



**AFRICAN REGIONAL INTELLECTUAL PROPERTY  
ORGANIZATION (ARIPO)**

**ADMINISTRATIVE COUNCIL**

**THIRTY-EIGHTH SESSION**

*Lusaka, Republic of Zambia, November 16 to 18, 2015*

**REPORT OF THE DIRECTOR GENERAL ON THE 2015 ACTIVITIES**

## **EXECUTIVE SUMMARY**

### **INTRODUCTION**

1. The Report of the Director General is submitted pursuant to Article VIII [4] of the Lusaka Agreement. According to this article, the Director General of the Secretariat shall submit for the approval of the Administrative Council, the annual report and drafts for the programme of activities, budget and accounts of the Organization.
2. The Report of the Director General is based on the Consolidated Medium Term Strategic Plan 2011 - 2015 adopted by the Administrative Council at its 37<sup>th</sup> Session held in Kampala, Uganda from November 25 to 26, 2013. The Consolidated Strategic Plan approved by the Administrative Council reduced the strategic goals to five, and the implementing programmes to 15.
3. The main highlight for the year 2015 is the entry into force on May 11, of the Swakopmund Protocol for the protection of traditional knowledge and expressions of folklore. The Protocol received 7 ratifications from Botswana, Malawi, Namibia, Rwanda, The Gambia, Zambia and Zimbabwe. The Protocol aims to protect the overall traditional knowledge and folklore of Africa and to ensure that same is properly utilized for the welfare of her people. The Protocol remains open for signature until December 31, 2015.
4. Another important milestone was the successful conclusion of the Diplomatic Conference for the adoption of the Draft ARIPO Protocol for the Protection of New Varieties of Plants which was held in Arusha, Tanzania on July 6, 2015. The new ARIPO Protocol on the protection of new varieties of Plants will be known as the “Arusha Protocol” and aims to enhance Agricultural productivity, innovation and development in the member States of the Organization. The new Protocol received five signatures (Ghana, Mozambique, Sao Tome & Principe, The Gambia and United Republic of Tanzania).
5. With regard to infrastructural development it is worth highlighting the commencement of the Project of the construction of the extension of the ARIPO headquarters in May 2015. The project is envisaged to last 12 months and the contractor expects to handover the building in May 2015. The new building will certainly change the face of ARIPO and will

accommodate more offices, conference rooms, meeting rooms and new parking bays.

6. The number of applications received by the ARIPO Secretariat continues to increase although it has not registered huge changes compared to the previous year. As at October 31, 648 patents and 237 trademark applications were lodged. There is a decrease of 6.7% in the number of patent applications lodged and 26% in the number of trademarks lodged compared to same period of 2014. The number of industrial designs lodged is of 106 corresponding to a decrease in 20.7% compared to the same period of last year. A big change was registered in the number of utility models applications which has rose to 19 corresponding to an increase of 137% compared to last year.
7. In the statistics above it worth highlighting the excellent performance of the new member states namely Rwanda and Sao Tome & Principe. In patents, Rwanda was designated in 2015 390 thus surpassing The Gambia, Liberia, Lesotho, Sudan, Sierra Leone and Swaziland. In industrial designs Sao Tome & Principe surpassed Lesotho and Botswana with 68 applications.
8. The income projected for 2015 was US\$5.2 million and as at September 30 the office has been able to raise 3.9 million corresponding to 75%. The expenditure was budgeted at US\$ 5.2 million and as at September 30, the actual amount spent totaled US\$ 3.5 million corresponding to 67.3%.
9. The ARIPO flagship program “ARIPO Roving Seminars” contemplated this year five more countries namely: Ghana, Kenya, Lesotho, Rwanda and Zambia benefitting directly 664 participants. With the series of the Roving Seminars conducted this year the number of countries that benefitted from this initiative is 11, bringing the total number of participants to 1400.
10. With the quest to improve and provide better services to the users ARIPO office launched on April 25 the new state-of-the-art system for filing applications and searching of technological information by providing on-line filings and all other e-services found in the most advanced IP offices in the World. This marks the conclusion of the ARIPO/WIPO/KOICA Project to Upgrade and Modernize the ARIPO ICT Infrastructure and those of its Member States funded and implemented with assistance of KOICA and WIPO.

11. With regard to capacity building 23 ARIPO members of staff benefitted from 13 individual training activities attended in several countries of the World. Staff benefitted further from Results Based Management (RBM) and Value and Growth High Performance Methodology Workshops organized by external consultants.
12. The “The Most Outstanding Employee of the Month Award” recognized as at September 2015 six outstanding employees.
13. The MIP Program jointly organized by ARIPO/WIPO and Africa University in Mutare, Zimbabwe is now in its 8<sup>th</sup> edition. In total, 213 students have been trained on sponsorship from the first to eighth cohort. Some students are admitted into the MIP program on self-sponsorship. A total of 45 students have been offered scholarships by ARIPO since the inception of the programme in 2008. The MIP Program has graduated 194 students (134 Male, 60 Female) from the first to seventh cohort.
14. The ARIPO Academy organized during the year other five training activities in the headquarters of the organization in collaboration with WIPO. Approximately 80 participants from the Member States attended those training activities.
15. Collaboration with strategic partners was further boosted this year with the signing of four more agreements with the United States Patent and Trademark Office (USPTO), the National Institute of Industrial Property (INPI) of Brazil, the African Intellectual property Organization (OAPI) and the State Intellectual Property Office (SIPO) of the People’s Republic of China.

## HIGHLIGHTS OF ACTIVITES CARRIED OUT IN 2015

1. The highlights of the activities under selected programmes are as follows:

### STRATEGIC GOAL I DELIVERING QUALITY IP SERVICES

#### PROGRAMME 1: INDUSTRIAL PROPERTY

##### i) Patent applications

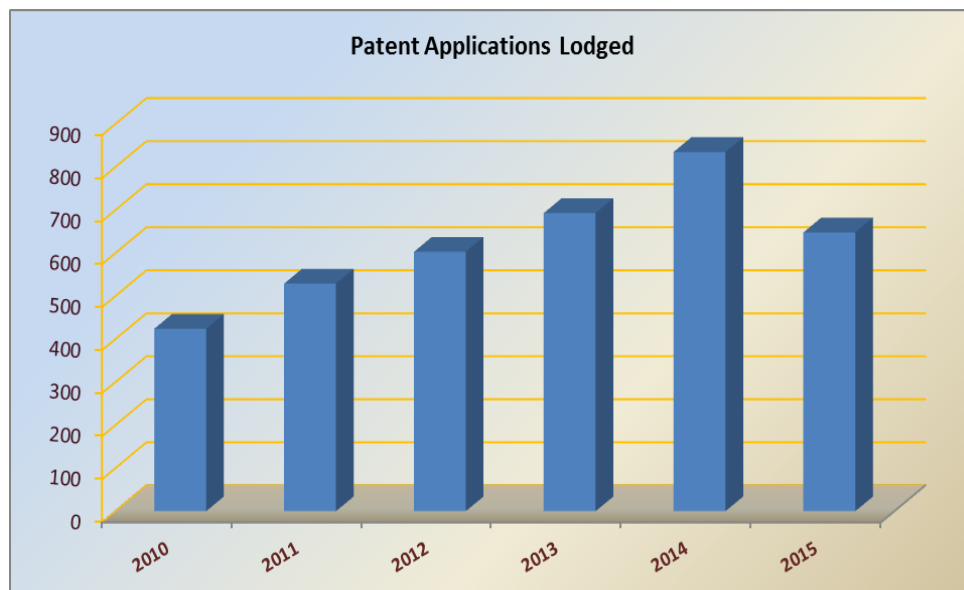
2. During the reporting period (from January 1 to October 31<sup>st</sup>, 2015) the Office registered mixed trends regarding the number of applications received. Patent applications registered a slight decrease as indicated in the table and graph below.

