The Director General of ARIPO is 2nd from left with a member of his mission staff (1st). Others are Swazi IP Office staff, resource personnel and participants

## Country Action Plan

During the Seminars, participants updated a draft national action plan prepared by ARIPO as input for the ARIPO Strategic Plan 2016-2020. Recommendations on the protection and utilization of traditional knowledge, expressions of folklore and genetic resources were made by participants who attended the second seminar.

## Recommendation

The seminars recommended that the ARIPO seminar topics should include introduction of ARIPO and its substantive activities.

## Mozambique: 21-25 April

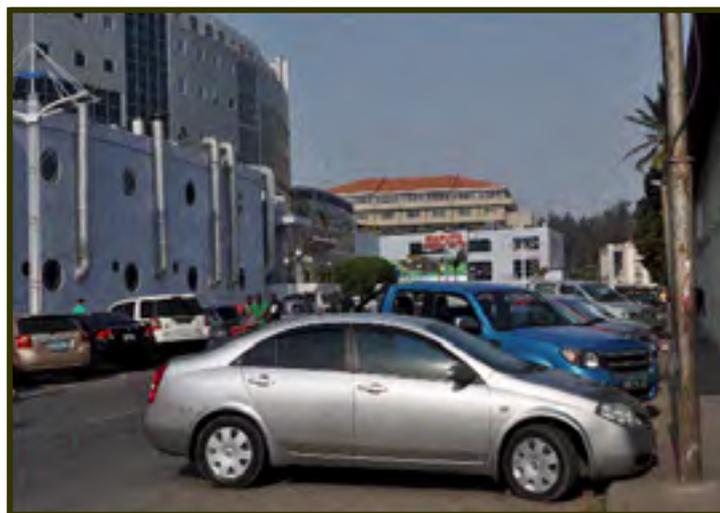
### Introduction

During the year, the ARIPO Office held twin seminars in Mozambique consecutively from 21 to 25 April. While the first seminar covered plant variety protection, the second focused on copyright and related rights.

### Mozambican Seminar on Plant Variety Protection

Held from 21 to 22 April, this seminar was attended by 43 participants. The Director General of ARIPO officially opened the seminar which focused on the following topics:

- (1) objectives and expected results of the ARIPO national seminars;
- (2) ARIPO mandates and functions;
- (3) introduction to plant variety protection under the UPOV Convention;



Maputo Shopping Centre, in the City of Maputo, Mozambique

- (4) level of agricultural productivity and food security in Africa;
- (5) key provisions on the draft ARIPO PVP Protocol;
- (6) using PVP to deliver public goods;
- (7) developments on the establishment of a PVP regional system in ARIPO;
- (8) regulations for the protection of new varieties of plants;
- (9) benefits of the PVP system to breeders, farmers and industry;
- (10) relationship between the UPOV Convention and other international treaties;
- (11) concerns raised by civil society organizations.

### Issues Raised at the First Seminar

The seminar observed the following:

- (1) lack of awareness of IP;
- (2) need for capacity building in the area of PVP;
- (3) harmonization of laws on PVP;
- (4) implementation of the new PVP law.

### Seminar on Copyright and Related Rights

Officially opened by the Minister of Culture, Hon Armando Artur, the seminar was attended by 60 participants and was held from 23 to 25 April 2014.

This seminar was specifically devoted to the following topics:

- (1) overview of both IP and ARIPO;
- (2) principle of copyright and related rights;
- (3) management of copyright and related rights and the necessary environment for effective collective management;
- (4) economic contribution of copyright and related rights;
- (5) strategies for the development of cultural industries in Mozambique;
- (6) promotion and protection of traditional knowledge, past, present and future;
- (7) IP enforcement;
- (8) intellectual property system of Mozambique;
- (9) experiments on piracy and counterfeiting;
- (10) economic and social benefits of membership in the Mozambican Musicians;
- (11) collective right management of authors, situation of collective management in Mozambique; and
- (12) situation of copyright and related rights in Mozambique: challenges and possible solutions.



Cultural dancers at a performance at a national event in Maputo.

### Issues Raised at the Second Seminar

Participants at the Seminar on Copyright and Related Rights observed the following critical issues:

- (1) lack of collaboration between key institutions;
- (2) protection of folklore;
- (3) address needs of the Mozambique Association of Authors (SOMAS);
- (4) strategies of devices to combat copyright infringement;
- (5) awareness raising;
- (6) complete implementation of the Act 10/98; and
- (7) establish a point where rights holders can submit complaints for infringement of their rights.

### Development of a Country Action Plan

Participants participated in compilation of the country's report for ARIPO's country action plan for Mozambique, detail that served as input into development of the ARIPO Strategic Plan 2016-2020.

### Recommendations by Both Seminars

Participants of both seminars indicated that they would appreciate if programme literature pertaining to a seminar is circulated prior to the seminar and that the country action plan is circulated to the relevant institutions for further comments and additions.

### Parallel Events

The Director General of ARIPO attended two live breakfast-interviews presented at a station of the national television broadcaster. This was aimed at raising public awareness on not only intellectual property but also on ARIPO and its services.

## The Gambia: 4 to 6 August

### Introduction

The Seminar was held from 4 to 8 August and was divided into a part for industrial property and a second for traditional knowledge. The third part was held in the form of a technical mission to the local industrial property office.

These parts of the roving seminar were opened by the Attorney General and Minister of Justice, Hon. Justice Mama Fatima Singhateh, who thanked the Director General for choosing The Gambia to be amongst the earliest Member States to benefit from the roving seminars. In total, the Seminar was attended by about 60 participants.

### Seminar Content

Proceedings of the seminar comprised, firstly, concepts, institutional and the legal framework in the management of intellectual property at national, regional and international levels, secondly, how to use intellectual property to promote innovation and business competitiveness as well as how to commercialise research results, and, thirdly, a discourse on administrative and registration procedures under national and regional routes. Local inventors, furthermore, were allowed a chance to demonstrate their electronic inventions.

### Meeting with Government Officials

During the mission to The Gambia, the Director General visited the office of the Attorney General and Minister of Justice, Hon. Justice Mama Fatima Singhateh. He explained advantages to the Republic of The Gambia of utilizing intellectual property. Further, he emphasized the need for that country to accede to the Banjul Protocol, signed in that country in 1993, and to the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore.



The Director General of ARIPO (6th from right) with his mission staff and participants



Miss P. Rewayi, Formalities Examiner at the ARIPO Office, delivering her lecture at the seminar

## TECHNICAL MISSIONS TO MEMBER STATES

### Technical Mission to the Kingdom of Swaziland

#### Background

This technical mission made to the Swaziland Patent Office from 27 to 28 March was consecutive of the roving seminar held in the country from 24 to 26 March.

It aimed to help personnel in that national office acquaint themselves with understanding the ARIPO system in regard to patents, trademarks and industrial design processes.

The ARIPO Office was represented by Mr. C. Pundo (Head of Formality Examination).

#### Observations

The ARIPO Office requires to enhance capability of the Swaziland Patent Office in handling, processing and organization of industrial property applications received *en route* to or from the ARIPO Office.

That is, besides that personnel of the local office require training updates in these processes, the office itself should be equipped with information storage and retrieval equipment. The matter of equipment should be resolved by that office without delay.

Installation of IPAS, coupled with training of local office personnel in using IPAS, should be undertaken as soon as possible in preparation of the coming into effect of the KOICA Project network system between the ARIPO Office and its Member States.

### Zimbabwe Workshop on TISCs

#### Background

The Technology and Innovation Support Centers (TISCs) were established by WIPO following a recommendation of the Development Agenda. With the launching of this idea in 2009, numerous TISCs were established around the developing countries by 2013 as well as one at the Zimbabwean National University of Science and Technology (NUST) in Bulawayo.

#### Opening

The workshop's opening ceremony was presided over by the Pro-Vice Chancellor of NUST, Professor S. Sibanda.



Rock formation in the Great Zimbabwe Monument, near Masvingo (southern region of Zimbabwe). Piling rock formation is a land feature that uniquely identifies the country

The Director General of ARIPO delivered a keynote address on "*Fostering Innovation through IP – the role of TISCs*". NUST undertook to maximize benefit from Mr. Dos Santos's experience in TISCs having himself established one when he was Director General of IP Mozambique before joining ARIPO. One of subjects he touched was ARIPO's role in promoting use of intellectual property.

#### Consultations

The Director General of ARIPO held meetings with NUST officials including the Director of the NUST Technopark, Professor E.G. Mute-twa.

The workshop presented itself as a medium of promoting ARIPO's corporate image among R&D and academic institutions in the Republic of Zimbabwe.

### Technical Mission to Sierra Leone

#### Overview

A technical mission made to the national industrial property office of Sierra Leone was concurrent to a roving seminar held by the ARIPO Office from 21 to 23 May 2014. On this technical mission, the ARIPO Office was represented by Mr. K. McDave (Legal Officer) and Mr. C. Pundo (Head of Formality Examination).

#### Purpose

The mission aimed to acquaint personnel of the Sierra Leonean patent office with procedures under the Harare Protocol, particularly their responsibilities in regard to those procedures. In the process, the ARIPO team looked forward to identifying obstacles of operation of the protocol being experienced by that national office.

## Training of Local Personnel

An official of the local office conducted The ARIPO team in tour of the office before a detailed training followed. This induction focused on the processing of applications under the Harare Protocol and an in depth study of case studies of patent and industrial design applications that designate Sierra Leone. This enabled discussion of formality examination applicable at national level as well as operational difficulties encountered in this work by the Sierra Leone patent office.

## Challenges and Recommendations

In its work of implementing its responsibilities at national level under the Harare Protocol, the national office of Sierra Leone faces three main types of problems. Firstly, its patent legislation is still dependent on the United Kingdom one. Secondly, personnel lacked expert knowledge of the Harare Protocol procedure and therefore what is expected of them under the protocol. Thirdly, the office is insufficiently equipped with storage and retrieval facilities for applications handled under the protocol.

Besides the country's need to modernize its patent law, local personnel should be rigorously trained in handling ARIPO applications and the information emanating from the ARIPO system. The ARIPO Office is readily available to train the personnel and to assist that Member State in modernizing its patent law.

## Training of Personnel in The Gambian Industrial Property Office

Personnel of the national office were introduced to the Harare Protocol and to the processing of applications through the protocol. The training placed emphasis on procedural tasks which that office should execute under the protocol, particularly for the granting of IP Titles. The training included practical exercises and demonstrations based on diagrams of the workflow in the processing of patents, utility models and industrial design applications.



The Director General of ARIPO with his mission staff, staff of the local IP office, other resource personnel and participants



Proceeding of the seminar held in Sierra Leone

## Mission and Technical Assistance to Sao Tome and Principe

### Background

After accession by the Democratic Republic of Sao Tome and Principe to the Harare Protocol and thereby becoming an ARIPO Member State, the Director General and the Director of Industrial Property undertook a roving seminar and technical mission to the country from 31 July to 1 August, 2014.

The mission aimed to sensitize all stake holders and policy makers on the obligations and benefits to the Democratic Republic of Sao Tome and Principe of ARIPO membership. It furthermore aimed at training members of staff in the national office on the processing of applications which come through the Harare Protocol.

A National Seminar on the Operations of the ARIPO Office and on the benefits to the Democratic Republic of Sao Tome and Principe from the use of intellectual property was organized by the National Office. The Director General also used the opportunity to discuss with Government policymakers and the private sector.

### The National Seminar

The Seminar was opened by a representative of the Minister of Commerce, Industry and Tourism who emphasized the importance of both intellectual property and a link to ARIPO for facilities and benefits which it offers as a regional industrial property office.

Participants were introduced to intellectual property, the Democratic Republic of Sao Tome and Principe's intellectual property system and its standing in the regional and international systems, use of intellectual property to promote innovation, as well as business competitiveness and commercialization of inventions and search results for social and economic development.

The Seminar was attended by about 80 people who represented the whole economic spectrum of the country including academia, researchers and stakeholders of not only industrial property but copyright too. Traditional dancers also graced the function.



The Director General of ARIPO with his mission staff, staff of the local IP office, other resource personnel and participants



Resource personnel and participants viewing an online process



Front row: The Director General (right) with Mr. Kiige (Director of Industrial Property) (first) during the seminar proceeding

## Technical Assistance to the National Office

During the mission, personnel of the national industrial property office were introduced to the Harare Protocol and how to process applications through the protocol. Emphasis was placed on procedural responsibilities of the office under the protocol. Training methodology took the form of lectures, practical exercises and demonstrations based on workflow diagrams of patent, utility model and industrial design applications.

## Parallel Meetings

The Director General visited the Minister of Foreign Affairs, Cooperation and Communities, Hon. Natalia Umbelina, and the Minister of Commerce, Industry and Tourism, Hon. Demostene Pires Dos Santos. He explained that ARIPO was very happy for the country's membership and to sign the Harare Protocol. Furthermore, he outlined advantages which ARIPO membership (and being a Harare Protocol contracting state) is to offer to the country which he urged to consider acceding, as well, to the Banjul Protocol.

Further, the Director General held a meeting with the United Nations Resident Coordinator and UNDP Resident Representative, Mr. Jose Salema, at the latter's offices. This meeting discussed best ways of maintaining cooperation between both institutions for the socio-economic development of the Democratic Republic of Sao Tome and Principe through use of Intellectual Property.

Another valuable output of the mission was a proposal to the Director General by the Chief Executive Officer of Banco Internacional, Mr. Acacio Elba Bonfim, for finding modalities for financing of local inventions and research results based on the possibility of recommendations from the ARIPO Office.



