

FOR IMMEDIATE RELEASE

Intellectual Property: 19 African countries part of the first-ever Workshop on the Promotion of ARIPO Protocols in Mauritius

Balaclava, 31 May 2023: The Industrial Property Office of Mauritius (IPOM), under the **Ministry of Foreign Affairs, Regional Integration and International Trade**, in partnership with the African Regional Intellectual Property Organization (ARIPO) and the Intellectual Property Rights and Innovation in Africa (AfrIPI), are hosting a three-day **Workshop on the Promotion of ARIPO Protocols**. The Workshop will be held from **31 May to 2 June 2023** at the InterContinental Resort in Balaclava, Mauritius.

His Excellency, Hon. Soomilduth Bholah, the Acting Minister of Foreign Affairs and International Trade of the Republic of Mauritius, will be the guest of honour at the opening ceremony. Remarks will be delivered by high-level officials, including Mr Vincent Degert, the EU Ambassador to the Republic of Mauritius, Mr Bemanya Twebaze, the Director General of ARIPO, Ms Aida Galindo, the Project Leader of AfrIPI, and Mr Ranjive Beergaunot, the Acting Controller of the Industrial Property Office of Mauritius.

The Workshop unites representatives from national IP offices of 19 African States, including; Botswana, Cape Verde, the Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Nigeria, Sao Tome and Principe, Sierra Leone, Somalia, United Republic of Tanzania, Uganda, Zambia, and Zimbabwe.

“This workshop aims to promote accession to ARIPO IP Protocols by the ARIPO Member States. It is incumbent upon ARIPO to ably demonstrate the value of joining ARIPO to both the Member and Observer States beyond acceding to these Protocols. I am confident that the participating Observer States will join ARIPO in the fullness of time. The IP regional system will also be demonstrated during this workshop to highlight its benefits. This will provide a platform for the participants to learn and share experiences on best practices in centralized IP systems,” said Mr Bemanya Twebaze, the Director General of ARIPO.

ARIPO’s objectives, as stated in Article III of the Lusaka Agreement of 1976, show that cooperation in intellectual property (IP) advances knowledge to achieve technological advancement and contributes to the sustainable development of its Member States. Some of these objectives require ARIPO to promote the harmonisation and development of IP laws, the exchange of ideas, experience and research related to IP rights. Following the Lusaka Agreement, ARIPO adopted the following five IP rights Protocols:

- The Harare Protocol on Patents and Industrial Designs;
- The Banjul Protocol on Marks;
- The Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore;
- The Arusha Protocol for the Protection of New Varieties of Plants; and
- The Kampala Protocol on Voluntary Registration of Copyright and Related Rights.

These Protocols provide collective legal frameworks that are advantageous to ARIPO Member States. However, not all ARIPO Member States have acceded to these Protocols.

“Through this Workshop, AfrIPI supports ARIPO’s efforts to strengthen the awareness of IP Protocols in Africa. This is critical for improved intra-African trade and to promote trade between Africa and Europe,” commented Aida Galindo, Project Leader, AfrIPI.

As a result, this Workshop aims to promote awareness and increase the ratification and accession of ARIPO’s Protocols by ARIPO Member and Observer States, and to encourage them to join international agreements related to IP. The Workshop will also highlight the benefits of the ARIPO IP regional system. This is aligned with one of ARIPO’s founding pillars, which is to pool the resources of its Member States to avoid duplication of financial and human resources in IP matters.