Table 1: Monthly Patents Applications received 2010-2015

Month	2010	2011	2012	2013	2014	2015
Jan	36	34	51	52	59	63
Feb	40	46	40	48	75	50
Mar	39	43	60	32	70	56
Apr	30	40	43	58	55	82
May	33	55	45	53	68	67
Jun	32	36	57	61	61	64
Jul	41	36	52	67	112	60
Aug	36	43	55	66	65	73
Sep	19	49	33	65	68	79
Oct	41	57	53	61	62	54
Nov	37	46	51	66	53	
Dec	40	44	63	64	87	
<b>Tot</b>	<b>424</b>	<b>529</b>	<b>603</b>	<b>693</b>	<b>835</b>	<b>648</b>

Source: ARIPO

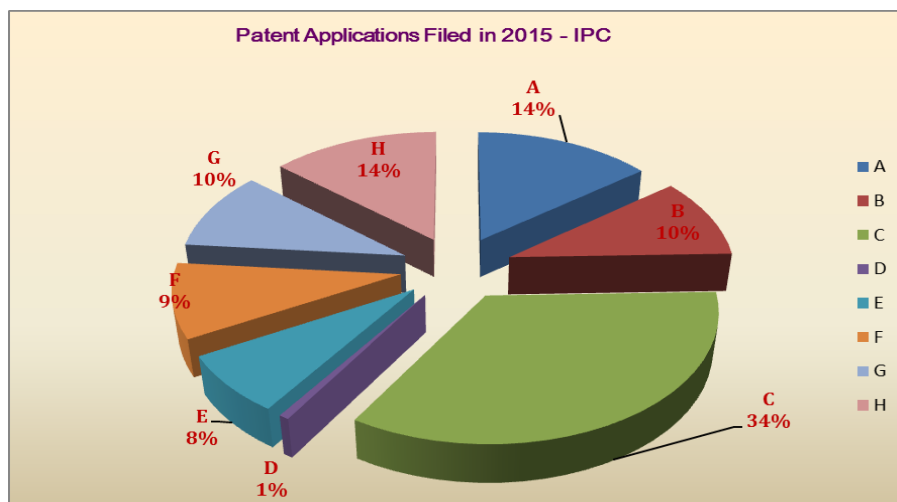
Fig. 1: Patent applications lodged 2010 – 2015



Source: ARIPO

3. The number of Patent applications received as of October 31, 2015 is lower than the number recorded in the same period in 2014. In 2015 the Office received 646 applications while the same period of 2014 recorded 695 applications.
4. The graph below shows the most IPC classes used by the applicants. From the pie chart it is clear that class C (chemistry; metallurgy) is the most used (34%) followed by classes A (human necessities) and H (electricity) both on 14%.

Fig. 2: Patent applications lodged according to IPC classification



Source: ARIPO

5. The table below indicates the designations of the contracting states of patent applications received since 1984 and shows that Kenya (7685), Zimbabwe (6874), Uganda (6724), Ghana (6657) and Malawi (6466) are the five (5) most designated States. With regard to 2015 the following were the top five (5) most designated states: Kenya (539), Tanzania (489), Ghana (470), Mozambique (468) and Zimbabwe (452). The newly admitted member, Sao Tome & Principe was designated 14 times and Rwanda has already surpassed some longstanding members of the Protocol with 390 designations.

Table 2: Designations of ARIPO Member States of Patent Applications in 2015

State	2015
Botswana	453
Ghana	470
Gambia	386
Kenya	539
Liberia	388
Lesotho	379
Malawi	398
Mozambique	468
Namibia	448
Rwanda	390
Sudan	359
Sierra Leone	385
Sao Tome & Principe	14
Swaziland	381
Tanzania	489
Uganda	436
Zambia	441
Zimbabwe	452

Source: ARIPO

Table 3: Designations of ARIPO Member States of Patent Applications from 1984 to 2015

State	1984-2015
Botswana	5090
Ghana	6657
Gambia	5937
Kenya	7685
Liberia	2056
Lesotho	5935
Malawi	6466
Mozambique	5314
Namibia	4006
Rwanda	1216
Sudan	6380
Sierra Leone	5032
Sao Tome & Principe	23
Swaziland	6016
Tanzania	5649
Uganda	6724
Zambia	5570
Zimbabwe	6874

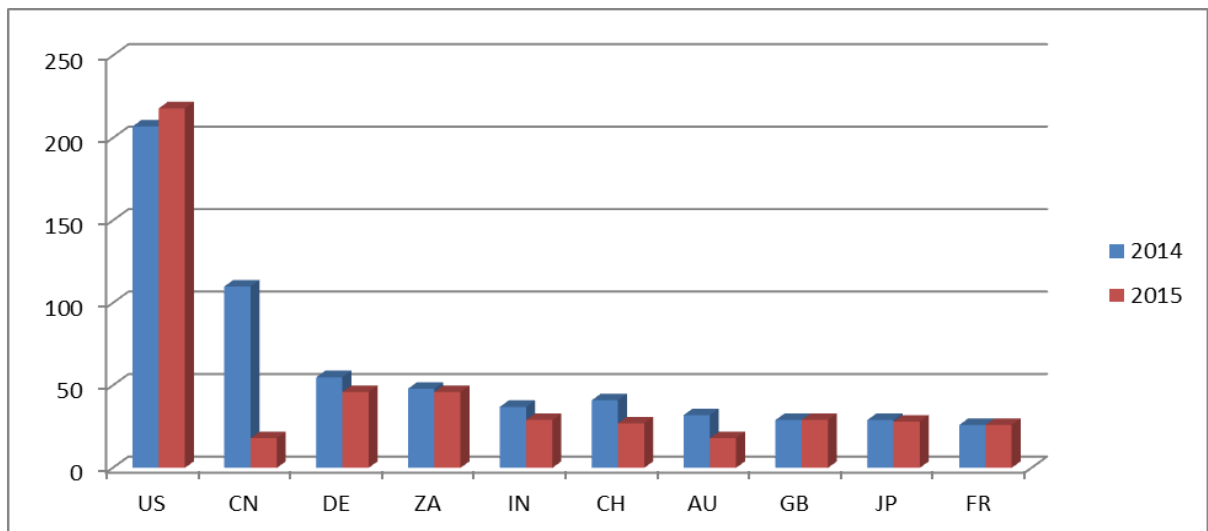
Source: ARIPO

6. The table below illustrates the origin of patent applications filed in 2014 and 2015 showing a drastic decrease of applications from China from 110 to only 18. The biggest user of the system remains the United States with 218 applications.