Cultural dancers performing at the national seminar



A toddler heavily geared up for the cultural dance and pointing to self saying "See? This is how it is done!"

## Technical Mission to the Liberian Intellectual Property Office

### Background

The technical mission was undertaken by the ARIPO Office to the Liberia Intellectual Property Office (LIPO) simultaneously with a roving seminar by the Organization to that country held from 28 April to 2 May.

### Objectives

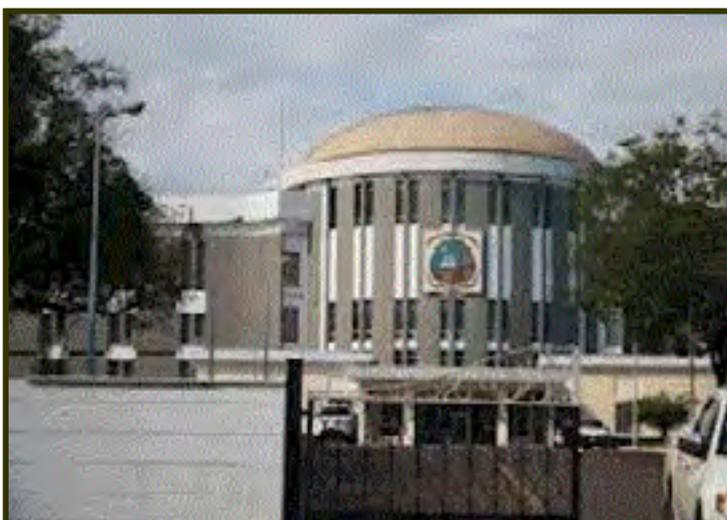
The technical mission aimed to strengthen the working relationship between the ARIPO Office and LIPO with particular focus on enabling LIPO to fully understand and undertake its responsibilities under the Harare Protocol and the Banjul Protocol. With these in mind, therefore, the mission aimed to perform the following:

- (a) to conduct a practical training on processing of ARIPO applications under both protocols,
- (b) to discuss challenges faced by LIPO staff in processing ARIPO applications,
- (c) to demonstrate case studies on processing of ARIPO applications designating the country,
- (d) to discuss related topics with the Liberia officials and challenges faced by the office.

### Training

Thereafter, the training to 11 staff was held and it covered a variety of such useful topics as—

- (a) processing of applications under the Harare Protocol and Banjul Protocol and responsibilities of a receiving office and designated office,
- (b) how to manage forms received from the ARIPO Office, and how to generate forms, under the protocols,
- (c) case studies on processing of ARIPO applications designating Liberia,
- (d) filing system for the ARIPO traffic of industrial property applications, forms and miscellaneous correspondence,
- (e) challenges faced and ways of overcoming such to improve the system.



A government building, Monrovia, Liberia.



A view of Monrovia, Liberia.

# Capacity Building

## DEVELOPMENT PROGRAMME OF THE ARIPO ACADEMY

The ARIPO Academy, inaugurated in 2006, evolved a five-year development plan for 2011-2015 which was approved by the Council of Ministers at its Thirteenth Session held on 1 and 2 December 2011 in Accra, Ghana. The plan was in respect of training programmes, academic programmes, executive and professional programmes. Furthermore, it focused on development of infrastructure as well as strengthening of institutional linkages and strategies plans for sourcing funds to meet some of the budgetary needs of the Academy.

A report on activities undertaken in 2014 by the ARIPO Academy in pursuance of the development programme of 2011-2015 was approved by the Thirty-eighth Session of the Administrative Council which sat in November 2014. These activities are highlighted below in this chapter.

## TRAINING ACTIVITIES ORGANIZED BY ARIPO

### Masters Degree on IP at Africa University

In conjunction with WIPO and Africa University, the ARIPO Academy offers a programme of Masters degree in Intellectual Property (MIP) at the campus of Africa University in Mutare, Zimbabwe.

This programme enrolled its First Cohort in 2008 such that during 2014, the 7th Cohort was running whilst the 6th Cohort had graduated earlier in the year.

Of the 35 students of the 7th Cohort, ten were sponsored by the Organization. These came from Botswana, Ghana, Kenya, Malawi, Mozambique, Namibia, United Republic of Tanzania, Uganda, Zambia and Zimbabwe.

Since commencement in 2008 of the MIP Programme, ARIPO has sponsored 33 while WIPO and the Japanese Government (under the Japan Funds-in-Trust) sponsored 130 and 18 respectively leaving out for self-sponsorship only 35 students.

As for graduating students, the programme graduated 36 students in 2014, six of whom had been under ARIPO sponsorship. The graduation ceremony took place at the Mutare campus of Africa University in the Eastern Highlands of Zimbabwe.

### Parallel MIP Programmes at Other Universities

In 2013, the Organization had signed a memorandum of understanding with the University of Dar es Salaam and the Business Registrations Agency (BRELA) under which the university would manage another MIP Programme parallel to the Africa University one.

As the university required more time to make internal preparations for launching this new programme, the programme commencement date was shifted from May 2014 to March 2015. The university, however, had produced the programme's curriculum which the ARIPO Office approved.

Once the MIP Programme of the University of Dar es Salaam is running, the Organization plans to introduce a similar programme at the Kwame Nkrumah University of Science and Technology in Ghana. This will take care of clientele in west Africa.

### Cooperative Activities and Funding Options

As in the past years since conception of the MIP Programme of Africa University, management of the programme during the 7th Cohort of 2014 was shared amongst the university itself, ARIPO and WIPO.

ARIPO's training portfolio, however, boosted by OHIM when an addendum was signed in 2014 between that office and the ARIPO Office under an existing cooperation agreement.

The OHIM agreement will be viable in meeting some of the training costs of the ARIPO Academy more so at this time when internal ARIPO resources are stretched over commitment to complete the second headquarters extension block in Harare, Zimbabwe.

## Short-Term Training Programmes held by the ARIPO Academy

Beyond the flag-ship academic programme, the ARIPO Academy hosted several short-term training programmes for, largely, personnel of ARIPO Member States. These were the following:

- (1) *Workshop for heads of police academies for ARIPO Member States*, held from 9 to 11 July;
- (2) *Workshop on access to scientific and technical information for technological capacity building and product branding for goods of export interest for English-speaking least developed countries*, held from 21 to 24 October;
- (3) *Regional workshop on human resource development of patent/trademark agents from ARIPO Member States and observer states*, held on 27 and 28 October;
- (4) *Regional workshop on the Draft ARIPO Protocol for the Protection of New Varieties of Plants*, held from 29 to 31 October;
- (5) *Sub-regional public-private workshop on advancing collective management in Africa*, held from 5 to 7 November;
- (6) *WIPO-ARIPO Sub-regional training of trainers programme on effective IP asset management by SMEs*, held from 16 to 28 November;
- (7) *WIPO-ARIPO regional workshop on patent drafting*, held from 1 to 4 December.

These training programmes were held in conjunction with cooperating partners.



Workshop for heads of police academies of the ARIPO Member States, 9 to 11 July, ARIPO Academy, Harare



7th Cohort of MIP students at Africa University, Mutare campus, with lecturer Ms F. Mpanju (middle, white top). 9 October



Participants of the *Regional workshop for IP attorneys from ARIPO Member States and observer states* at break at the Academy. 27 to 28 October

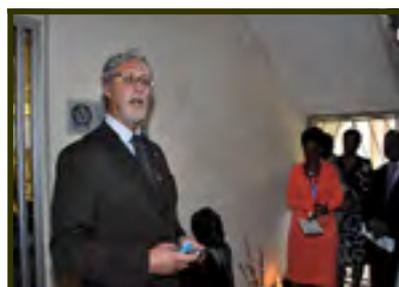
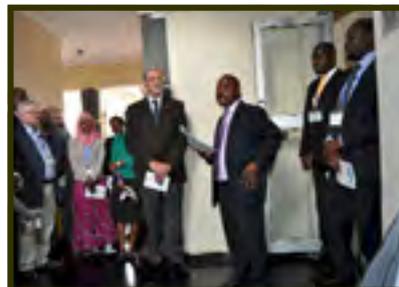
## Unveiling of Statue of Dr. Ulrich Uchtenhagen

On 5 November 2014, the African Regional Intellectual Property Organization unveiled a sculpture in honour of the late Dr. Ulrich Uchtenhagen at its headquarters in Harare, Zimbabwe.

Born in Zurich, Switzerland, on 13 July, 1926, Dr. Uchtenhagen died in a car accident on 31 January 2003 when he had just arrived in Zimbabwe to work as a WIPO consultant based at ARIPO with the duty to train ARIPO members of staff on copyright and related rights. This was after the Organization had just assumed the copyright mandate.

Several eminent persons in the field of copyright and related rights, and those with whom Dr. Uchtenhagen had worked, witnessed the ceremony. Amongst these were Mr. Rob Hooijer (a South Africa based consultant), Ms. Tarja Koskinen-Olsson (a Sweden based consultant), Chief Tony Okoroje (from the Copyright Society of Nigeria), Mr. Serman Chavula (of Southern and Eastern Africa Copyright Network) as well as the Swiss Ambassador to Zimbabwe, His Excellency Mr. Luciano Lavizzari.

The Zimbabwean copyright and related rights fraternity and other distinguished persons also graced the solemn occasion. Amongst these were Ms P. Ncube, Manager of the Zimbabwe Music Rights Association and Mr. G.H. Sibanda (former Director General of ARIPO).



From left to right (from top):

(1) The bust which was being unveiled; (2) Ms P. Ncube addressing the audience; (3) Mr. R. Hooijer speaking; (4) The Director General of ARIPO addressing the audience; (5) Mr. S. Chavula speaking; (6) Ms T. Koskinen-Olsson speaking; (7) The Director General of ARIPO presenting the Ambassador with a token gift; (8) The Ambassador, H.E. L. Lavizzari, addressing the occasion; (9) The space in which the ceremony was held was fully packed and so some members of staff had to go to the first floor landing above to listen to the proceedings

# Human Resource Development

## INTRODUCTION TO THE CHAPTER

In 2014, human resource development saw a hive of activities. It witnessed two staff resignations, one elevation and three new recruitments. All the personnel filling positions, Zimbabwean nationals, brought with them rich backgrounds of past experience.

The year also had a solemn moment at the passing away of one of the long serving and dedicated officers.

Thirdly, many officers attended short-term training courses in subjects of their specifications of duty. These

ranged from reception and office administration, secretarial and protocol to transport logistics and fraud prevention. Further courses were procurement, finance and operation of the industrial property systems of the Organization (such as trademarks, geographical indications, patents, utility models, industrial designs, and copyright).

While many of these courses were met from the Organization's own budget, several others were sponsored by ARIPO's cooperating partners.



Mr R. Chiweza

## INTERNAL TRANSFER

During 2014, increased activities of the KOICA Project compelled the creation of a post of Senior Assistant Systems Administrator. The KOICA Project, a brainchild of WIPO and the Republic of Korea, plans to develop ICT systems of the ARIPO Office and its Member States. To take charge of the ARIPO Office's ICT technical roles in the project, Mr. R. Chiweza was appointed to the post on 1 July.

Then Assistant Systems Administrator at the ARIPO Office, Mr. Chiweza came to the KOICA Project with an affluent working background. Before he joined the ARIPO Office on 1 September 2002, he had worked with Afrosoft Corporation as a Senior Systems Development Consultant in 2002 and before that as Senior Systems Developer/Analyst, between 1999 and 2002, at ICL Zimbabwe.



Mr G.A. Mhlakaza

## RECRUITMENTS

The Organization's dramatic growth came, firstly, when the Harare Protocol and the Banjul Protocol, respectively, became operational and, secondly, ARIPO's mandates grew with newer portfolios. The newer portfolios brought about manpower growth at the Secretariat. So, a Senior Assistant Human Resources Officer. Mr. G.A. Mhlakaza, was recruited on 1 May.

Before then, Mr. Mhlakaza (Zimbabwean national) worked at Amtec Motors (Private) Limited in Zimbabwe in various positions from 2006 to 2014 leading to a position of Senior Human Resources Officer which he held when he left for the ARIPO Office. Before 2006, he had been a Human Resources Officer at Deicov Holdings (Private) Limited.



Mr A. Antonio

Another appointment was of Mr. A. Antonio who joined the ARIPO Office on 17 March as a Senior Driver. Before then, he had served Action Aid in various capacities between 1996 and 2012.

In transport fleet, Mr. Antonio was joined by Ms S. Mangena as Driver from the United Nations Development Programme (UNDP) which she had been serving as Driver/Transport Assistant from 2010 to 2013.

Before UNDP years, Ms Mangena had worked at Detema Safari Lodge as a Driver/ Guest Relations Officer from 1995 to 2001, at Nyaya Industries as a Sales and Distribution Officer from 2001 to 2008 and at ZNPP as Driver/Administrative Assistant from 2009 to 2010.



Ms S. Mangena

## SEPARATION

During the year, there were some officers that left the Organization's service for various reasons. These were Mr. K. McDave (Legal Officer), Ms N.K. Monyatsi (Copyright Officer) and Mr. I. Songeya (Systems Administrator).

