



FOR IMMEDIATE RELEASE

Namibia Hosts a Regional Judges' Colloquium on Intellectual Property Matters

Swakopmund, Namibia, 03 May 2023: The African Regional Intellectual Property Organization (ARIPO) and the Intellectual Property Rights and Innovation in Africa (AfrIPI) are hosting a **Judges' Colloquium on Enforcement of Intellectual Property Rights** in Africa (Judges' Colloquium) in partnership with The Government of the Republic of Namibia, represented by the Business Intellectual Property Authority (BIPA) and the United States Department of Justice (USDOJ) Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) International Computer Hacking and Intellectual Property (ICHIP) Africa Program. The three-day Colloquium will be held from **3 to 5 May, 2023** at the Swakopmund Hotel & Entertainment Centre in Swakopmund, Namibia.

The Colloquium will bring together judges and lawyers that handle Intellectual Property (IP) matters in ARIPO Member and Observer States to share experiences and information on IP matters to develop and strengthen IP law in Africa. In addition, the Colloquium will leverage existing initiatives to advance IP adjudication in Africa, like the Africa Regional IP Benchbook Project co-facilitated by ARIPO and ICHIP Africa Program.

The participating States in the Colloquium include Botswana, Cape Verde, Ethiopia, The Kingdom of Eswatini, The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, Sao Tome & Principe, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Tanzania, Uganda, Zambia, Zanzibar, and Zimbabwe.

It is envisioned that the Colloquium will create a network of judges that will continue the exchange of cases and developments in IP matters in the region. The event will also provide an opportunity for judges to discuss the importance of IP case law, which is key in informing IP holders and users on the enforceability of the IP rights granted or registered by ARIPO.

"The Judiciary plays a pivotal role in enforcing IP rights in the respective jurisdictions. ARIPO has taken steps to create awareness and build respect, compliance, and appreciation of IP through various initiatives on its own or in partnerships within and beyond Africa. Through such partnerships, the Member States of ARIPO and Africa benefit and expand their knowledge of IP Rights," said ARIPO Director General, Mr. Bemanya Twebaze.

AfrIPI created a pan-African case-law database of intellectual property rights cases in 2021. The Colloquium will also serve as a platform for AfrIPI to discuss the case-law database with the judges and lawyers to ensure that the database remains updated, relevant, and valuable as a source of law in the field of IP.

“As a policy maker, I would imagine that the policy, legal and institutional arrangements must be in place, so that the enforcement role of the Judiciary is not affected in a manner that the legal text, they are expected to interpret is not vague, and perhaps too broad, leaving them no choice, to sometimes, make law in an effort to ensure implementation is practical, fair and reasonable,” said Hon. Yvonne Dausab, MP., Minister of Justice.

Honourable Justice Shafimana Ueitele, Judge of the High Court represented Chief Justice His Lorship Peter S. Shitvute at the opening ceremony of the Colloquium. Remarks were delivered by the Guest of Honour, Hon. Yvonne Dausab, MP., Minister of Justice, Mr. Bemanya Twebaze, Director General, ARIPO, Ms. Vivienne Katjuongua, Chief Executive Officer, Business and Intellectual Property Authority (BIPA) Namibia, Ms. Nancy Samuriwo representing Aida Galindo, Project Leader, AfrIPI, and Ms. Tanya Y, Hill, Attorney Advisor, International Computer Hacking, and Intellectual Property (ICHIP) Africa.

“Through this Judges Colloquium, AfrIPI aims to support efforts by the judiciary to strengthen IP jurisprudence in Africa. This is critical for improved intra-African trade and to promote trade between Africa and Europe,” said Aida Galindo, Project Leader, AfrIPI.

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Background

1. About Intellectual Property Rights

Intellectual property rights (‘IPRs’ or ‘IP rights’) are legally enforceable rights over the use of inventions or other creative works. According to the definition of the World Intellectual Property Organization (<https://www.wipo.int/about-ip/en/>), ‘IP is protected in law by, for example, patents, copyright, and trademarks, which enable people to earn recognition or financial benefit from what they invent or create. By striking the right balance between the interests of

innovators and the wider public interest, the IP system aims to foster an environment in which creativity and innovation can flourish.’

IPRs include trademarks, patents, utility models, industrial designs, copyright, plant breeders’ rights, layout designs of integrated circuits, geographical indications, new plant varieties and traditional knowledge, genetic resources, and expressions of folklore. However, certain variations in definitions and categories may be found in each country.

IP rights, as intangible assets, are key to the competitiveness of businesses in the global economy. IP rights are a primary method of securing a return on investment in innovation, creativity, and reputation. Apart from helping companies to protect their inventions from competitors, IP rights can also be an essential source of cash flow through licensing deals or IP sales. They are also a significant pull factor for attracting investors.

2. About ARIPO

ARIPO is an intergovernmental organisation that facilitates cooperation among its Member States in intellectual property matters. The purpose of ARIPO is to pool resources for the promotion, development, and harmonisation of the IP laws and policies of ARIPO Member States. The objective of ARIPO, amongst others, is to establish common services and organs for IP coordination, development and harmonisation. The Member States of ARIPO comprise Botswana, The Kingdom of Eswatini, Cape Verde, The Gambia, Ghana, Kenya, The Kingdom of Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, Sao Tome & Principe, Seychelles, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia, and Zimbabwe. You can read more about ARIPO at www.aripo.org

3. About AfrIPI

AfrIPI is a pan-African project that aims to support the European Union in creating, administering, utilising, protecting and enforcing intellectual property rights across Africa. It aligns with international and European best practices and supports the African Continental Free Trade Area and the African Union’s Agenda 2063.

The overall objective of the AfrIPI project is to facilitate intra-African trade and African and European investment. The project is funded and directed by the European Union, co-funded and implemented by the European Union Intellectual Property Office (EUIPO). You can read more about AfrIPI at www.afripi.org

4. About Business Intellectual Property Authority (BIPA)

The Business and Intellectual Property Authority (BIPA) was established to be the central focal point for the registration, administration and protection of businesses, commercial and industrial properties rights (IPRs) as well to be the legal depository of information, documents and data required to be lodged under the applicable legislations. BIPA is further tasked with the provision of general advisory services and information dissemination on business registration and IPRs.

The ease with which an entrepreneur can set up and operate a business, and the protection of industrial property rights, are important business decisions. To this end, BIPA fulfills a critical function within the Namibian society by solidifying government efforts towards business development in Namibia. You can read more about BIPA on www.bipa.na

5. About United States Department of Justice (USDOJ) Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) International Computer Hacking and Intellectual Property (ICHIP) Africa Program.

The ICHIP program is a global network of advisors advising foreign counterparts on strengthening investigations, prosecutions, adjudication, and cross-border cooperation against cyber and IP crimes. It is a partnership between the U.S. Department of State Bureau of International Narcotics Control and Law Enforcement Affairs (DOS/INL), USDOJ Computer Crimes and Intellectual Property Section (CCIPS), and OPDAT.

OPDAT develops and administers technical and developmental assistance to enhance the capabilities of foreign justice sector institutions and their law enforcement personnel. Experienced U.S. prosecutors are attached to U.S. Embassies to implement OPDAT programs with the assistance of local specialists. They assess host country criminal justice institutions and procedures; draft, review, and comment on legislation and criminal enforcement policy; provide technical assistance to officials at the Ministry of Justice, prosecutors, judges, and other justice sector personnel through case-based mentoring, skills development, and promoting institutional reform.

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