Table 4: Patent Applications Filed in 2014-2015 according to Origin - Top 10

Country	2014	2015
United States (US)	207	218
China (CN)	110	18
Germany (DE)	55	46
South Africa (ZA)	48	46
India (IN)	37	29
Switzerland (CH)	41	27
Australia (AU)	32	18
United Kingdom (GB)	29	29
Japan (JP)	29	28
France (FR)	26	26

Fig 3: Patent Applications Filed in 2014-2015 according to Origin - Top 10



Source: ARIPO

## ii) Utility Model applications



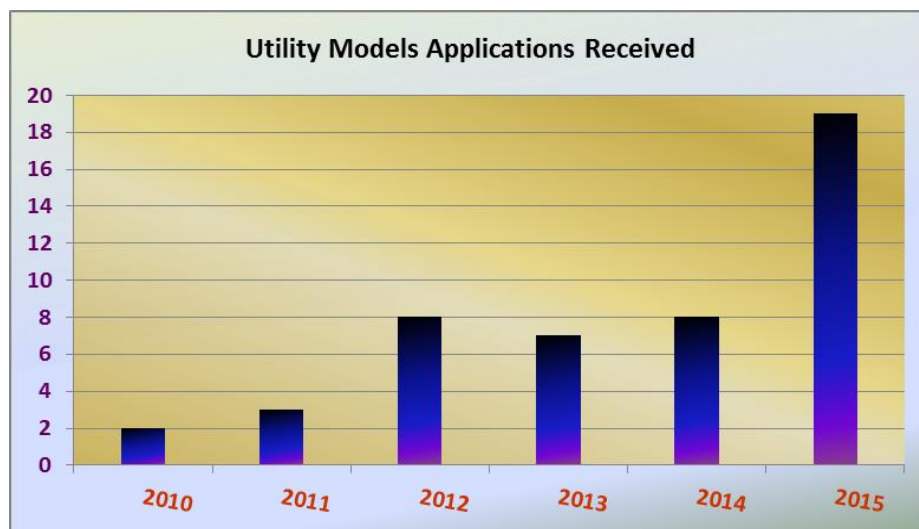
7. The utility models finally registered a breakthrough: 19 applications were received in the first 10 months. This figure is higher than the number of applications received in the last two years combined.

Table 5: Monthly Utility Models Applications Received 2010 – 2015

Month	2010	2011	2012	2013	2014	2015
Jan	0	1	0	2	0	0
Feb	0	0	1	0	0	1
Mar	1	0	0	1	0	1
Apr	0	0	0	1	4	4
May	0	1	1	0	0	2
Jun	1	0	0	0	0	2
Jul	0	1	1	0	1	3
Aug	0	0	1	1	1	3
Sep	0	0	4	0	0	2
Oct	0	0	0	1	0	1
Nov	0	0	0	0	2	
Dec	0	0	0	1	0	
<b>Tot</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>19</b>

Source: ARIPO

Fig. 4: Utility Models applications received 2010 – 2015



Source: ARIPO

### iii) Industrial designs

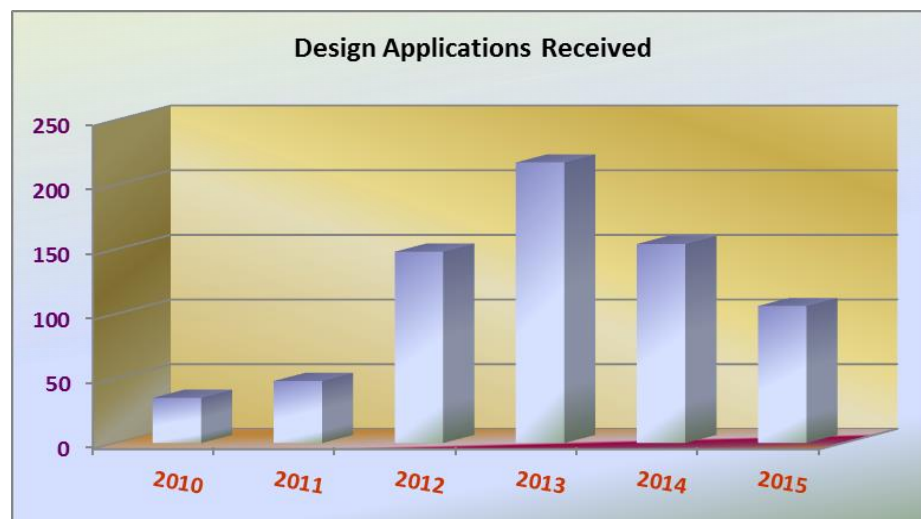
8. The industrial designs figure is also showing a slight slowdown with 106 applications recorded. The graph and table below illustrates that trend:

Table 6: Monthly Industrial Designs Application Received

Month	2010	2011	2012	2013	2014	2015
Jan	0	3	0	2	5	7
Feb	3	9	5	5	15	23
Mar	4	1	10	9	25	5
Apr	7	2	10	15	21	6
May	1	2	2	37	8	8
Jun	2	0	5	8	10	35
Jul	2	5	76	61	14	4
Aug	7	1	5	24	17	4
Sep	1	6	10	3	10	8
Oct	1	13	5	39	13	6
Nov	2	5	13	4	6	
Dec	5	1	7	10	10	
<b>Tot</b>	<b>35</b>	<b>48</b>	<b>148</b>	<b>217</b>	<b>154</b>	<b>106</b>

Source: ARIPO

Fig: 5: Industrial Designs applications received 2010 – 2015



Source: ARIPO

- The most designated States in industrial designs in the year 2015 are: Kenya (93), Ghana (92), Tanzania (83), Zimbabwe (78) and Zambia (77). It worth noting that the new member state, Sao Tome & Principe has already surpassed Lesotho and Botswana with 68 designations.

Table 7: Designations of ARIPO  
Member States of Industrial Designs  
Applications in 2015

State	2015
Botswana	66
Ghana	92
Gambia	68
Kenya	93
Liberia	69
Lesotho	67
Malawi	71
Mozambique	72
Namibia	69
Rwanda	68
Sudan	68
Sierra Leone	68
Sao Tome & Principe	68
Swaziland	64
Tanzania	83
Uganda	75
Zambia	77
Zimbabwe	78

Table 8: Designations of ARIPO  
Member States of Industrial Designs  
Applications from 1984 to 2015

State	1984-2015
Botswana	755
Ghana	783
Gambia	677
Kenya	837
Liberia	455
Lesotho	658
Malawi	699
Mozambique	724
Namibia	670
Rwanda	457
Sudan	668
Sierra Leone	543
Sao Tome & Principe	106
Swaziland	669
Tanzania	716
Uganda	718
Zambia	784
Zimbabwe	833

iv) **Trademark applications**

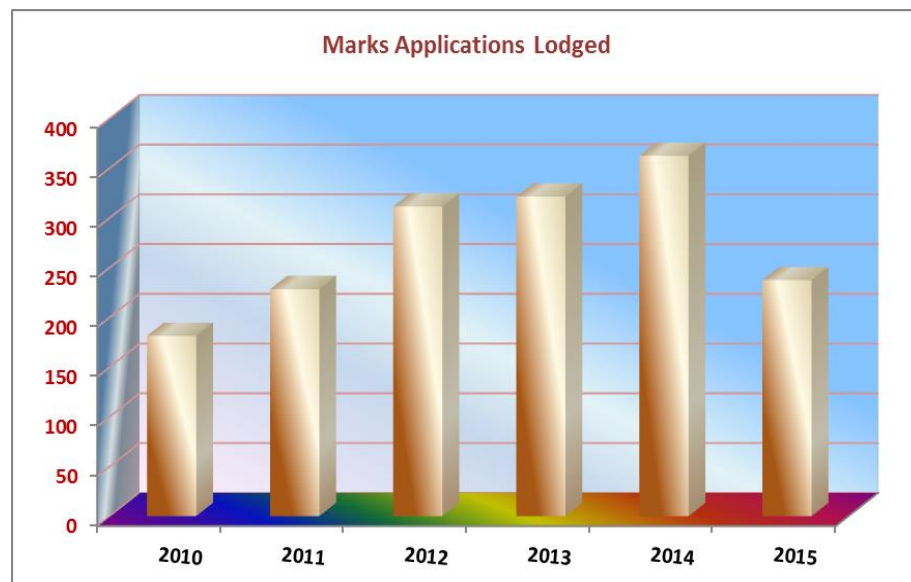
10. With regard to trademark applications, the 237 applications received in the current year are also lower than the 299 received in the same period last year as illustrated in the table and graph bellow.