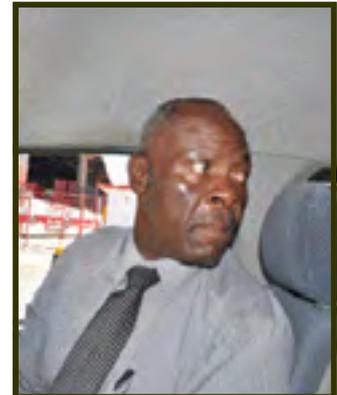
Immediate below, left to right:  
Mr. K. McDave  
Mr. I. Songeya  
Ms N.K. Monyatsi



## PASSING AWAY

The ARIPO Office happened to be severely set back at the beginning of the year by the unfortunate death of Mr. T. Mberewere who died on 3 February at his home stead east of Harare.

Far right: Mr. T. Mberewere  
Right: Mourners attending a prayer ceremony at his funeral



## TRAINING OF ARIPO OFFICERS

### Training Course for Patent Examiners in the Field of Biotechnology

Organized by the Japan Institute of Invention and Innovation (JIII), the course was held at the Asia-Pacific Industrial Property Centre from 12 to 19 February. Besides participants from, mainly, Asia-Pacific states, it was attended by officials from OAPI and the ARIPO Office. The latter was represented by Mr. S.A. Ramadhan (Patent Examiner [Biotechnology]).

The course acquainted participants with current trends, modern practices and methodologies in examination of patent applications in biotechnology. In addition to exposing them to field studies, it enhanced participants' professional capabilities for examination of biotechnology patent applications.



From left: Mr. A. Ibrahim and Mr. S. Ramadhan

### Best Practices in Managing Libraries, Information and Resource Centres

Intelligent Africa Marketing and Training organized this training session in Johannesburg, South Africa, from 18 to 21 February. Targeting library and information science practitioners, it was attended by Mr. C. Satumba (Assistant Librarian) who runs the ARZ Library of the ARIPO Office.

The training covered rich subjects such as domestication of the Universal Decimal Classification (UDC) to meet needs of special subjects, managing online resources, enhance appreciation of ICT's role as well as that of digital libraries. The training was, inter alia, used to analyze strengths and weaknesses of the ARZ Library.



Mr. C. Satumba

### Course for Patent Examiners on Optical Apparatus

This course was held from 20 to 27 February by the Japan Patent Office in cooperation with WIPO in Japan. The course, very intensively organized over the little time it covered, acquainted participants with current trends in examination of patent applications in that technical field.

Convened under sponsorship of Japan-Funds-in-Trust, the course brought out competitive trends amongst companies that pry the optical tools trade and manufacture. The course was attended by Mr. A. Ibrahim, a Patent Examiner at the ARIPO Office.

### Training on Government Budgeting and Annual Reporting

This was another training session organized by Intelligent Africa Marketing and Training and it was held in Johannesburg, South Africa, from 10 to 14 March 2014. It was attended by Ms P.S. Kaibe, Senior Finance Officer.

This training enriched participants' knowledge of the four types of budget and conditions where each suits best for application. A management tool known as Medium Term Expenditure Framework was discussed in relation to an institution's strategic plan. The seven stages of budget life were outlined as being preparation, consultation, approval implementation, budget control, reporting and review stages.



Ms P.S. Kaibe

In turn, outputs and inputs of each one of these stages were identified and that, if applied correctly, these stages of a budget life are bound to bring about good benefits of a budget implementation programme.

### **Seminar on Trademarks at OHIM**

The Office for Harmonization in the Internal Market (OHIM) organized a Seminar on Trademarks at OHIM in Alicante, Spain, from 10 to 14 March. The ARIPO Office was represented at this seminar by Ms P. Sireu, Assistant Formalities Examiner.

The main aim of this training session, in consequence, was to acquaint participants with knowledge of trademark operations of OHIM including legal foundations and the appeals board.

### **Eastern Secretaries' and Pas' Conference**

During the period 20 to 22 March, senior secretarial staff of the ARIPO Office attended an Eastern Secretaries' and PAs' Conference which was organized by Eve Employment Consultancy in Nyanga, eastern highlands of Zimbabwe.

These senior secretaries were Mrs. M. Muzah (Personal Assistant to the Director General), Mrs. B. Pote (Principal Secretary) and Mrs. B. Mushaniga (Senior Secretary). They were accompanied by Ms G. Mutukudzi (Secretary) and Ms N. Kavaza (Secretary).

The conference aimed mainly to refresh practitioners in the secretarial profession with new practices and how to survive modern change. Besides enhancing their leadership and management skills, participants were tutored in skills for managing difficult key personnel and work situations.

### **WIPO Inter-regional Workshop for Local Experts on Capacity Building in Copyright**

With cooperation from the Korea Copyright Commission and the Korean Ministry of Culture, Sports and Tourism, WIPO hosted an Inter-regional Workshop for Local Experts on Capacity Building in Copyright in Seoul, Korea.

Organized from 9 to 11 April, the workshop was attended by Ms K.N. Monyatsi (Copyright Officer) at the ARIPO Office. The workshop aimed to enhance capacity of participants in their daily routine of implementing copyright programmes and activities as well as give participants a podium for updating their professional understanding of copyright and related rights.

### **Workshop on Identification & Inventory of Origin Linked Quality Products**

Co-organized by the Food and Agriculture Organization (FAO), United Nations Industrial Development Organization (UNIDO), CTA, WIPO, ROPPA, OAPI and REDD, the workshop was held in Akosombo, Ghana, from 12 to 16 May. The ARIPO Office was represented by Mr. K. McDave (Legal Officer).

The workshop aimed to identify concepts on Origin-linked quality products and geographical indications, as well as their power to foster rural development and their development. It aimed to outline too how to identify origin-linked quality products and the analysis of their potential.

Methods for the production of inventories and the selection of pilot products was discussed as well as the role of intellectual property in enhancing business competitiveness and adding value to products with a strong identity linked to a territory/region.



1st: Ms P. Sireu  
2nd: Mrs. Mukwenha and Mrs. Muzah  
3rd: Ms Kavaza and Mrs. Pote  
4th: Ms Mutukudzi

## Advanced Records Management

Eastern Southern Africa Management Institute (ESAMI) held an *Advanced Records Management Course* in Lusaka, Zambia, from 26 May to 13 June. Tailored to teach its graduants methods of designing, developing and managing an effective and efficient records management system, the course was attended by Mr. M. Chikuni (Senior Clerical Officer).

Participants were tutored in various strategies of management of records, information and knowledge at places of work. It identified professional ethics in the field, disaster preparedness and recovery plan. Further skills learnt focused on how to manage records centres and archives.

## Business Processing Auditing Course

The Organization's Internal Auditor, Mr. L. Shilongo, participated in a Business Processing Auditing Course organized by MIS Training Institute in London, United Kingdom, from 27 to 30 May.

Introducing participants to process flow auditing, inter alia, the course was tailored to equip them with skills for-

- (1) discovering ORCA, this is a proprietary name referring to a business audit approach set to revolutionize the auditing landscape;
- (2) understanding basics of business structure analysis;
- (3) applying process auditing to key operational areas of an organization;
- (4) identifying, assessing risk and rank critical business processes effectively and efficiently;
- (5) developing an integrated approach for specific auditing methodologies.

## ICT Governance and Management Workshop

This course was held in Johannesburg, South Africa, from 3 to 7 March and was attended by Mr. I. Songeya, Systems Administrator.

One of the workshop's several objectives was to enable participants to understand principles of COBIT (i.e., Control Objectives for Information and Related Technology) and its role in governance of ICT. It covered ICT governance and management specifically detailing world class levels of standards and frameworks.

## Course on Mastering Accounts Payable Receivables and Credit Management

Intelligent Africa Marketing and Training organized the course in Johannesburg, South Africa, from 14 to 18 July. It was attended by Mrs. F. Chipise, Assistant Finance Officer, and Mrs. P. Gatsi, Finance Assistant.

Participants benefited from this course by learning, inter alia, key areas of performance improvement in accounts payable, supervisory and implementing authority for credit control and debt collection and integration of purchasing and accounts payable to create an efficient procurement process. They were introduced to strategies for handling a closed-off period as well as skills for management of credit, accounts receivable and debt recovery.

## Course on Information, Communication Knowledge and Records Management

This course was held by ESAMI in Mbabane, Swaziland, from 3 to 22 August and was attended by Mr. M. Nkhokwara, Reprographic and Registry Clerk.

Components of the course were, firstly, knowledge and information management, secondly, records management and, thirdly, communication. Participants underwent tutorials covering detail such as, inter alia, information repackaging, effective business writing skills and effective presentation skills.



- |      |              |
|------|--------------|
| 1st: | Mr. Chikuni  |
| 2nd: | Mr. Shilongo |
| 3rd: | Mrs. Chipise |
| 4th: | Mrs. Gatsi   |

## Advanced Public Service Procurement, Fraud and Contract Management Strategies

The Administrative Officer, Mr. M. Bukhwele, attended a *Course in Advanced Public Service Procurement, Fraud and Contract Management Strategies* organized by Intelligent Africa Marketing and Training in Johannesburg, South Africa, from 25 to 29 August.

Participants acquired skills for effective and efficient management of, inter alia, the procurement, acquisition and purchasing supply chain. They were introduced to international procurement and tendering principles, contract management and fraud. Key elements of good governance (such as accountability and transparency) came in handy at a time when ARIPO is looking at a policy of re-branding itself.



## Training on Advances in Office Administration

The Training on Advances in Office Administration which was organized by JP Morgan Chase (Budget conferences) in Johannesburg, South Africa, from 15 to 20 September was attended by Miss T.C. Chimulu, Receptionist.

It aimed to impart essential management skills to executive assistants and office administration professionals. It was an intensive programme designed to give participants a comprehensive understanding of the management skills for increased effectiveness and productivity at their places of work. Some of the details learnt in the process were organizational structures, competency ladder, risk management as well as protocol and etiquette.



## International Symposium on Advanced Executive Secretaries and Personal Assistants

Running parallel with the Training on Advances in Office Administration under the same venue duration and sponsorship, this symposium was attended by Mrs. I. Mukwenha, Senior Secretary to the Director General.

The course aimed to train secretaries and personal assistants in, *inter alia*, structures of organizations, managing offices of chief executives, risk management and handling confidential information. Participants were furthermore trained in planning and scheduling, decision making, building human relations, minute taking, stress and emotional intelligence, public relations, protocol and project management.



## Training Course on Trademark Procedures

With cooperation of the Norwegian Industrial Property Office, WIPO organized a Training Course on Trademark procedures in Oslo, Norway, from 15 to 19 September. Amongst countries represented were two ARIPO Member States as well as the ARIPO Office which was represented by Miss P. Rewayi, Formalities Examiner.

This course equipped participants with knowledge of the Norwegian trademark system, both at national level and at the Madrid System level. Further topics covered were dissemination of industrial property information in Norway, opposition and administrative review, domain names, and geographical indications. All these subjects were envisaged to enhance the participants' technical skills and knowledge of administration of their national or regional trademark systems.



## Seminar on Trademarks and Designs at OHIM

Responsibility for management of community trademarks and designs within the EU is OHIM's. Therefore, OHIM organized this seminar in Alicante, Spain, from 29 September to 3 October to acquaint participants with its function in administering practice in trademarks, industrial designs and geographical indications.

Attended by Miss M. Shiri (Data Capture Clerk), the seminar introduced participants to proceedings in the appeals boards, OHIM website and the OHIM Academy's functions. These were besides general lectures on specific aspects of OHIM's roles as an administrator of community laws on those industrial property aspects. Miss Shiri's participation in the seminar was fully funded by OHIM.

- 1st: Mr. Nhokwara
- 2nd: Mr. Bukhwele
- 3rd: Miss Chimulu
- 4th: Ms Shiri

## Course on Operational Fleet Management in the Public Service

Intelligent Africa Marketing and Training organized this course from 6 to 10 October in Johannesburg, South Africa, and it was attended by Mr. L. Zaina (Assistant Administrative Officer).

In that position, Mr. Zaina is in charge of a small fleet of vehicles which service transport needs of the ARIPO Office. Therefore the training came in very handy. The course aimed to train participants in establishing and implementing transport and driver regulations and policies, redressing fleet risk as well as managing a fleet audit, evaluation, enhanced usage, replacement and disposal. Furthermore, participants learnt about skills of identifying real and potential problems in the fleet performance management system.



Mr. Zaina

## Training Course on the Use of ICT in IP Administration

Organized by the Japan Patent Office and WIPO, the *Training Course on the Use of ICT in IP Administration* was held in Tokyo, Japan, from 27 October to 7 November. The ARIPO Office was represented at this course by its Acting Systems Administrator, Mr. R. Chiweza. The course introduced participants to WIPO's business modernization services and presented them with best practices in ICT systems administration.

## Training Course on the Use of ICT in IP Administration

Organized by the Japan Patent Office and WIPO, the *Training Course on the Use of ICT in IP Administration* was held in Tokyo, Japan, from 27 October to 7 November. The ARIPO Office was represented at this course by its Acting Systems Administrator, Mr. R. Chiweza. The course introduced participants to WIPO's business modernization services and presented them with best practices in ICT systems administration.

## Study Visit on the PCT to the International Bureau of WIPO

Amongst delegations invited to be part of the *Study Visit on the PCT to the International Bureau of WIPO*, which was conducted from 18 to 20 November, was one from the ARIPO Office comprising Ms P. Sireu (Assistant Formalities Examiner).

This study visit was organized to enable delegates to get an insight into how the International Bureau manages the World's core of the universal PCT system. In this respect, the delegates heard presentations from various divisions of the Bureau on procedures by which they manage their responsibilities under the PCT system.