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Background

1. ARIPO

ARIPO is an intergovernmental organisation that facilitates cooperation among its Member States in intellectual property matters. The Organisation pools 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 bodies for IP rights coordination, development and harmonisation. The Member States of ARIPO include; Botswana, the Kingdom of Eswatini, Cape Verde, the Gambia, Ghana, Kenya, the Kingdom of Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Seychelles, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia, and Zimbabwe. Discover more about ARIPO at www.aripo.org

a) The Harare Protocol on Patents and Industrial Designs

The Harare Protocol on Patents and Industrial Designs was adopted on 10 December 1982. The Protocol empowers ARIPO to grant patents and register industrial designs and utility models on behalf of the Harare Protocol contracting states. All ARIPO Member States are signatories to this protocol except Somalia and Mauritius. The Harare Protocol can be accessed [here](#).

b) The Banjul Protocol on Marks

The Banjul Protocol on Marks was adopted on 19 November 1993. The Protocol empowers the Organisation to register marks for ARIPO Member States. Since 1997, the Protocol has been extensively revised to make it compatible with the Agreement on Trade-Related Aspects of Intellectual Property Rights and the Trademark Law Treaty, and to increase its accessibility. The States currently party to the Banjul Protocol include; Botswana, Cape Verde, the Kingdom of Eswatini, The Gambia, the Kingdom of Lesotho, Liberia, Malawi, Mozambique, Namibia, Sao Tome and Principe, Tanzania, Uganda, and Zimbabwe. Access the Banjul Protocol [here](#).

c) The Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore (‘the Swakopmund Protocol’)

The Swakopmund Protocol was adopted on 9 August 2010 at a diplomatic conference in Swakopmund, Namibia. The Protocol entered into force on 11 May 2015.

ARIPO is mandated under the Swakopmund Protocol to protect traditional knowledge holders against any infringement of their rights and expressions of folklore against misappropriation, misuse and unlawful exploitation.

The Protocol has nine contracting states, including; Botswana, Cape Verde, Malawi, Namibia, Rwanda, the Gambia, Liberia, Zambia and Zimbabwe. Find the Swakopmund Protocol [here](#).

d) The Arusha Protocol for the Protection of New Varieties of Plants

The Arusha Protocol for the Protection of New Varieties of Plants was adopted in Arusha, the United Republic of Tanzania on 6 July 2015. The Protocol will enter into force when four States have deposited their instruments of ratification or accession. The Protocol will provide Member States with a regional plant variety protection system that recognises the need to provide growers and farmers with improved varieties of plants to ensure sustainable agricultural production. Access the Arusha Protocol [here](#).

e) The Kampala Protocol on Voluntary Registration of Copyright and Related Rights

The Kampala Protocol on Voluntary Registration of Copyright and Related Rights was adopted on 28 August 2021 at a diplomatic conference in Kampala, Uganda by the Council of Ministers of ARIPO Member States. Currently, 12 Member States have signed the Protocol, including; the Gambia, Ghana, Liberia, Malawi, Mozambique, Namibia, Sao Tome and Principe, Sudan, Sierra Leone, the United Republic of Tanzania, Uganda, and Zambia. The Protocol will enter into force once five countries deposit their instruments of ratification or accession with the Director General of ARIPO. The following ARIPO Member States have signed the Protocol; the Gambia, Ghana, Liberia, Malawi, Mozambique, Namibia, Sao Tome and Principe, Sudan, Sierra Leone, the United Republic of Tanzania, Uganda, and Zambia. Access the Kampala Protocol [here](#).

2. About AfrIPI

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

Overall, the AfrIPI project aims to facilitate intra-African trade and African and European investment. The project is funded and directed by the European Union, and co-funded and implemented by the European Union Intellectual Property Office. Read more about AfrIPI at www.afripi.org

3. The Industrial Property Office of Mauritius

IPOM was established following the enactment of the Patents, Industrial Designs and Trademarks Act 2002 (now repealed). The Industrial Property Act 2019 came into force on 31 January 2022. It provides for the protection of industrial property rights. These include patents, utility models, layout-designs of integrated circuits, breeder's rights, industrial designs, trade marks, trade names and geographical indications. It also set up an Intellectual Property Council which is advisory in nature and provides for the jurisdiction of the Industrial Property Tribunal. Read more about IPOM at www.foreign.govmu.org

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