Table 9: Monthly Trademarks Applications Received

Month	2010	2011	2012	2013	2014	2015
Jan	17	15	15	17	15	24
Feb	6	16	53	14	38	31
Mar	19	25	49	16	12	22
Apr	15	51	33	47	39	24
May	11	7	12	21	26	24
Jun	9	17	13	58	23	15
Jul	22	28	13	19	62	38
Aug	8	12	39	26	30	24
Sep	25	11	34	28	19	18
Oct	17	14	10	29	35	17
Nov	5	16	33	28	32	
Dec	27	16	7	18	31	
<b>Tot</b>	<b>181</b>	<b>228</b>	<b>311</b>	<b>321</b>	<b>362</b>	<b>237</b>

Source: ARIPO

Fig. 6: Trademark applications received 2010-2015



Source: ARIPO

11. The five most designated states for trademarks in 2015 and since the inception of the system are: Botswana (156), Uganda (124), Lesotho (123), Namibia (122) and Tanzania (122).

Table 10: Designations of ARIPO Member States of Trademarks Applications from 1984 to 2015

State	2015
Botswana	156
Liberia	110
Lesotho	123
Malawi	117
Namibia	122
Swaziland	119
Tanzania	122
Uganda	124
Zimbabwe	119

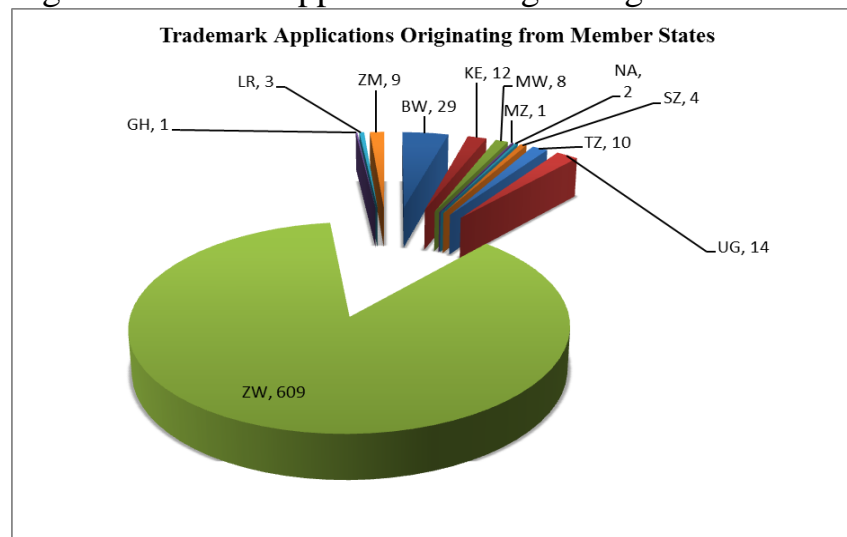
Table 11: Designations of ARIPO Member States of Trademarks Applications from in 2015

State	1997-2015
Botswana	1462
Liberia	639
Lesotho	1302
Malawi	1614
Namibia	1323
Swaziland	1420
Tanzania	1565
Uganda	1397
Zimbabwe	2051

Source: ARIPO

12. Among the member states the biggest user of the Banjul Protocol system is Zimbabwe with 609 applications. The pie chart below shows the other countries of origin of the trademark applications among the Member states.

Fig.7: Trademark applications Originating from Member States



Source: ARIPO

13. The pie chart shows that although Ghana, Kenya and Zambia are not party to the Banjul Protocol their users are benefitting from the system.

## **PROGRAMME 2: GENETIC RESOURCES, TRADITIONAL KNOWLEDGE AND EXPRESSIONS OF FOLKLORE**

### **i) Traditional Knowledge and Expressions of Folklore**

14. The Swakopmund Protocol for the protection of traditional knowledge and expressions of folklore entered into force on May 11, 2015. The Protocol received 7 ratifications from Botswana, Malawi, Namibia, Rwanda, The Gambia, Zambia and Zimbabwe. The Protocol aims to protect the overall traditional knowledge and folklore of Africa and to ensure that same is properly utilized for the welfare of her people.
15. Further to the entry into force a Business Plan for the implementation of the Protocol was developed. The overall objective of the plan is to enable the Member States of the organization to maximize the benefits to be derived from the Swakopmund Protocol and provide mechanisms for the effective protection of traditional knowledge and expressions of folklore at the national level. It will also entail a coordinated approach to the protection of the resources including the mutual recognition and enforcement of rights and obligations among the member states.
16. The second part of the Roving Seminar held in Lusaka, Zambia from May 11 to 15, 2015 focused on the Protection and Utilization of Traditional Knowledge, Genetic Resources and Expressions of Folklore. 65 participants from government departments, private sector, research and academic institutions and traditional knowledge practitioners attended the event. Traditional knowledge and folklore was also included in the Ghanaian chapter of the Roving Seminars. 106 participants attended the meeting.
17. An officer from ARIPO attended the Seminar on Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions: Regional, National and Local Experiences from March 30 to April 1. The officer delivered a presentation on “commercial and non-commercial uses of traditional knowledge and traditional cultural expressions examples and lessons learned”. Another officer attended the

WIPO practical Workshop on IP, Genetic Resources, Traditional Knowledge and Traditional Cultural expressions on August 1 in Windhoek, Namibia.

**ii) Plant Variety Protection**

18. The Diplomatic Conference for the adoption of the Draft ARIPO Protocol for the Protection of New Varieties of Plants was successfully held in Arusha, Tanzania on July 6, 2015. The new ARIPO Protocol on the protection of new varieties of Plants will be known as the “Arusha Protocol” and aims to enhance Agricultural productivity, innovation and development in the member States of the Organization. The new Protocol received five signatures from Ghana, Mozambique, Sao Tome & Principe, The Gambia and United Republic of Tanzania.
19. It was recommended that the Expert Committee should be involved in the formulation of the Regulations of the Arusha Protocol. The Administrative Council further requested the Secretariat of ARIPO to provide for the preparation of the Draft Regulations in the proposed ARIPO Strategic Plan for the period 2016 - 2020 with budget and present it to the Thirty-ninth Session of the Administrative Council for adoption.
20. In order to facilitate a step by step approach towards the preparation of the Draft Regulations and to guide the Administrative Council and determine the appropriate timeline for the completion of the Draft Regulations, a road-map has been proposed for consideration and adoption by the Administrative Council.
21. The second part of the Roving Seminar held in Kigali, Rwanda from March 9 to 13, 2015 focused on Plant Variety Protection and Implementation of the Nagoya Protocol. The seminar was attended by 50 participants drawn from the public sector, government, seed houses, research and academic institutions, agriculture sector, comprising seed technician, agronomists, seed breeders etc.