One of those was the division responsible for transfer of technology. The ARIPO delegate noted that the International Bureau's activity in this role would be very beneficial to the ARIPO Office's probable exemplification in its Member States of the WIPO process of technology transfer to its in member states.

## Strategic Planning Workshop

In line with the ARIPO Strategic Plan, the ARIPO Office organized a *Strategic Planning Workshop* which was attended by majority of its workforce at WildGeese Lodge, in Pomona, a few kilometers north of Harare, Zimbabwe. This was on 5 December.

Organized by Head Hunters International Consulting Services, the workshop introduced the staff to "Results based management" and its components. It discussed the importance of performance management and the essence of transformation at the workplace as a survival tool in a competitive market.



ARIPO Office staff in the *Strategic Planning Workshop*

# EMPLOYEE INNOVATION PROGRAMME

## Introduction

All workers of every company or office environment look forward to a pay for the labour they sell to the place of work. In order to enhance the quality and quantity of workers' input, however, the exceptional performance of employees should be recognized.

This is the understanding by the Organization when it introduced an employee innovation programme at the beginning of the report year.

## Awards

Winners of the awards are chosen on the basis of their job performance according to categories of pre-determined guidelines. Employees may win one of two types of awards, namely a monthly award and an annual award. Each one of these has prizes attached to it with consolation prizes for runners-up for the annual award. Thus, during the 2014 year, the monthly award was first won by Ms C. Hozheri. In the months that followed, the award was won by Mr. J. Kabare, Mr. G. Mhlakaza, Mr. P. Charachimwe, and Mr. S. Ramadhan.

The Organization held its first ARIPO Annual Dinner Awards on 5 December at the Pandhari Lodge located in an eastern suburb of Harare, Zimbabwe. At this event, the Director General presented the 2014 employee of the year award to Mr. S. Ramadhan. Runners-up for this award were Miss T. Chimulu and Ms P. Sireu who scooped second and third prizes respectively.

Additional to these, the Director General presented long service awards to Mrs. M. Muzah and Mrs P. Gatsi for their 30 and 20 year service, respectively, to the Organization. Four other officers were presented with ten year long service awards, namely Ms Netty Kavaza, Ms Claride Hozheri, Mr. Thomas Jackson, and Mr. Patrick Charachimwe, Driver.



Ms Hozheri (right) receiving the first Employee of the Month Award from Mr. Sackey (on behalf of the Director General)



Mr. Ramadhan, centre, with the Director General on his right. Second from left is Miss Chimulu and 2nd from right is Ms Sireu. Officiating the ceremony were (left to right ) Mrs. N. Manjengwa (first), Ms F. Mpanju (fifth) and Mr. G. Mhlakaza (last)



Holders of certificates of long service with the Director General (3rd from left). Left to right: Mr. Charachimwe (first), Mrs. Muzah (2nd), Ms Hozheri (4th), Ms Kavaza (5th), Mr. Jackson (6th) and Mrs. Gatsi

### Certificates of Appreciation

The ARIPO Office had a staff turn-over in which new officers were recruited while a few others separated from the Organization. Amongst those in the latter case was Ms N.K. Monyatsi (Copyright Officer) whose term of service was due to expire at the end of the year. At this ceremony, the Director General thanked her for her extinguished service and wished her happiness in her further employments. He presented her with a certificate of appreciation. A dedicated farewell party was later held on 19 December for her at the ARIPO Office

Furthermore, the Director General had the opportunity to present certificates of appreciation to several institutions for their cooperative efforts in supporting the ARIPO system. Amongst these were several law firms which are attorneys for industrial property matters practicing before the ARIPO Office.



Above:  
Ms Monyatsi, (right), with the Director General, displaying her certificate



Mr. C. Kimberley, Messrs Honey and Blanckenberg



Ms K. Mohamed, Messrs Gill God-lonton & Gerrans



Mr. A. Muza (right) of Messrs Mawere & Sibanda Legal Practitioners

## Attendance

Besides the ARIPO staff and representatives of Harare-based industrial property law firms, the ARIPO annual award dinner ceremony was attended by representatives of the government of Zimbabwe, a representative of the Director General of the World Intellectual Property Organization, a representative of Africa University, a representative of diplomatic corps, service providers, KOICA consultants and students currently pursuing the Masters in Intellectual Property programme. After presentation of awards, guests were invited to dinner and the dance floor. Pictures below reflect these moments.



Audience. Seen in front (right to left) are Dr. Sun (KOICA Expert), Mr. Chinoda and Mr. Ndhlovu.



Miss L.W. Makanga, President of the 7th Cohort of MIP



Mrs. M. Chikowore (WIPO).



Audience at the dance floor.



Mr. and Mrs. Dos Santos in a dance



Mr. E. Manyika, Master of Ceremony.

# Industrial Property Statistics

## PATENTS

### Applications Lodged

The ARIPO Office received 835 patent applications during 2014. As applications received in 2013 stood at 692, this new level means an increase of 20.7 percent. Table 4 shows patent applications and grants over a period of five years from 2010 to 2014

### Applications by the PCT

Of the 835 patent applications filed in 2014, 788 came through the Patent Cooperation Treaty (PCT) thereby leaving only 47 applications that arrived outside the PCT. This level of PCT applications represents 94.3 percent of all the year's applications: a slight increase from 92.1 percent of last year.

| Year                | 2010       | 2011       | 2012       | 2013       | 2014       |
|---------------------|------------|------------|------------|------------|------------|
| <b>Applications</b> | <b>424</b> | <b>529</b> | <b>603</b> | <b>692</b> | <b>835</b> |
| <b>Grants</b>       | <b>111</b> | <b>155</b> | <b>205</b> | <b>271</b> | <b>255</b> |

Table 4. Patent application lodgments and grants compared over a period of 2010 to 2014

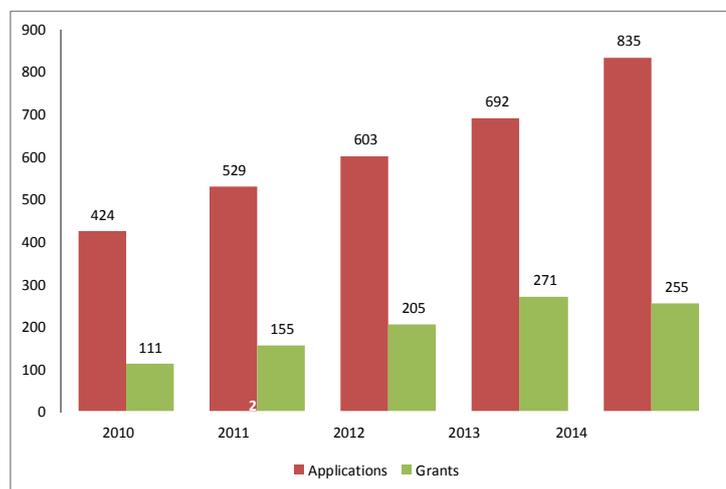


Figure 1. A chart of patent application lodgments and grants from 2010 to 2014

## Applications by the IPC

The 835 patent applications received in 2014 at the ARIPO Office were distributed among the classes of the International Patent Classification (IPC) as shown in Figure 2. In that figure, Main Group C received the highest preference amongst the applications.

## Origin of the Applications

The most applications were filed by the United States which had 24.6 percent of the 2014 patent lodgments. In second and third places fell China and Germany which filed 13.1 percent and 6.9 percent, respectively.

Behind these were South Africa, Switzerland and India with 5.7, 4.9 and 4.4 percent respectively, of the year's lodgments. With the ARIPO Region originating 1.5 percent, the rest of the world was responsible for filing 38.9 percent of the patent applications received in 2014.

## Patent Grants

As Table 4 shows, the ARIPO Office granted 255 patents in 2014 which displayed a drop by 5.9 percent from last year's level when 271 patents were granted.

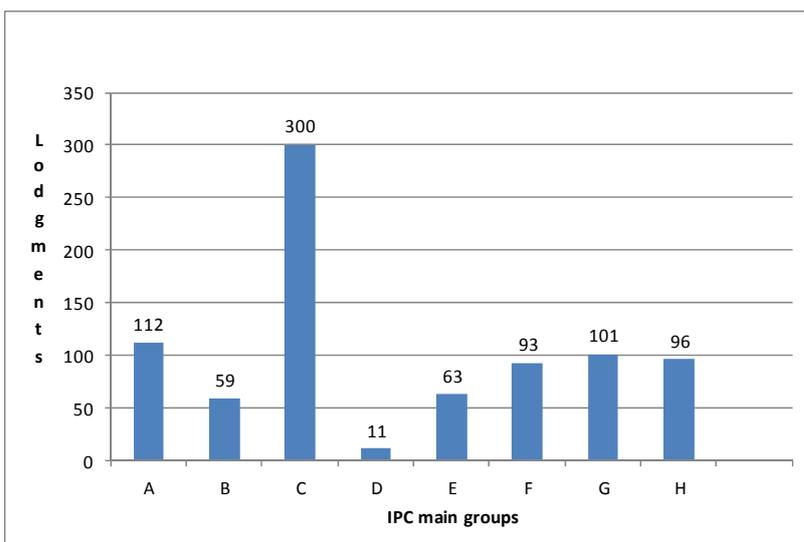


Figure 2. Display of 2014 patent applications according to the International Patent Classification

| Main Group Symbol | Description of the Main Class                                |
|-------------------|--|
| A                 | Human necessities  |
| B                 | Performing operations; Transporting                          |
| C                 | Chemistry; Metallurgy  |
| D                 | Textiles; Paper  |
| E                 | Fixed constructions  |
| F                 | Mechanical engineering; Lighting; Heating; Weapons; Blasting |
| G                 | Physics  |
| H                 | Electricity  |

Table 5. Description of main group symbols of the IPC scheme

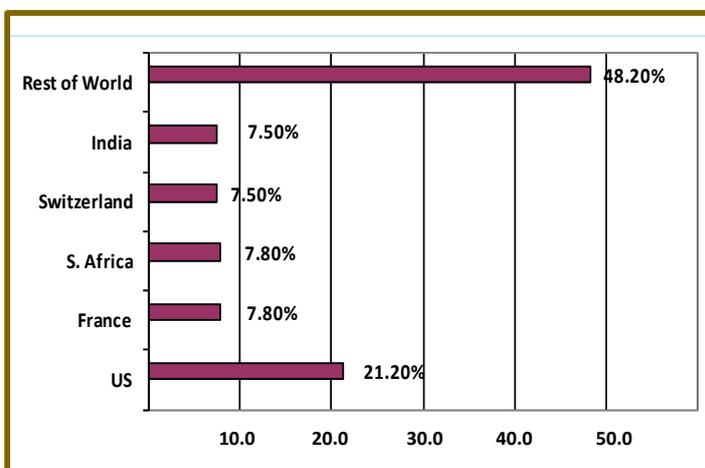


Figure 3. Destination of patents granted in 2014

## Patent Grants According to Beneficiaries

Proprietors of patents granted by the ARIPO Office in 2014 came from over thirty countries of the world. Five countries which led this pack were the United States (21.2 percent), France (7.8 percent), South Africa (7.8 percent), Switzerland (7.5 percent), and India (7.5 percent). The rest of the countries that took part obtained 48.2 percent of the 2014 grants. These details are shown in Figure 4.

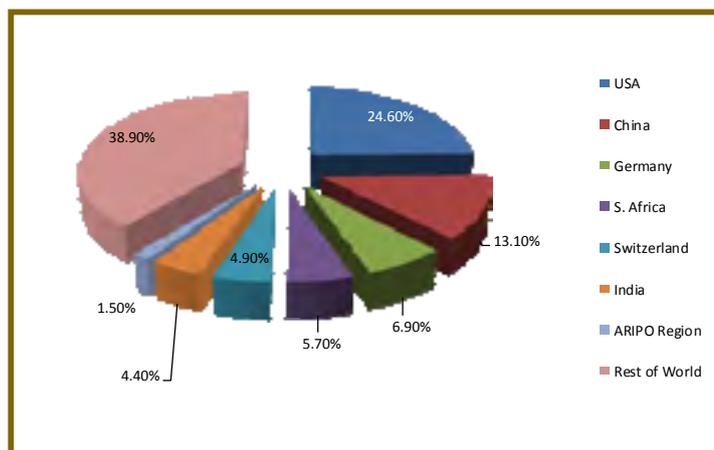


Figure 4. Origin of 2014 patent applications

## Patent Grants According to the IPC

Figure 5 shows structure of how patents granted in 2014 fell into classes of the International Patent Classification (IPC). This figure shows that main Class C (for chemistry and metallurgy) led and that Class A (human necessities) fell into second place.

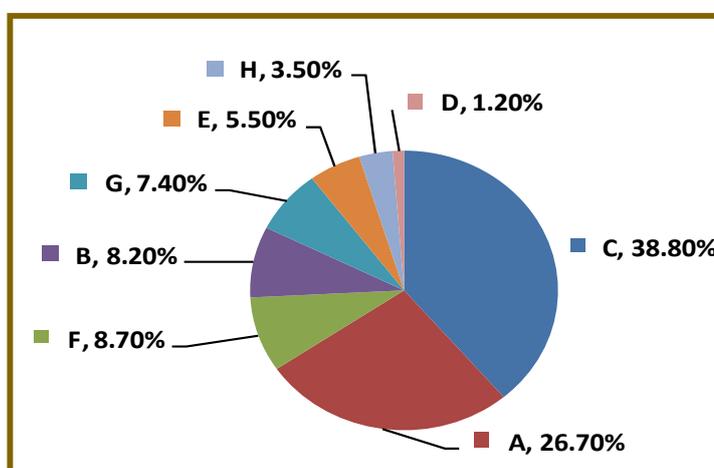


Figure 5. Structure of 2014 patent grants according to the IPC. For meanings of the capital letters, which represent the IPC's main classes, see Table 5

## Grants According to the PCT

Patent grants made on applications channeled through the Patent Cooperation Treaty route accounted for 94.9 percent of the grants made in 2014. This level marked an increase of 4.4 percent in the use of this route from that obtaining in 2013. Therefore, patent grants on non-PCT applications were only 5.1 percent of the 2014 grants. The relationship between grants made on PCT-originated applications and those made on non-PCT applications is shown graphically in Figure 6.

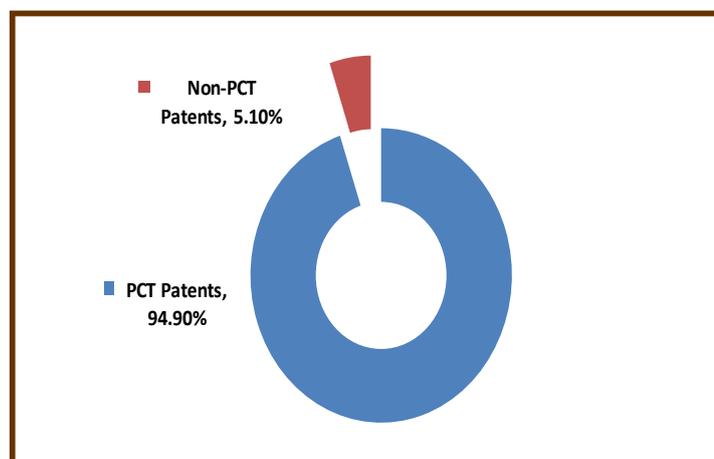


Figure 6. A relation of 2014 patent grants made on PCT applications to those made on non-PCT applications

## INDUSTRIAL DESIGNS

### Applications Filed

In 2013, the ARIPO Office had received 219 applications for registration of industrial designs. The year 2014 marked a steep drop in this activity as 155 were received in the year thereby making a 29.2 percent drop.

| Year                      | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------|------|------|------|------|------|
| <b>Applications Filed</b> | 32   | 49   | 151  | 219  | 155  |
| <b>Registrations Made</b> | 29   | 36   | 41   | 114  | 221  |

### Origin of Industrial Design Applications Filed

Five states outside the ARIPO Region filed applications that ranged from 3.9 percent to 29.7 percent. Of these states, the Republic of Korea, South Africa and the United States of America were responsible, respectively, for 29.7, 11.6 and 9.0 percent of the applications. In fourth and fifth places were the United Kingdom and India which filed 6.4 percent and 3.9 percent, respectively.

With the ARIPO Region filing 20 percent of the applications, the rest of the world lodged 19.4 percent of the 2014 industrial design applications. See Figure 7.

Table 6. A relation of 2014 patent grants made on PCT applications to those made on non-PCT applications

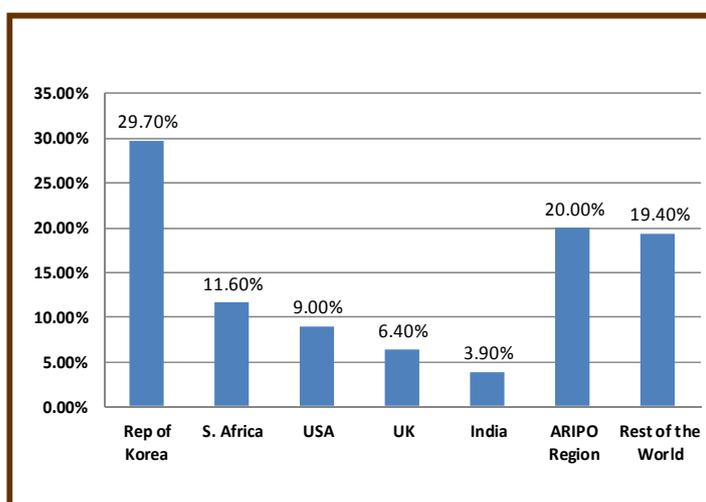


Figure 7. Origin of design applications received at the ARIPO Office in 2014

### Industrial Designs Registered

As shown in Table 6, the ARIPO Office registered 221 industrial designs in comparison with 114 of last year, 2013. This presented a 93.8 percent increase over last year.

### Registration According to Origin of Applications

Of these registrations, the ARIPO Region (represented by the United Republic of Tanzania, Zimbabwe and Namibia) obtained 3.6 percent.

Outside this region, the Republic of Korea obtained 54.2 percent while South Africa and Sweden each collected 11.3 percent. Further countries were the United States which claimed 7.2 percent of the registrations while Japan and the United Kingdom each obtained 2.7 percent.

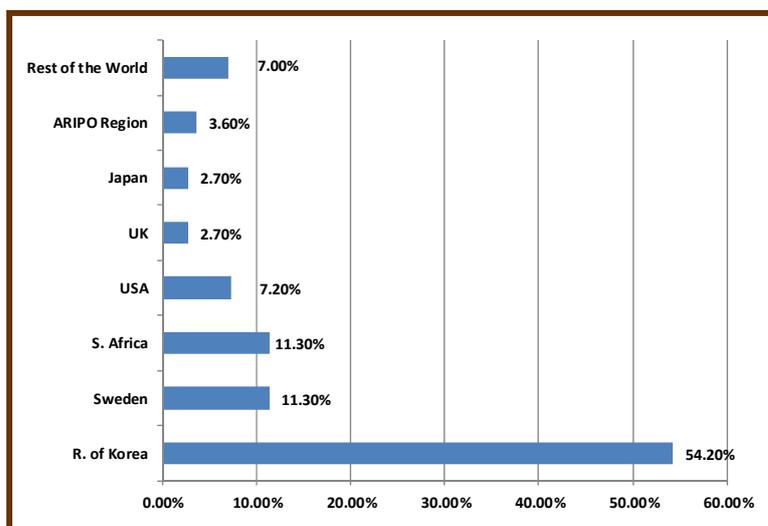


Figure 8. Beneficiaries of 2014 industrial design registrations

## TRADE MARKS

### Applications Filed

In the review year, 2014, the ARIPO Office received 362 applications for registration of marks.

### Origin of the Applications Filed

Thirty-nine countries originated 362 mark applications which were filed at the ARIPO Office in 2014. To this total of lodgments, the ARIPO Region contributed 36.20 percent.

In the total lodgments furthermore, India filed 14.9 percent and China 6.4 percent. While Germany contributed 6.1 percent, the United Arab Emirates and South Africa each filed 4.1 percent. The rest of the world was responsible for filing 28.2 percent.

### Trademark Applications Sorted by Class

There were 42 classes of the Nice Classification into which the 362 mark applications variously fell. The highest five of these, with their claims in brackets are Class 5 (19.6 percent), Class 41 (13.3 percent), Class 9 (12.7 percent), Class 35 (11.9 percent), and Class 39 (9.1 percent).

### Trademark Registrations Made in 2014

During 2014, the ARIPO Office registered 219 marks. This meant a 36.9 percent increase over the level of registrations done in 2013.

| Year                      | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------|------|------|------|------|------|
| <b>Applications Filed</b> | 181  | 228  | 311  | 321  | 362  |
| <b>Registrations Made</b> | 49   | 153  | 216  | 160  | 219  |

Table 7. Comparison of trademark applications and registrations over a five-year period to 2014

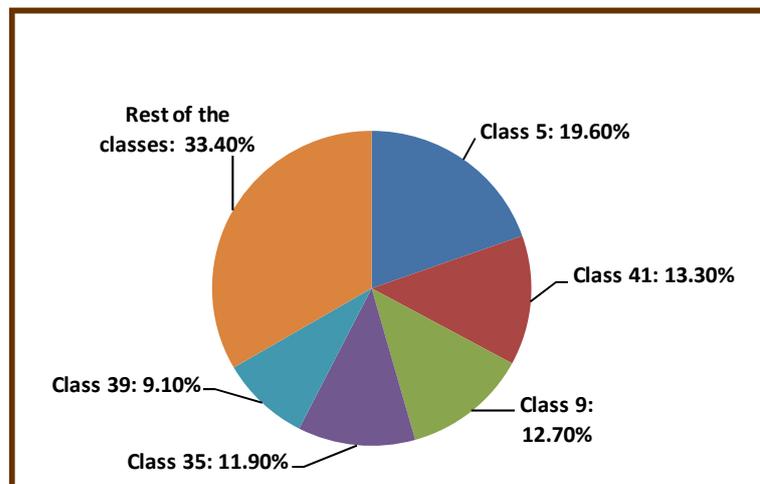


Figure 9. Trademark applications sorted according to classes of the Nice Classification scheme

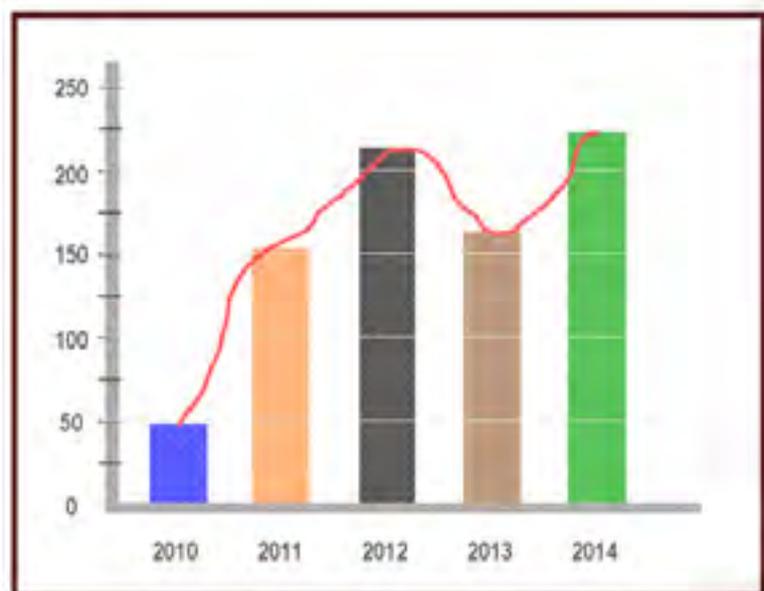


Figure 10. Trademark registrations over a five year period to 2014

## Trademark Registrations by Country

Owners of these new mark registrations came from 41 countries, six of which (excluding the ARIPO Region) obtained the highest number of those registrations.

Those six countries were led by Mauritius with 12.8 percent followed by China and India which collected, respectively, 8.7 percent and 7.8 percent of the 2014 trademark registrations. Furthermore, while the United Arab Emirates obtained 6.8 percent, South Africa and the United States claimed 6.4 percent and 5.9 percent, respectively.

The ARIPO Region (represented in this case by Botswana, Malawi, United Republic of Tanzania and Zimbabwe) was responsible for 13.7 percent of the registrations and the rest of the world for 37.9 percent.

These statistics on distribution of trademark registrations by country of proprietor's origin can be seen in Figure 11.

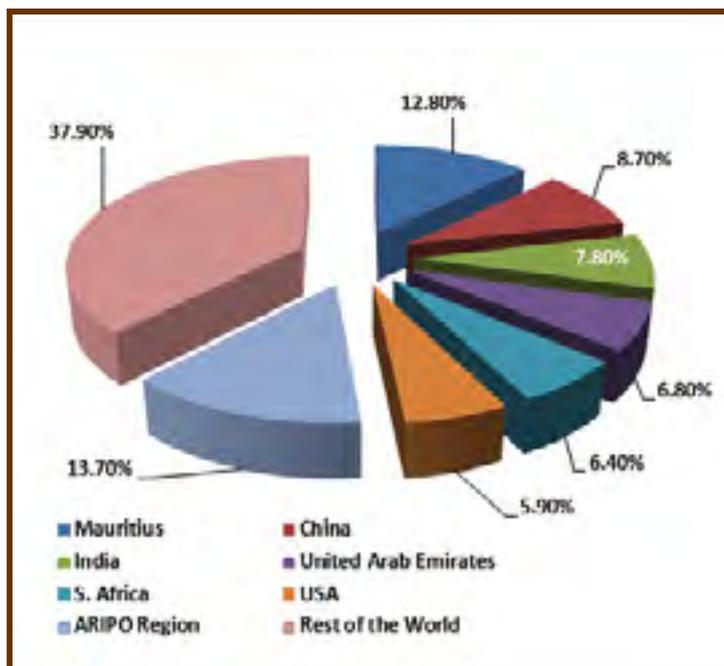


Figure 11. Break down of trademark registrations made in 2014 according to country of origin of their proprietors

## Trademark Registrations by Nice Class

There were 43 classes of the Nice Classification in which trademarks registered in 2014 fell. A pack of six classes led by claiming registrations between 3.9 percent and 12.6 percent of the 2014 trademark registrations.

By accommodating 12.6 percent of these, Class 29 was the most popular and this was followed by Class 30 which claimed 10.7 percent of the registrations.

Other classes of the leading group were Class 43 (10.2 percent), Class 5 (6.3 percent), Class 3 (at 4.9 percent) and Class 35 (at 3.9 percent).