**PROGRAMME 3: COPYRIGHT AND RELATED RIGHTS**

22. The copyright module of the Roving Seminars was delivered in Nairobi, Kenya from March 16 to 20 and in Maseru, Lesotho from May 26 to 29, 2015. In Nairobi 60 participants attended the copyright seminar while the Maseru seminar was attended by 50 participants.

23. The draft Copyright Awareness Raising Guide adopted by the Thirty-Eighth Session of the Administrative Council held in Victoria Falls, the Republic of Zimbabwe from November 17 to 21 has been finalized. The Guide includes successful stories on awareness initiatives provided by Botswana, Kenya, Malawi, Mozambique, Tanzania and The Gambia.
24. The Thirty-Eighth Session of the Administrative Council also adopted the draft guidelines for the implementation of the Marrakesh Treaty. The Secretariat has improved on the guide. Once finalized the Guide will be published and distributed to the Member States.
25. Two workshops were also organized, namely;
- a) The Workshop on New Perspectives of Copyright for heads and senior officials of the Copyright Offices in Africa, held in Harare, Zimbabwe from July 20 to 21, 2015. The objective of the workshop was to look at new issues in the area of copyright and related rights, including the functioning of copyright offices, as well as considering the requirements in establishing national copyright policies and enhancing legislative framework;
  - b) The training of trainers' workshop on teaching IP in Police Academies of the ARIPO Member States from June 8 to 12, 2015 in Harare Zimbabwe. The objectives of the workshop was to equip instructors from police training academies with knowledge and skills for teaching Intellectual Property in Police Training Colleges and Academies with a view to creating a human resource that is capable of dealing with IP crime issues and enforcement of intellectual property rights.

**STRATEGIC GOAL II**  
**DEVELOPMENT OF IP POLICIES AND LAWS AND FOSTERING**  
**PARTNERSHIPS**

**PROGRAMME 5: NEW IP FRONTIERS**

**Geographical Indications**



26. In 2014, the ARIPO Geographical Indications Protocol was drafted and circulated to all member States, WIPO, European Union and others. Commentaries and contributions were received, and were presented as an Annex to the Report that was presented to the Thirty-Eighth Session of the Administrative Council held in Victoria Falls, Zimbabwe, from November 17 to 21, 2014. Further review of the Draft Legal Framework has been carried out during 2015.
27. A study visit was conducted to OAPI by a staff member of ARIPO from August 10 to 14, 2015 in order to learn from the experience of OAPI on the implementation of a GI system. OAPI has already registered 3 Geographical Indications from African Countries. The ARIPO staff member who conducted the visit has been able to witness the progress made so far by OAPI, and the experience gained will be of essence in implementing the GIs initiative in ARIPO Member States.
28. Further, ARIPO accepted the invitation extended by WIPO to attend the Worldwide Symposium on Geographical Indications jointly organized by WIPO and the Hungarian Intellectual Property Office (HIPO). The event took place from October 20 to 22, 2015 in Budapest, Hungary.

## **PROGRAMME 6: PARTNERSHIPS AND SYNERGIES**

29. Article VI of the Lusaka Agreement which was adopted on December 9, 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 (...) which are desirous of assisting the Organization or its members in achieving the objectives of the Organization*”.
30. During the year 2015 the following activities were undertaken with strategic partners:
- i) Participation in the celebrations of the 20 years of the Community Plant Variety Office (CPVO) (1995 - 2015), October 01, 2015, Angers, France**
31. The Director General of ARIPO attended on October 01, 2015 the Seminar celebrating the Community Plant Variety Office (CPVO) 20 Years (1995 -

2015) in Angers, France. The Director General of ARIPO also visited CPVO headquarters in Angers and GEVES, the French Group for the study and evaluation of Varieties and Seeds.

**ii) ARIPO/The Space essay and painting competition**

32. TheSpace in partnership with the ARIPO commissioned an essay and painting competition under the theme ‘Humanity without Innovation and Creativity’ with the aim to build and raise awareness in Zimbabwe among young people on issues of intellectual property rights.
33. On September 25, ARIPO and “TheSpace” organized a presentation ceremony of the ARIPO Award in Harare, Zimbabwe for the winners. The awards were given to nine young people, three each from the following categories: (a) In-school Essays/Painting; (b) Out-of-school Essays/Painting; (c) Tertiary-level Essays/Painting.

**iii) Visit of the delegation of the Japan Intellectual Property Association (JIPA)**

34. A seven member delegation from the Japan Intellectual Property Association (JIPA) visited ARIPO on September 10. The JIPA delegation’s objective for the visit was to get an insight into the operations of the ARIPO system and other related issues to do with the African IP landscape in general. The Japanese delegation welcomed the opportunity to meet with ARIPO and be able to get answers to their questions and clarifications on some areas of concern.

**iv) Visit of the delegation from the European Patent Office (EPO)**

35. A delegation from the European Patent Office (EPO) comprised of two high-level officers of the International Co-operation Division, arrived at the ARIPO headquarters on August 26. The purpose of the visit was for the two EPO officials to hold a meeting with ARIPO to find ways to strengthen relations between the two respective organizations. The two parties held open discussions on how to revive the Memorandum of Understanding on Bilateral Co-operation between the EPO and ARIPO signed on January 27, 2007.

**v) Visit of the high level delegation from the State Intellectual Property Office (SIPO) of the People's Republic of China**

36. On June 22, a high level delegation from the State Intellectual Property Office (SIPO) of the People's Republic of China led by the Deputy Commissioner, Mr. Gan Shaoning visited ARIPO for a bilateral meeting that culminated in the signing of a Plan of Action for the Bilateral Cooperation for the period 2015 – 2016.
37. The two parties agreed to strengthen high-level exchange visits, for parties to keep abreast of developments in each other institution. This would also include exchange of experiences in the development of traditional knowledge protection as well as patent administration and utilization. The two offices also agreed to have some officials from ARIPO to undertake training at SIPO.

**vi) High Level Forum on the Upgrade and Modernization of ICT Infrastructure of ARIPO and its Member States, May 31 to June 6, 2015, Seoul, Republic of Korea**

38. A high-level delegation comprised of senior officers from the ARIPO secretariat and the Member States visited Seoul, South Korea for an Invitational High Level Forum hosted by the Korea International Cooperation Agency (KOICA) at their offices.
39. The forum follows the successful completion and launch of the first phase of the Project for the Upgrade and Modernization of the ICT Infrastructure of ARIPO and that of its Member States. This initial phase saw ARIPO migrating to a modern ICT system which allows for e-filing, e-payment and other online services.

**vii) Signing of Work Plan on Bilateral Cooperation Between ARIPO and United States Patent and Trademark Office (USPTO)**

40. ARIPO and the USPTO signed a Work Plan on Bilateral Cooperation on 5 May 2015 at the San Diego Convention Centre in San Diego, California, during the 137<sup>th</sup> INTA annual meeting.
41. The Work plan provides a basis for cooperative activities between the two parties on matters related to acquisition, utilization and protection of

Intellectual property (IP) rights. It will also seek to improve the administration of IP protection systems and the effectiveness of legal protection through training in IPR enforcement for enforcement officials and judges. Under the Work Plan, consultation will be done on improving IP enforcement policies and practices as well as collaboration in training and capacity building programmes to improve IP examination standards at ARIPO.

**viii) MoUs signed with strategic partners**

42. In furtherance of Article VI of the Lusaka Agreement the following agreements were executed in the year 2015:

- i) The The Workplan on Bilateral Cooperation Between ARIPO and the United States Patent and Trademark Office (USPTO) 2015 – 2020;
- ii) The Joint Memorandum of Understanding for Bilateral Cooperation between ARIPO and the National Institute of Industrial Property of Brazil (INPI);
- iii) The Workplan on Bilateral Cooperation Between ARIPO and OAPI for 2015; and
- iv) The Plan of Action for the Bilateral Cooperation for the period 2015 – 2016 between ARIPO and the State Intellectual Property Office (SIPO) of the People’s Republic of China.

**STRATEGIC GOAL III  
CAPACITY BUILDING**

**PROGRAMME 7: CAPACITY BUILDING**

43. Capacity building initiatives provided for by ARIPO Academy are based on the “five-year development Plan” for the period 2011 to 2015 which was approved by the Council of Ministers at its Thirteenth Session held in Accra, Ghana from December 1 to 2, 2011.

- i) **Master of Intellectual Property (MIP) degree program at Africa University in Mutare, Zimbabwe**

16. The MIP Program jointly organized by ARIPO/WIPO and Africa University in Mutare, Zimbabwe is now in its 8<sup>th</sup> edition. In total, 213 students have been trained on sponsorship from the first to eighth cohort. Some students are admitted into the MIP program on self-sponsorship. A total of 45 students have been offered scholarships by ARIPO since the inception of the programme in 2008.
17. In 2015 27 students of the 7<sup>th</sup> cohort has been graduated. The MIP Program has graduated in total 194 students (134 Male, 60 Female) from the first to seventh cohort.

**ii) Other capacity building initiatives hosted by ARIPO in Harare, Zimbabwe**

44. ARIPO in collaboration with its strategic partners organized at its headquarters the following activities during the year 2015;
  - a) WIPO Patent Drafting Course for Patent Agents from ARIPO Member States and Observer States from 7 September to 9 October;
  - b) WIPO African Sub-regional Workshop: New perspectives on copyright from July 20 to 21;
  - c) Regional Workshop on the Use of Utility Models and Industrial Designs for Small and Medium-Sized Enterprises (SMEs) in ARIPO Member States, from June 24 to 26;
  - d) Training of Trainers Workshop on IP the Teaching of Intellectual Property in Police Academies of the ARIPO member states, from June 8 to 12;
  - e) WIPO-ARIPO Sub-regional Seminar on the Promotion and the Understanding of Multilateral Treaties in the Field of Patents: Paris Convention, Budapest Treaty and PLT from 11 to 13 February.

**STRATEGIC GOAL IV  
PROMOTING ARIPO AND IP**

**PROGRAMME 8: CONFERENCES AND OUTREACH**

**i) Meetings of the Governing Bodies of ARIPO**

45. The meetings of the subsidiary organs and the Technical Committees of Organization were all duly convened at the Headquarters of the Organization in Harare, Republic of Zimbabwe to perform their functions provided for under Article VII [e] of the Lusaka Agreement.
46. The 2<sup>nd</sup> session of the Technical Committee on Copyright and Related Rights was held from August 26 to 27. The 5<sup>th</sup> Session of the Technical Committee on Industrial Property was held from August 26 to 28. The Finance Committee held its 22<sup>nd</sup> session from October 20 to 23 concurrently with 14<sup>th</sup> session of the Staff Affairs Committee and the Joint Finance and Staff Affairs Committees. The Special Projects Committee held its 2<sup>nd</sup> session on October 20.
47. During the Thirty-Eighth Session of the Administrative Council that took place in Victoria Falls, Zimbabwe from November 17 to 21, 2014 the Audit Committee was established to address audit issues and to provide the Administrative Council with necessary assurance on the effectiveness of internal control and risk management arrangements at the Secretariat. The Committee held two sessions during this year from May 21 to 22 and from September 14 to 16.
48. The Committees reviewed the Secretariat documents, made comments and further recommended that the reviewed documents be submitted to the 39<sup>th</sup> Session of the Administrative Council that will be held in Lusaka, Republic of Zambia from November 16 to 18.

## **ii) Meetings with Users**

49. In a bid to keep on sensitizing users of the ARIPO systems on the advantages of filing applications through the ARIPO route, the Office undertook a number of missions and users' meetings, namely:
- a) The African Business Awards event on September 23 and the African Leadership Forum 2015 on September 24 in New York City, United States of America.**
50. The African Business Awards event was held in September 23, 2015 while the African Leadership Forum 2015 was held in September 24, 2015 both in New York City, United States of America. The Director General of ARIPO attended the meeting and chaired the panel on "leadership in Science and Technology".

51. The African Business Awards and the African Leadership Forum events were organized by IC Publications, publisher of the African Business Magazine, the bestselling pan-African business magazine.

**b) 3<sup>rd</sup> Adams & Adams Annual Meeting from September 17 to 18, Pretoria, South Africa**

52. The 3<sup>rd</sup> Adams & Adams Annual Meeting was held in Pretoria, South Africa from September 17 to 18, 2015 and was attended by approximately 60 professionals around the continent and by representatives of African Regional Intellectual Property Organization (ARIPO), the Ethiopian Intellectual Property Office (EIPO) The Mozambican Industrial Property Institute and the Companies and Intellectual Property Registration Office (CIPRO) of South Africa.

53. The representatives of the Intellectual Property Offices including the DG of ARIPO were requested to update the audience on the latest developments in their respective organizations.

**c) The 137<sup>th</sup> Annual Meeting of INTA, from May 2 to 6, San Diego, United States of America**

54. The 137<sup>th</sup> Annual Meeting of INTA took place in San Diego, US from 2 to 6 May. The INTA's Annual Meeting gathered approximately ten thousand IP practitioners and users for more than 140 countries.

55. The Director General and two ARIPO officers attended the meeting. Once again ARIPO secured a booth in the INTA exhibit which was visited by more than 500 participants interested in the operations of ARIPO.

56. The Director General of ARIPO, participated as panelist in the "Regional Update: Africa—The Implementation of International IP Treaties in Africa", attended a number of other relevant panels and conducted a number of meetings namely with INTA leadership, the Africa TMO Relations Subcommittee, corporates and IP firms.

57. The 138<sup>th</sup> Annual Meeting of INTA will take place in Orlando, United States of America from May 2 to 6, 2015. Considering the active role played by ARIPO in this initiative its participation will continue to be pursued in a permanent basis.

**d) 109th ASIL Annual Meeting from April 08 to 11, Washington DC, USA**

58. The 109<sup>th</sup> American Society of International Law (ASIL) Annual Meeting was held in Washington DC, United States of America from April 08 to 11 .
59. The meeting was attended by approximately one thousand participants and the Director General of ARIPO addressed the participants in the panel dedicated to the topic “Intellectual Property Rights, climate change technology and sustainable development: Regimes in coherence, conflict or cooperation?” delivering a paper on “Patents and Access to Climate Change Technology - African Perspectives”.