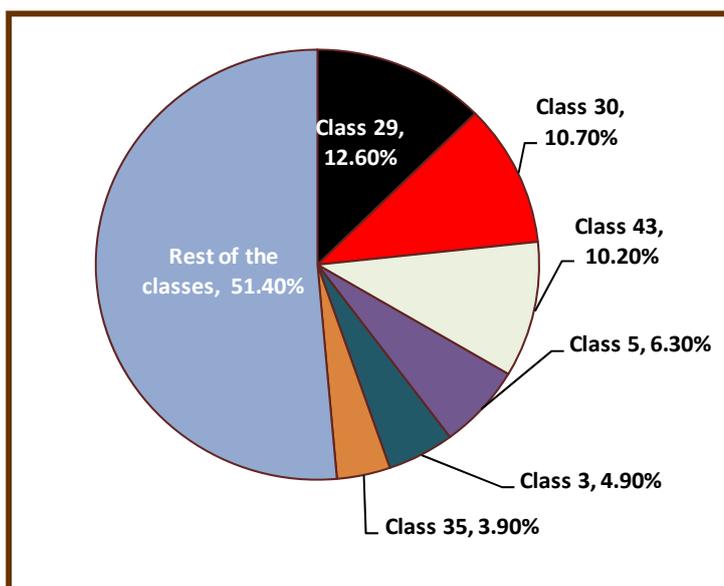


Figure 12. Classes in which the 2014 trademark registrations were made

## UTILITY MODELS

In 2013, the ARIPO Office received 7 applications for registration of utility models and this number increased to 10 in 2014, which increase represented a 42.8 percent upward change. There were no registrations of utility models done in the focus year, 2014 and in 2013 as well.

## SUMMARY OF INDUSTRIAL PROPERTY APPLICATIONS AND REGISTRATIONS

Industrial property operations of the ARIPO Office consisted of six kinds of activities, namely receipt of fresh applications and grant, or registration, of industrial property rights. Each one of these was undertaken in respect of patents, industrial designs and trademarks.

Whereas lodgments gained an increase in the fields of patents and trademarks (which experienced 20.6 percent and 12.7 percent improvements, respectively), lodgments regarding industrial designs suffered a decrease (of 29.2 percent).

Although this downward change affected patent grants as well, which decreased by 5.9 percent, registration of trademarks and industrial designs delivered remarkable improvements over the 2013 levels by bringing in 36.8 percent and an overwhelming 93.8 percent, respectively.

These comparisons are shown in the table on the right.

| Activity           | Patents   | Industrial Designs | Marks     | Utility Models |
|--------------------|-----------|--------------------|-----------|----------------|
| 2013 Filings       | 692       | 219                | 321       | 7              |
| 2014 Filings       | 835       | 155                | 362       | 10             |
| Percentage Change  | 20.6% (U) | 29.2% (D)          | 12.7% (U) | 42.8% (U)      |
| 2013 Registrations | 271       | 114                | 160       | 0              |
| 2014 Registrations | 255       | 221                | 219       | 0              |
| Percentage Change  | 5.9% (D)  | 93.8% (U)          | 36.8% (U) | 0% (NC)        |

Legend: (U) = Increase; (D) = Decrease; (NC) = No Change

Table 8. Statistical summary of the ARIPO Office's industrial property applications and registrations of 2014 as compared to 2013

## IP APPLICATIONS RECEIVED IN ARIPO MEMBER STATES (2014)

| Member State                 | Patents | Utility Models | Industrial Designs | Trade Marks |
|------------------------------|---------|----------------|--------------------|-------------|
| Kenya                        | 208     | 83             | 95                 | 4,596       |
| Lesotho                      | 3       |                | 1                  | 393         |
| Namibia                      | 36      |                | 1                  | 1,661       |
| Mozambique                   | 14      | 2              | 23                 | 2,600       |
| Rwanda                       | 12      | 1              | 7                  | 596         |
| Sudan                        | 331     |                | 270                | 3,354       |
| São Tomé and Príncipe        | 3       |                | 81                 | 606         |
| Swaziland                    | 5       |                | 0                  | 511         |
| Tanzania, United Republic of | 24      |                |                    | 3,465       |
| Zimbabwe                     | 9       |                | 5                  | 1,704       |

Table 9. Statistical summary of industrial property applications filed in 2014 in some of the ARIPO Member States

# Financial Management

## MEMBER STATES TRUST FUND

All shares of fees due to the Member States are kept in the Member States' Trust Fund and are remitted to the Member States upon request. The total share of fees due to the Member States totaled US\$2.9 million as at 31 December 2014 and this amount had been transferred to the Fund. The closing balance of the Member States' Trust Fund as at 31 December, 2014, was US\$5,018,921.14.

The Member States' earnings are steadily increasing annually and the graph below gives a highlight on each Member State's earnings for the past five years.

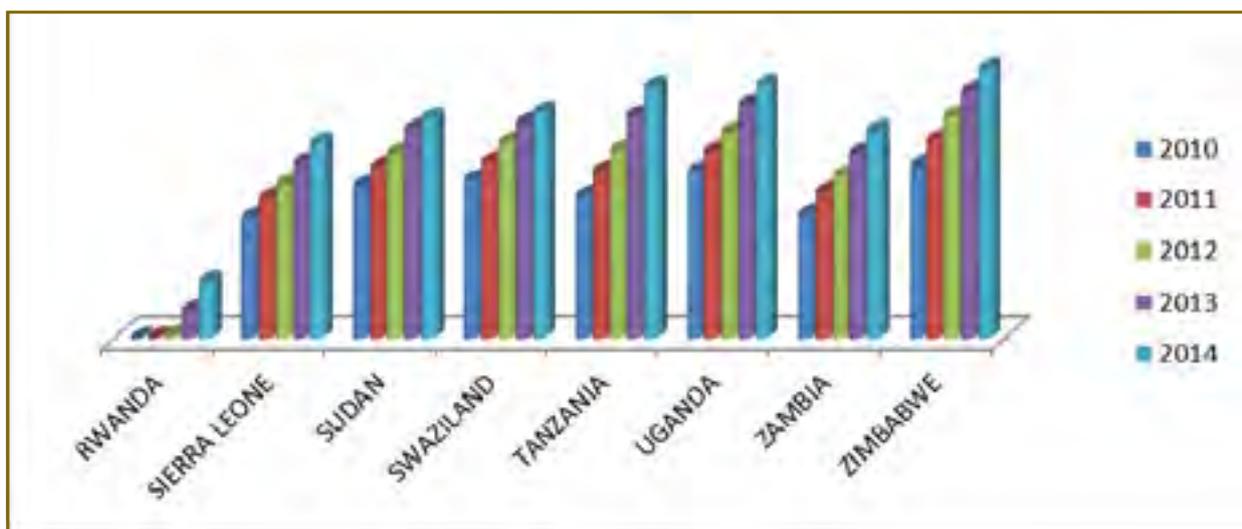
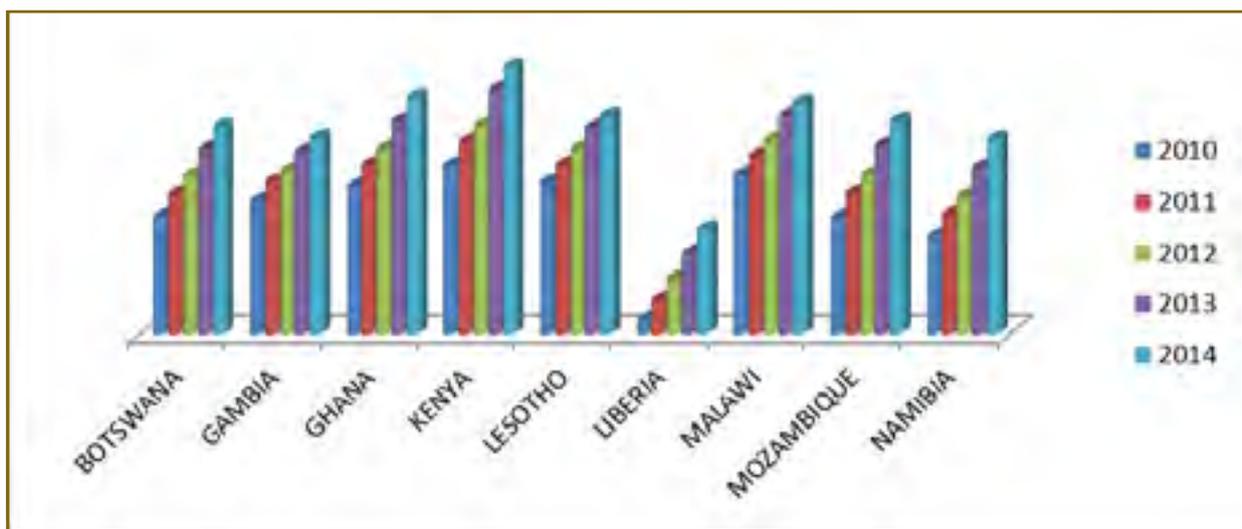


Figure 12. Earnings from 2010 to 2014 by Member States under the Harare Protocol and Banjul Protocol

## FINANCIAL PERFORMANCE

### Income from the Harare Protocol

The Organization budgeted to receive US\$4.1 million from the Harare Protocol but realized US\$3.6 million representing 89% of the realized revenue. Furthermore, 800 new patent applications were projected to be received in 2014 and the projections were exceeded by 4% as the total number of new applications came to 835.

In the case of industrial designs, the Office targeted to receive 300 new files but the actual new lodgments received were 155. Thus, the 2014 applications went down as compared to 219 that were received in 2013.

As for utility models, the ARIPO Office received 7 out of the 10 applications expected in the year 2014.

### Income from the Banjul Protocol

The Banjul Protocol managed to reach only 87 percent of the target. Revenue under this protocol for 2014 was projected at US\$163,123 and US\$141,810 was actually reached. In terms of new filings, a target was set at 400 new files but 362 were received. In comparison, while the ARIPO Office had received 311 trademark applications in 2012, it collected 321 in the year 2013.

### Income from the Assessed Annual Contributions

ARIPO has nineteen Member States but only eighteen are actively contributing towards the Organization's budget. Currently, the assessed contribution per Member State is fixed at US\$27,900 and a total of US\$474,300 was received from the seventeen Member States. The Democratic Republic of São Tomé and Príncipe being the eighteenth active state did not pay its contributions during 2014 as it was still under a grace period of a year as per the Financial Regulations of ARIPO. Somalia is exempted from the annual contributions according to a decision of the Council of Ministers of ARIPO.

The pie chart below gives a highlight of percentage composition of ARIPO Revenue.



Figure 13. The Organization's three main sources of revenue

## EXPENDITURE

During the financial year 2014, the Organization's strategic plan contained fifteen programmes which are grouped into three categories namely Human Resources Expenditure, Missions & Training Expenditure and Operating Expenditure.

The Organization's 2014 total expenditure amounted to US\$4,159,986, representing 93% of the approved budget which totaled US\$4,459,654. The pie chart below gives a highlight of the percentage composition of ARIPO expenditure.

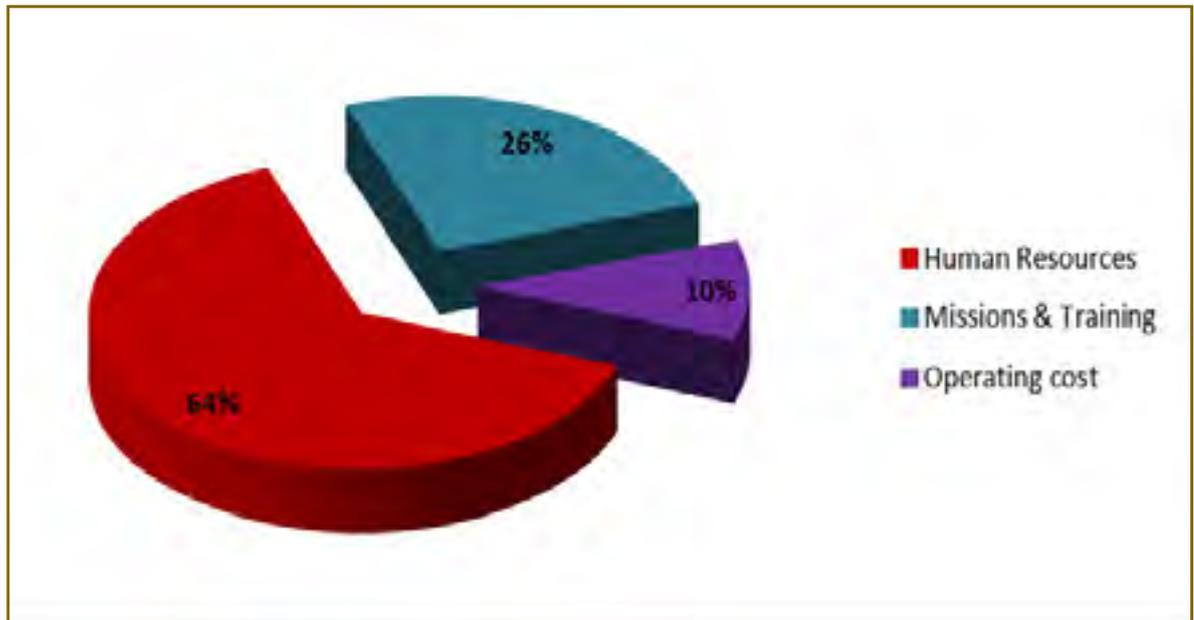


Figure 14. The three main types of ARIPO's expenditure items

# KOICA Project and Infrastructural Development

## KOICA PROJECT

### Project Background

The background of the KOICA Project is that, in years before 2014, the Director General of ARIPO had requested for technical assistance from the World Intellectual Property Organization and the government of the Republic of Korea to develop the ICT system of its Secretariat and of all its Member States.

In response, WIPO and the government of the Republic of Korea agreed to introduce this project, now herein called the KOICA Project. Following this positive response, a delegation comprising WIPO officials and officials of the National Industrial Promotion Agency (NIPA) of the Republic of Korea visited the ARIPO Office in 2010 to discuss bases of the proposed project.

Consequently, several preparatory activities were undertaken between 2011 and 2013 which included meetings. During these visits, the Korean project team, which sometimes included WIPO project development experts, gathered information from the ARIPO Office on functionality of the existing system.

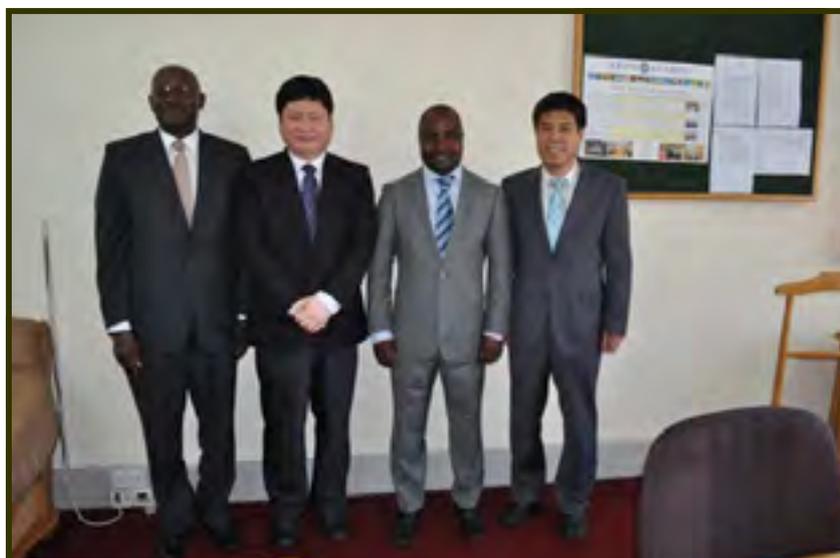
### Project Design and Development

During the year 2014, the KOICA team began to design the new ICT system of the project based on information gathered in the preparatory activities from the ARIPO Office. This work led to development of the new system and procurement of new ICT equipment (servers, computers, online printers and relevant software) towards the year end.

A further activity undertaken at this time was that a Korean Industrial Property Office automation consultant (Dr. DongGuk Sun, a citizen of the Republic of Korea) was engaged and stationed at the ARIPO Office by managers of the project. This was to ensure project implementation and sustainability.



Dr. DongGuk Sun



Left picture:

The Director General of ARIPO (third from left) with Mr. Met. Lee (Konica Consultant)(2nd from left) and Mr. Sungho Choi (Vice President of KOICA)(far right). At the far left is Mr. C.J. Kiige (Director, Industrial Property Directorate, and project manager of the KOICA Project)

## INFRASTRUCTURAL DEVELOPMENT

### Building the Second Extension of the Headquarters

#### Introduction

Due to escalation in the size of its Secretariat, brought about by additional mandates and staff, the Organization had considered it essential to expand its headquarters in Harare, Zimbabwe, by building a second extension wing.

In order to administer this desire, the Organization established in 2013 a Special Projects Committee which had its first session in August 2014 at the ARIPO Office in Harare, Zimbabwe.

#### Current Work

The headquarters premises of the Organization comprises two plots that are adjacent to each other, that is Plot Nos. 11 and 13 Natal Road situated in Belgravia suburb. The committee noted that progress had been made by obtaining Harare City Council authority to consolidate both plots into one because the proposed second extension building will run across the boundary of the two.

During its first session the committee instructed the ARIPO Office to borrow \$2.6 million in preparation of the project which was scheduled to commence in February 2015. This would be complemented by the Organization's contributions into the ARIPO Reserve Account into which Member States agreed to pay their project contributions of 2015 and 2016 in January 2015.

### Ground Breaking Ceremony

In signification of commencement of the project, the ARIPO Office held a groundbreaking ceremony on 14 November at the Headquarters premises. This was officiated by Deputy Minister of Justice, Legal and Parliamentary Affairs of Zimbabwe, Honourable F. Chasi.

This occasion was attended by the Chairman of the ARIPO Administrative Council (Mr. B. Twebaze), the Director General of ARIPO (Mr. F. Dos Santos), the Registrar General of Zimbabwe (Mr. F. Maredza) and the former Director General of ARIPO (Mr. G.H. Sibanda). All members of the ARIPO staff and the Organization's Architect (Mr. C. Kanyanta) were in attendance.

Before he addressed the audience, Honourable Chasi planted a palm tree at the construction site. He then said that the tree he planted heralded a new era in ARIPO's life as one of Africa's two IP pivotal organizations (besides OAPI) both of which are growing to new levels in IP. Mr. Chasi further challenged all to be fully dedicated to the project. He urged the architect to complete the project before the planned deadline with quality of international standards. He reminded everyone of his government's permanent support for the Organization since its arrival in Zimbabwe.



The Director General of ARIPO (extreme foreground) leading the Honourable Deputy Minister Mr. Chasi (on his right) and the rest of the audience that attended the ceremony on 14 November.



The front of the Headquarters premises of ARIPO. Seen in the background is a red roofed old house, partially obstructed by a tree, that sits at the plot where the ceremony was held.

The Chairperson of the ARIPO Administrative Council, Mr. Twebaze, applauded the forward thinking of the ARIPO team in embarking on the project. Mr. Twebaze brought well-wishes from the Chairperson of the Council of Ministers. Mr. Twebaze further thanked the former Director General, Mr. Sibanda, for acquiring the extension plot for the Organization. He was hopeful that the project would be completed in good time during his tenure as Chairman of the Administrative Council to enable him see the Administrative Council (or the Council of Ministers) have its first ever session in the new premises.

The Director General of ARIPO, Mr. Dos Santos, also lauded the former Director General, Mr. Sibanda, for procuring the new plot for the ARIPO Office at which the groundbreaking ceremony was being held. Explaining newest mandates given to the Organization since the Banjul Protocol, Mr. Dos Santos said that these additional mandates required much more work space in the ARIPO Headquarters. Estimated at US\$3 million, the construction work has a life of 18 months. The Director General appreciated efforts by the Honourable Deputy Minister and, generally, the government of Zimbabwe. He further thanked chairpersons of both Councils as well as his personnel whom he cautioned to be accommodative of the construction's disturbance.

### **Maintenance of the ARIPO Official Residence**

Whilst those happenings went on regarding progress in the construction of the second headquarters extension, the Organization simultaneously paid very close attention to needs for maintenance of its official residence.

The property sits at an intersection of two roads and recently underwent refurbishment to uplift it to good executive standards fit for habitation by a head of a diplomatic organization. Following this refurbishment, the Organization constructed a brick wall-fence to enhance security at the premises to complement security guard service available.



A section of the wall fence constructed at the official residence



Another section of the wall fence under construction

# Exhibitions

## PLERIMINARIES

In addition to roving seminars which enabled the Organization to market itself, exhibitions proved in 2014 to be another means for making itself visible to its customers. Therefore, the ARIPO Office attended exhibitions at the Zimbabwe International Trade Fair (ZITF), SMEs International Expo in Zimbabwe, INTA exhibition in Hongkong (hosted by the International Trademark Association (INTA)) and an exhibition that was held as part of the Canada Africa Business Summit in Canada.

## ZIMBABWE INTERNATIONAL TRADE FAIR

### The Exhibition

The Zimbabwe International Trade Fair (ZITF 2014) was held at the ZITF grounds in Bulawayo. Running under the theme, "New ideas to new heights: progress through innovation", it was held from 22 to 26 April, 2014. The ARIPO Office participated in the show. The aim of this participation was to exhibit information to the public about intellectual property, the Organization itself and services offered by the Organization.

A second purpose was to attend an SMEs seminar convened by the Ministry of Small and Medium Enterprises and Cooperatives of Zimbabwe.

At this event, the ARIPO Office shared a stand with the Zimbabwe Intellectual Property Office (ZIPO) which graciously invited the former. The team from the ARIPO Office comprised Mr. Mulenga, Mr. Zaina, Mr. Nhokwara, Mr. Pundo and Mrs. Gatsi.

The exhibition stand was visited by the Deputy Minister of Justice, Legal and Parliamentary Affairs of the government of Zimbabwe, Hon. F. Chasi, who assured the ARIPO team of his government's full support for the Organization. Honourable Chasi was accompanied by the Deputy Chief Registrar of intellectual property, Mr. W. Mushayi.

### SMEs Seminar

During the open days, the Ministry of Small and Medium Enterprises and Cooperatives of Zimbabwe held a seminar for small and medium enterprises (SMEs) at which Mr. C. Pundo presented a paper and answered questions from participants on many aspects of industrial property in general and ARIPO in particular.



Honourable Chasi, middle, being presented with ARIPO literature by Mr. Mulenga while Mr. Mushayi looks on



From left to right: Mr. Zaina, Mr. Mulenga, Mrs. Gatsi and Mr. Nhokwara (all ARIPO team) with Mr. C. Chimombe and a colleague from the Zimbabwe Intellectual Property Office



Mr. Pundo, standing, during the SMEs seminar



Participants of the SMEs seminar which Mr. Pundo attended

## INTA EXHIBITION

From 10 to 14 May, Hong Kong was venue for the 136th INTA Meeting which the Director General of ARIPO, Mr. F. Dos Santos (an INTA member), attended. On the sidelines of this meeting, he attended a meeting with the INTA president, Mrs. Meilan Stark, and the INTA chief executive officer, Mr. Etienne Sanz de Acedo, and their delegation in which were discussed future cooperation with ARIPO and a possible INTA meeting in Africa. Another sideline meeting was a regional update session entitled "Africa Arising" in which Mr. Dos Santos, amongst other speakers, gave a presentation entitled "Protection of intellectual property in Africa – The view from ARIPO".

In this INTA mission, the Director General was accompanied by Mr. C. Pundo, Head of Formalities Section, and Miss P. Rewayi, Formalities Examiner, both of who managed the ARIPO Office's exhibition booth in an INTA Exhibition at the meeting. An eye opener, the exhibition strongly convinced the team that the ARIPO Office should henceforth attendance both the INTA main meeting and the exhibition.



Above right:  
The Director General of ARIPO (middle) explaining a point at the ARIPO Office stand

Right:  
Mr. Pundo attends to a customer at the stand



## EXHIBITION AT THE CANADA AFRICA SUMMIT

The Canadian city of Toronto was venue from 15 to 18 September for the First Canada-Africa Business Summit which was held by the Canada Council on Africa of Toronto. The council is a membership organization that offers an essential forum for Canadian companies doing or which plan to do business on the African continent. It makes it possible for these companies to meet representatives of business communities and governments from Africa. The summit brings together heads of government, ministers, chief executive officers, financial institutions, law firms, investment bankers, engineers and consultants, amongst other professionals.

The Director General of ARIPO, Mr. Dos Santos, attended the summit. He was accompanied by Mr. C. Pundo, Head of the Formalities Section, who took charge of the exhibition which the ARIPO Office set up at the summit. The exhibition was intended to achieve the following objectives:

- (1) to sensitise as many as possible summit delegates on services offered by the ARIPO Office;
- (2) to provide information to industrial property right owners on how to seek protection in Africa;
- (3) to update users and potential users of the ARIPO system on amendments made to the Harare Protocol and Banjul Protocol for making them more attractive;
- (4) to clear misconceptions about the functionality of the ARIPO Office;
- (5) to receive users' suggestions and comments about the ARIPO system;
- (6) to establish contacts for future collaboration and partnerships for the Organization.



The Director General (middle) in the exhibition hall of the Canada Africa Summit



Exhibitors at the Canada Africa Summit

## SMEs INTERNATIONAL EXPO

Another event at which the ARIPO Office proudly exhibited itself and its work was at the SMEs International Expo. This was held at the Harare International Conference Centre, Rainbow Towers Hotel in Harare, Zimbabwe, from 22 to 25 October. Organized by the Twins Investment Group, the expo presented yet another event at which the Office disseminated valuable information about itself and the value of intellectual property services and information to small and medium enterprises.

The ARIPO Office scooped a certificate of a Bronze Medal Award for Outstanding International Exhibitor. The award was presented by Mrs. B. Magenga, who is the chief executive officer of Twins Investment Group, to Mr. M. Nhokwara, Reprographic and Registry Clerk, who managed the stand and collected the award on behalf of the Director General of ARIPO.



Mrs. Magenga presenting the award which Mr. M. Nhokwara collected on behalf of the Director General

# Cooperation With Partners

## HIGH LEVEL OHIM DELEGATION TO ARIPO

A high level delegation from the Office for Harmonization in the Internal Market (OHIM) visited the African Regional Intellectual Property Organization (ARIPO) Secretariat from 3 to 8 July, 2014. OHIM is headquartered in Alicante, Spain.

The high level delegation was composed of five senior OHIM officials amongst whom was the President of OHIM who led the delegation. Other officials were the Director of Cabinet and Communication, the Director of International Cooperation and Legal Affairs Department, the Head of Academy and one Member of Cabinet.