**e) The 7<sup>th</sup> Global IP Convention from January 15 to 17 in Mumbai, India**

60. The Global IP Convention was held in Mumbai, India from January 10 to 12, 2015. The event was organized by ITAG Business Solutions, an Indian IP consultancy firm.
61. The event was attended by more than 200 participants from around the World. The Director General of ARIPO attended the meeting and delivered a paper on “Bridging Regional Economic blocs in Africa through IP - the role of ARIPO”.

**f) The World IP Forum from January 10 to 12, New Delhi, India**

62. The World IP Forum was held in New Delhi, India from January 10 to 12, 2015. The event was organized by Intellectual Professionals, LLP, an Indian consultancy firm.
63. The Forum was attended by approximately 100 participants from different countries in the World. The Director General of ARIPO addressed the participants delivering the paper: “The role of the regional organization on the development of the IP System in Africa”.

**iii) Meetings organized by IP Inter-Governmental Organizations**

**a) Meetings at the World Intellectual Property Organization (WIPO)**

64. The Director General and the Director industrial Property attended the 55<sup>th</sup> Series of Meetings of the Assemblies of the member states of WIPO that



took place in Geneva from October 5 to 14, 2015. During the year other ARIPO officials attended technical meetings at the headquarters of the organization in Geneva, Switzerland. Bellow the meetings attended;

- i) The WIPO Expert Forum on International Technology Transfer, Geneva, Switzerland, February 16 to 18;
- ii) Seminar on Intellectual Property and Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions: Regional, National and Local Experiences, March 30 to April 1;
- iii) 15<sup>th</sup> Session of the WIPO Development Agenda, April 20 to 23;
- iv) WIPO 33<sup>rd</sup> Session IPC Meeting, May 26 to 29;
- v) PCT Working Group Meeting, May 26 to 29;
- vi) WIPO Twenty-second Session of the Standing Committee on the Law of Patents (SCP), July 27 to 31.

**iv) Meetings at the Office for the Harmonization of Internal Market (OHIM)**

65. As a result of the Cooperation agreement in force between ARIPO and OHIM, some ARIPO officials benefitted from training activities organized in its headquarters in Alicante, Spain OHIM, namely;

- i) The OHIM IP Seminar from June 17 to 19;
- ii) IP Executive Week from July 20 to 24;
- iii) IP Seminar on Trademarks-Intermediate Level from September 7 to 9.

**v) Conferences, Forums, Seminars and Workshops**

66. ARIPO participated in relevant international IP Meetings debating topical IP African and global issues. ARIPO officials attended the following events:

- i) WIPO Inter-Regional Workshop for Heads of Copyright Offices on Copyright Capacity Building, February 3 to 5, Seoul, Korea;
- ii) Regional Access to Seeds Index For East Africa Expert Review Committee (ERC), February 3 to 19, Nairobi, Kenya;
- iii) 15<sup>th</sup> Annual Congress of the African Seed Trade Association (AFSTA), Congress 2015), March 2 to 5, Victoria Falls, Zimbabwe;
- iv) 10<sup>th</sup> COMESA Business Dialogue, March 25 to 26, Addis Ababa, Ethiopia;

- v) Patent Cooperation Treaty (PCT) Seminar, April 21 to 23, Maputo, Mozambique;
- vi) Inter-regional Expert Meeting on South-South and Triangular Cooperation for Access to Information and Knowledge, Innovation Support & Technology Transfer, May 5 to 6, Lima, Peru;
- vii) KOICA Working Level Training, May 4 to 16, Seoul, Korea;
- viii) Stakeholder Workshop on the Implementation of the Recommendations of the Report of the High Level Panel on Illicit Financial Flows from Africa, June 4 to 6, Addis Ababa, Ethiopia;
- ix) National Stakeholders Workshop on the Interface between Intellectual Property and Access and Benefit Sharing arising from the use of genetic resources, July 1, Windhoek, Namibia;
- x) WIPO Practical Workshop on IP, GRs, TK and TCEs, August 1, Windhoek, Namibia;
- xi) 81<sup>st</sup> IFLA World Library and Information Congress 2015: Dynamic Libraries: Access, Development and Transformation, August 15 to 21, Cape Town, South Africa
- xii) National Forum on the Protection and Promotion of Copyright and Related Rights in the Digital Era, August 19, Accra, Ghana;
- xiii) USPTO African Regional IP Enforcement Workshop, September 16 to 18, Accra, Ghana.

#### **vi) Roving Seminars**

67. It is recalled that during the Thirty-seventh Session of the Administrative Council of ARIPO that took place in Kampala, the Republic of Uganda on November 25 and 26, 2013, the Council considered proposals for the Secretariat to undertake national roving seminars on making better use of intellectual property for business competitiveness and development in Africa and approved it for implementation in the 2014-2015 biennium.
68. The Roving Seminars were organized in 2014 in Swaziland from March 24 to 28; Mozambique from April 21 to 25; Liberia from April 28 to May 2; Sierra Leone from May 19 to 23 and The Gambia from August 4 to 8. A seminar was also organized in Sao Tome & Principe upon its accession to ARIPO.
69. The Roving Seminars have been carried out in 2015 in Rwanda (March 9 to 11), Kenya (March 16 to 20), Zambia (May 11 to 15), Lesotho (May 26 to 29), Ghana (August 10 to 14).

70. The topics addressed and the number of participants were as follows:
- a) Rwanda: industrial property (70), plant variety protection (50);
  - b) Kenya: industrial property (60), copyright (69);
  - c) Zambia: industrial property (58), traditional knowledge and folklore (65);
  - d) Lesotho: industrial property (50), copyright (43);
  - e) Ghana: industrial property (93), traditional knowledge (106).
71. In total, the Roving Seminars were organized in 11 countries and benefitted directly 1400 participants in the biennium 2014-2015.

**vii) Participation in Trade Fairs and Exhibitions**

**a) Zimbabwe International Trade Fair (ZITF 2014) from 28 April – 2 May 2015, Bulawayo, Zimbabwe**

72. The Zimbabwe International Trade Fair (ZITF 2015) took place in Bulawayo, Zimbabwe from April 28 to May 2 under the theme, “New ideas to new heights: progress through innovation”.
73. The exhibition provided once again the opportunity to popularize ARIPO activities to Zimbabwean users.

**b) SMEs International Export 2014 from October 22 to 25, Harare, Zimbabwe**

74. The ARIPO Office attended the SMEs International Export which took place from October 22 to 25. The office exhibited and disseminated information about its establishment and its work, specifically industrial property operations under the Harare Protocol and the Banjul Protocol and how these can be of use to small and medium enterprises (SMEs).