OHIM was established, *inter alia*, to promote and manage Community Trade Marks and Community Designs within the European Union (EU). It carries out registration procedures for titles to EU industrial property and keeps public registers of these titles. It shares with the courts in EU member states the task of pronouncing judgment on requests for invalidation of registered titles. OHIM is a public establishment which enjoys legal, administrative and financial independence. It was created under EU law and is an EU agency with its own legal personality. Therefore, its activities are subject to EU law. The Court of Justice of the European Union is responsible for overseeing the legality of the organization's decisions. It is responsible for balancing its budget from its own revenue, which is derived mainly from registration fees and fees for the renewal of trade mark protection.

The main goal of this meeting which the ARIPO Office hosted with the OHIM delegation was to update status of bilateral cooperation activities in light of the 2014 Work Plan and the current Memorandum of Understanding that governs the relationship between ARIPO and OHIM.

The two organizations declare their willingness to maintain a continuous exchange of information relating to the modernization, harmonization and development of trade mark rights, in particular regarding legislation in force as well as those legislative proposals and amendments which are anticipated. Furthermore, they carried out joint consultations and discussions concerning the organization, collection, storing and accessibility of their trade mark documentation. A further task of the meeting was to jointly establish mechanisms for technical cooperation in the field of trade marks.

The execution of all cooperation activities foreseen in the OHIM-ARIPO Memorandum of Understanding will be developed through work plans scheduled on a short, medium and long term basis jointly prepared and agreed upon by the two organizations.

While executing this provision, these offices will exchange information on awareness programmes in relation to universities, research centres, enterprises and other social and economic agents.

The visit to the ARIPO Office by the high level OHIM delegation from 3 to 8 July preceded a mission to the Office undertaken by Mr. Antonio Grau, of OHIM, from 17 to 18 July. Mr. Grau visited the ARIPO Office for on-sight assessment and fact-finding following the OHIM President's visit.



Opening ceremony of the signing of the OHIM-ARIPO Cooperation Agreement of 2014



Front row: The ARIPO Director General (3rd from left, and his staff) takes a picture with the very high level delegation from OHIM which was led by the President of OHIM Mr. A. Campinos (middle). ARIPO Headquarters, Harare



Mr. A. Grau, first from right, in a meeting with ARIPO staff

## KOICA VISIT TO ARIPO OFFICE

From 21 to 25 July 2014, the ARIPO Office played host to a meeting which was held between itself, on the one hand, and foreign ICT experts on the other hand. These experts came from the World Intellectual Property Organization, Korean International Cooperation Agency. Representatives of the Zimbabwe Intellectual Property Office (ZIPO) were representing the host country, the Government of Zimbabwe.

The purpose of the meeting was to discuss and conclude aspects of the 1st phase of the systems development of the information and communication technology infrastructure of the ARIPO Office and its Member States. The meeting was held at ARIPO Headquarters in Harare, Zimbabwe.

The project, which was established under an agreement signed by and among KOICA, WIPO, ZIPO and ARIPO was launched at the ARIPO Headquarters on 7 October, 2013.



The Director General of ARIPO, front row third from left, with the high level delegation from KOICA and a representative of the Director General of WIPO

## VISIT OF THE VICE MINISTER OF SAIC OF CHINA, HON LIU YUTING

On 8 September, the Vice Minister of the State Administration for Industry and Commerce of the Peoples' Republic of China, Honourable Liu Yuting, visited the ARIPO Headquarters. The Vice Minister was received by the Director General of ARIPO, Mr. Fernando Dos Santos. The Vice Minister visited the ARIPO Office to acquaint himself with the activities being undertaken by the Organization in order to formulate a framework for cooperation between SAIC and ARIPO.

During the one day visit, the Vice Minister discussed cooperation activities between SAIC and ARIPO. A revised Memorandum of Understanding (MoU) was signed by the Vice Minister of SAIC and the Director General of ARIPO to establish a general framework for bilateral cooperation between these parties. The activities contemplated under the revised MoU include improving the quality of administration and effectiveness of the parties' trademark systems through exchange of information and best practices, as well as through capacity-building activities.

The revised MoU triggered a need to establish a coprocessor mechanism of trademark cases on the two offices. The parties will, according to their respective laws and regulations, properly deal with protection issues of well-known trademarks and geographical indications, jointly prevent trademarks registration in bad faith and fully ensure the right holders to exercise their rights of cancellation application on well-known trademark and geographical indication squatting. The parties may provide necessary information and inform the final result to each other when handling trademark protection issues mentioned above.



A picture of Hon. Liu Yuting of SAIC and Mr. F. Dos Santos



Group picture taken by the visiting Hon. Liu Yuting of SAIC and Mr. F. Dos Santos with their support teams

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## VISIT OF THE CHAIRMAN OF THE COUNCIL OF MINISTERS, HON MAJOR GENERAL KAHINDA OTAFIIRE

The Chairman of the Council of Ministers of ARIPO, Honorable Major General Kahinda Otafiire, arrived at ARIPO Headquarters for a 2 day working visit from 20 to 21 October, 2014. He came to hold consultative talks with ARIPO Office's top officials at the ARIPO Secretariat and with top government officials in the Ministry of Justice, Legal and Parliamentary Affairs of the Republic of Zimbabwe. Honorable Otafiire is the Minister of Justice and Constitutional Affairs of the Republic of Uganda and his country currently holds the rotating Chairmanship of ARIPO's Council of Ministers. This Council is made up of ministers responsible for intellectual property matters in the 19 member states of ARIPO.

General Otafiire was accompanied to the meetings by his Personal Assistant Mr. Owen Busingye.



Hon. Otafiire (second from right) poses for a photo with: Mr. C.J. Kiige (Director of Industrial Property, on the Hon. Minister's immediate right), Mr. W.A. Mulenga (Senior Documentation and Publications Officer) and on the extreme right Mr. Owen Busingye (Personal Assistant to the Minister). ARIPO Headquarters, Harare, Zimbabwe

## JOINT MEETING OF CHAIRMEN OF THE COUNCILS OF MINISTERS OF OAPI AND ARIPO

On 10 and 11 April 2014, the African Regional Intellectual Property Organization hosted a Joint Meeting of the Chairmen of OAPI and ARIPO which issued a communiqué after the meeting. The communiqué urged the African Union to convene a stakeholders' meeting as a matter of urgency at which all stakeholders in the formulation of the Pan-African Intellectual Property Organization (PAIPO) and in intellectual property, such as ARIPO, OAPI and WIPO, should be actively involved. It urged the African Union to enable Ministries and national competent authorities responsible for intellectual property administration in the AU member states to take a leading role in the establishment of PAIPO. The communiqué further made a six point recommendation in the establishment of PAIPO.

Among the six recommendations the communiqué put forward was that the AU should create an IP policy unit in its Commission whose job would be orientation of policy and political direction on intellectual property matters in Africa. It said that such a unit would direct and coordinate the process of merging ARIPO and OAPI to form a united African Intellectual Property Office, a possibility which would involve 64 percent of the African countries that already make up gross membership of both ARIPO and OAPI. In its communiqué, the meeting recommended that ARIPO and OAPI should be sustained to continue to be the only two organizations having a mandate of registering intellectual property rights in Africa. It furthermore recommended that the African Heads of State and Government should be sensitized on the role of ARIPO and OAPI in the management, coordination and use of intellectual property on the continent.

The Joint Meeting was attended by the following dignitaries:

- 1) Chairman of the ARIPO Council of Ministers, Honourable (Retired) Major General K. Otafire, and Minister of Justice and Constitutional Affairs of Uganda;
- 2) President of the Administrative Council of OAPI, Honourable A.O. Mibuy, and President of the Scientific and Technological Research Council of Equatorial Guinea;
- 3) Minister of Justice, Legal and Parliamentary Affairs of Zimbabwe, Honourable E. Mnangagwa;
- 4) Deputy Minister of Justice, Legal and Parliamentary Affairs of Zimbabwe, Honourable F. Chasi;
- 5) Deputy Minister of Science and Technology, Higher and Tertiary Education of Zimbabwe, Honourable Dr. G. Gandawa;
- 6) Chairman of the Administrative Council of ARIPO, Mr. B. Twebaze, who is Registrar General, Uganda Registration Services Bureau;
- 7) Director General of ARIPO, Mr. F. Dos Santos;
- 8) Director General of OAPI, Dr. P. Edou Edou.



Honourable delegates to the Joint Meeting of Chairmen of ARIPO and OAPI which was held from 10 to 11 April, 2014, at the ARIPO Headquarters in Harare, Zimbabwe

## VISIT OF A DELEGATION FROM THE NATIONAL COPYRIGHT ADMINISTRATION OF CHINA

A high powered delegation from the National Copyright Administration of China (NCAC) visited the ARIPO Office for the purpose of studying specific matters concerning copyright and related rights at the ARIPO Office. The visit took place from 11 to 14 September 2014.

The delegation was headed by Mr. Wang Ziqiang (Director General of the Department of Policies and Regulations in NCAC). He was accompanied by Mr. Sun Lei (Deputy Director of the Culture Office of Education, Science, Culture & Health Commission of the National Peoples Congress), Mr. Zhang Yaoming (Deputy Director of Education, Science, Culture & Health Department of the Legislation Office of the State Council, Mr. Li Zehua (Investigator, Deputy Chief of the 3rd General Office of the State Council), Mrs. Xiao Zhan (Deputy Chief of the Hong Kong, Macao and Taiwan Affairs Division, Importation Administration Department, NCAC) and Mrs. Shen Yajie (Principal Staff of the Copyright Regulations Division, Policy & Legislation Department, NCAC).

During the meeting, the delegation consulted with the ARIPO Staff on the following subjects of its interest:

- 1) copyright policies, strategies and activities of ARIPO as a regional IP organization;
- 2) if, and how, the Organization coordinates copyright issues of its Member States; what the main focus areas are;
- 3) main content of the Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore;
- 4) implementation status of the protocol and the following details:
  - (a) registration and confirmation of beneficiary issues;
  - (b) competent government organs and registration agencies.
- 5) other policies and experiences of ARIPO and its Member Countries in dealing with traditional cultural expressions;
- 6) other issues of mutual interest.

Before departure on 14 September, the Chinese delegation visited the Zimbabwe Intellectual Property Office on 12 September where it was received and conducted by the institution's Chief Registrar, Mr. F. Maredza.



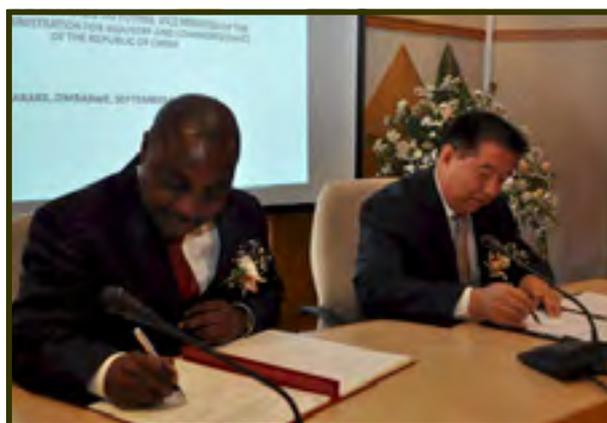
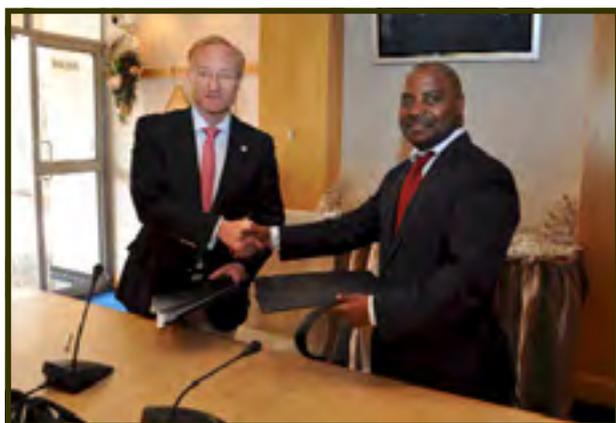
The high powered delegation from the People's Republic of China pictured here with H.E the Chinese Ambassador to Zimbabwe as well as a representative of the Director General of ARIPO and two other members of staff of the ARIPO Office

## MEMORANDA OF UNDERSTANDING EXECUTED IN 2014

Article VI of the Lusaka Agreement which was adopted on 9 December, 1976, on the creation of ARIPO mandates the Organization to "co-operate with Governments of States not members of the Organization and with organizations, institutions and bodies other than those referred to in Article V of this Agreement (hereinafter referred to collectively as "Co-operating States and Organizations") which are desirous of assisting the Organization or its members in achieving the objectives of the Organization".

In furtherance of Article VI of the Lusaka Agreement, the following Memoranda of Understanding (MoU) were executed in the year 2014:

- 1) The Addendum to the MoU between the Office for Harmonization in the Internal Market (Trade Marks and Designs) and ARIPO;
- 2) The MoU between ARIPO and IP Australia Concerning IP Australia's Regional Patent Examination Training Programme;
- 3) Renewal of the MoU between ARIPO and the Mexican Institute of Industrial Property (IMPI Mexico);
- 4) Renewal of the MoU between ARIPO and the State Administration for Industry and Commerce of the Republic of China; and
- 5) MoU between ARIPO and the Norwegian Copyright Development Association (NORCODE).



Top left:

Director General of ARIPO (right) shakes hands with the President of OHIM, Mr. A. Campinos, after signing their agreement

Above:

Picture shows the Director General (left) and Hon. Liu Yuting, Vice Minister of SAIC, signing an agreement between ARIPO and SAIC

Left:

Director General (right) and Ms T. Koskinen-Olsson, Consultant, after signing an agreement between NORCODE and ARIPO







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