**STRATEGIC GOAL V  
DELIVERING EFFICIENT CORPORATE SERVICES**

**PROGRAMME 10: HUMAN RESOURCES MANAGEMENT AND  
DEVELOPMENT**

75. It is recalled that the Administrative Council at its Thirty-Eighth Session held in Victoria Falls, Zimbabwe from November 17 to 21, 2014 approved the Human Resources (HR) Development Plan. The Plan focuses on five (5) key strategies, namely; - organizational structure review and workforce realignment and re-designation; performance management; team and innovative culture building and enhancement; service quality enhancement; and learning and development. The plan was implemented during the current year having achieved 13 out of 17 outputs set, representing an implementation rate of 76% as at 31 July, 2015.
76. During the course of the year one of the Drivers proceeded on medical termination with effect from 31 January 2015 in terms of Rule 15.2.1 of the ARIPO Staff Rules and Procedures. Unfortunately the same passed away on 31 July 2015.
77. During the reporting period, ARIPO hosted 2 interns in the fields of Information and Communications Technology and Industrial Property. The program provides interns with an opportunity to learn about the ARIPO work through practical experience, while at the same time securing valuable support for ARIPO's activities.
78. A total of twenty nine (29) members of staff including the Director General attended a Results Based Management (RBM) Preparatory Workshop. The primary objective of the workshop was to introduce the RBM concept, philosophy and practice in pursuit of the development of the ARIPO 2016 – 2020 Strategic Plan. The RBM framework was substituted for the Value and Growth High Performance Methodology. As a result familiarization training with the new methodology was organized. In total eighteen (18) professional and intermediary category staff and the KOICA Consultant, led by the Director General participated in the value and growth strategy sessions to develop the ARIPO 2016 – 2020 Value and Growth Strategic Plan.
79. Further, 23 members of staff attended 13 training and development activities in different parts of the World during the period under review as outlined below:
- i) Leadership and Management Development Masterclass, January 31, Harare, Zimbabwe;
  - ii) Managing The Training and Development Function, February 9 to 27, Arusha, Tanzania;
  - iii) ICT skills for Executive Secretaries & Administrators, March 2 to 9, Nelspruit, South Africa;

- iv) Ms Excel Level I, II and III, March, Harare, Zimbabwe;
- v) Elementary – Intermediary Level English Language, March to July, Harare, Zimbabwe;
- vi) Payday Payroll System, March 31 to April 1, Harare, Zimbabwe;
- vii) Advanced Office Management & Effective Administration Skills, April 7 to 10, Johannesburg, South Africa;
- viii) Effective Office Management Symposium, May 5 to 8, Johannesburg, South Africa;
- ix) Revenue, Expenditure, Assets and Liabilities (Real), May 11 to 15 and June 8 to 12, Pretoria, South Africa;
- x) Executive Chauffeur Training, May 29 to 30, Harare, Zimbabwe;
- xi) Masterclass Training in Protocol, June 1 to 3, Brussels, Belgium;
- xii) Results Based Management in Public and International Organizations, June 8 to 19, Turin, Italy;
- xiii) Information Security, Digital Forensics and Ethical Hacking, September 14 to 18, Pretoria, South Africa;
- xiv) Integrating emerging technology threats in your annual risk assessment, September 28 to 30, San Francisco, United States.

80. Following the consolidated practice in the organization, the new year started with an all Staff Retreat that was held from February 6 to 8 in Kariba, Zimbabwe. During the retreat staff was engaged in team building exercises and brainstorming on health and well-being. The team building session was aimed at enhancing teamwork through interactive activities as well as to assess team dynamics and organizational culture in preparation for staff and management coaching. Team building sessions continued throughout the year in different formats.

81. The Monthly “Most Outstanding Employee Award” award was conferred to six (6) outstanding employees from January to September 2015. The “Most Outstanding Employee Award” was established to recognize, encourage and reward innovation, creative thinking and outstanding performance of employees in a manner consistent with ARIPO’s mission and goals. The award is given to those employees who propose innovative ideas and initiatives over and above the usual expectations and responsibilities of their roles.

## **PROGRAMME 11: OFFICE MANAGEMENT, INFRASTRUCTURAL DEVELOPMENT AND MAINTENANCE**

82. The construction of the extension of the headquarters building had commenced on May 18, 2015. The contractor is expected to complete the project on May 31, 2016. The new building will accommodate more offices, conference rooms, meeting rooms and new parking bays.

83. The new IP administration system, POLite+, was launched on March 2<sup>nd</sup>, 2015 and the project was inaugurated on April 24<sup>th</sup>, 2015. It is web-based and provides functions for IP work including online filing, online file inspection, online payment, access to online journals and form and fee information download. With this system ARIPO became one of the few offices in Africa that provides e-filing systems.

## **PROGRAMME 12: FINANCIAL ADMINISTRATION**

84. Article VI of the ARIPO Financial Regulations highlights that ARIPO shall establish a general fund for the purpose of accounting for expenditures of the organization. The article further highlights that the organization can establish trust and special funds which their purpose shall be defined by the Administrative Council.

85. Currently, the Secretariat administers three funds, namely the Secretariat General Fund, Member States Trust Fund and Reserve Fund Account.

### **i) Secretariat General Fund**

86. The expenditures of the organization are financed by the fees received from processing the Industrial Property Rights and from the Member States annual contributions. The total projected income for the financial year 2015 was US\$5.2 million of which the assessed contribution from the Member States totaled US\$617,100 and the income from processing the Industrial Property Rights was US\$3,631,603. The assessed annual contributions 2015 from the member States were fully paid and the actual income from the Protocols as at September 30, 2015 was US\$3.1 million. The overall income realized as at September 30, 2015 was US\$3.9 million representing 75% of the annual projected income.

87. The budgeted expenditure for the year 2015 totalled US\$5.2 million and as at September 30, the actual amount incurred total US\$3.5 million. This represents 67.3% of the total budgeted amount.

## **ii) Member States Trust Fund**

88. Member States Trust fund was established by the Administrative Council for the purpose of keeping the Member States' share of fees and remitted to their respective countries upon request. All fees due to Member States are kept in the Member States Trust Fund Account held with UBS Bank Geneva, Switzerland under ARIPO's custody. The total fees accrued by the Member States as at September 30, 2015, were US\$2 million and the trust fund had a closing balance of US\$3.8 million as at the same date. As from January 1 to September 30, 2015 a total sum of US\$1.1 million has been remitted to the Member States upon request.

## **iii) Reserve Fund Account**

89. The Council of Ministers at its Fourth Session held in Kasane, Botswana from April 27 to 29, 1994, established the Reserve Fund for the purpose of infrastructural development at the ARIPO Headquarters. The Administrative Council at its Thirty-Fifth Session held in Accra, Ghana from November 28 to 20, 2011 approved a review of the contributions to the fund from \$500 to \$2,100 and further approved that the \$2,100 should cumulatively increase annually by 100% up to 2016. The Administrative Council further approved that the Secretariat should contribute 2.5% of its annual budgets towards the fund.

90. As at September 30, 2015 the Reserve Fund has accumulated a total balance of US\$1.7 million. The Member States contribution to the fund amounted to US\$907,200.

## **PROGRAMME 14: INFORMATION AND COMMUNICATION TECHNOLOGIES**

91. The main highlight of the ICT sector is the launch of the new IP administration system, POLite+, on March 2<sup>nd</sup>, 2015 and its official inauguration on April 24<sup>th</sup>, 2015. It is web-based and provides functions for IP work including online filing, online file inspection, online payment, access to online journals and form and fee information download. With this system ARIPO became one of the few offices in Africa that provides e-filing systems.

## **PROGRAMME 15: PUBLICATIONS, LIBRARY AND DOCUMENTATION**

92. Approximately 100 new books on IP were purchased from different publishing houses and additional 30 were donated by WIPO with the view to enrich the available library collection. The new collection will render the library up to date and useful especially for the MIP Programme participants during the residential phase in Harare. ARIPO office intends to continue refurbishing the library in order to make it a reference for the researchers on IP issues in the region.

**93. The Administrative Council is invited to take note of the Report of the Director General of activities for the year 2015 and make any comments it deems fit.**

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