

**Theme II: CREATING, PROMOTING AND SUSTAINING AN
INNOVATIVE ENVIRONMENT:
“Funding, Tax and Other Incentives for
Promoting Innovation”**



African Conference on the Strategic Importance of Intellectual Property
(IP) Policies to Foster Innovation, Value Creation and Competitiveness

Dar es Salaam, United Republic of Tanzania, March 11 and 14, 2013

Christopher Kiige, Director, Industrial Property



overview

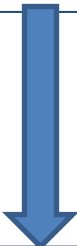
- Background of ARIPO;
- Creativity and Innovation -Challenges for Public Policy Makers;
- **Funding** as one of main factors in the Innovation Ecosystem;
- Patent Information in Innovation
- How ARIPO Encourages Funding of Innovation by Governments, Private Sector, venture capitalists & Angel Investors;
- Conclusion



Pre-ARIPO, IP Systems in Member States



FORMATION OF ARIPO
•LUSAKA AGREEMENT (1976)



HARARE PROTOCOL (1982)



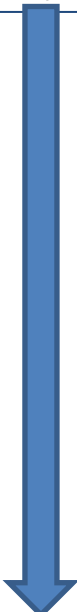
- PATENTS
- INDUSTRIAL DESIGNS
- UTILITY MODELS



BANJUL PROTOCOL (1993)



MARKS



Swakopmund Protocol (2010)



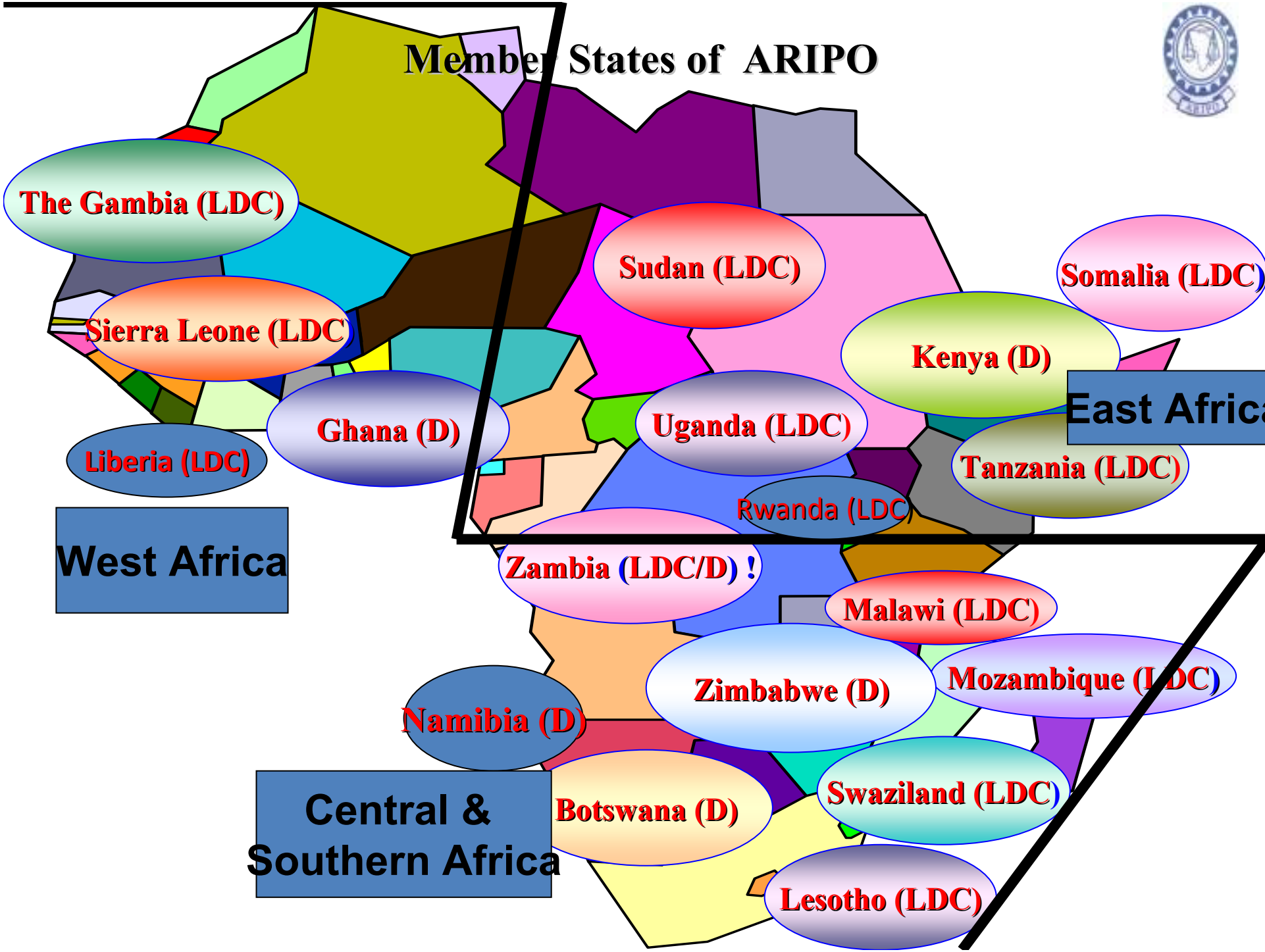
Traditional Knowledge & Expressions of Folklore



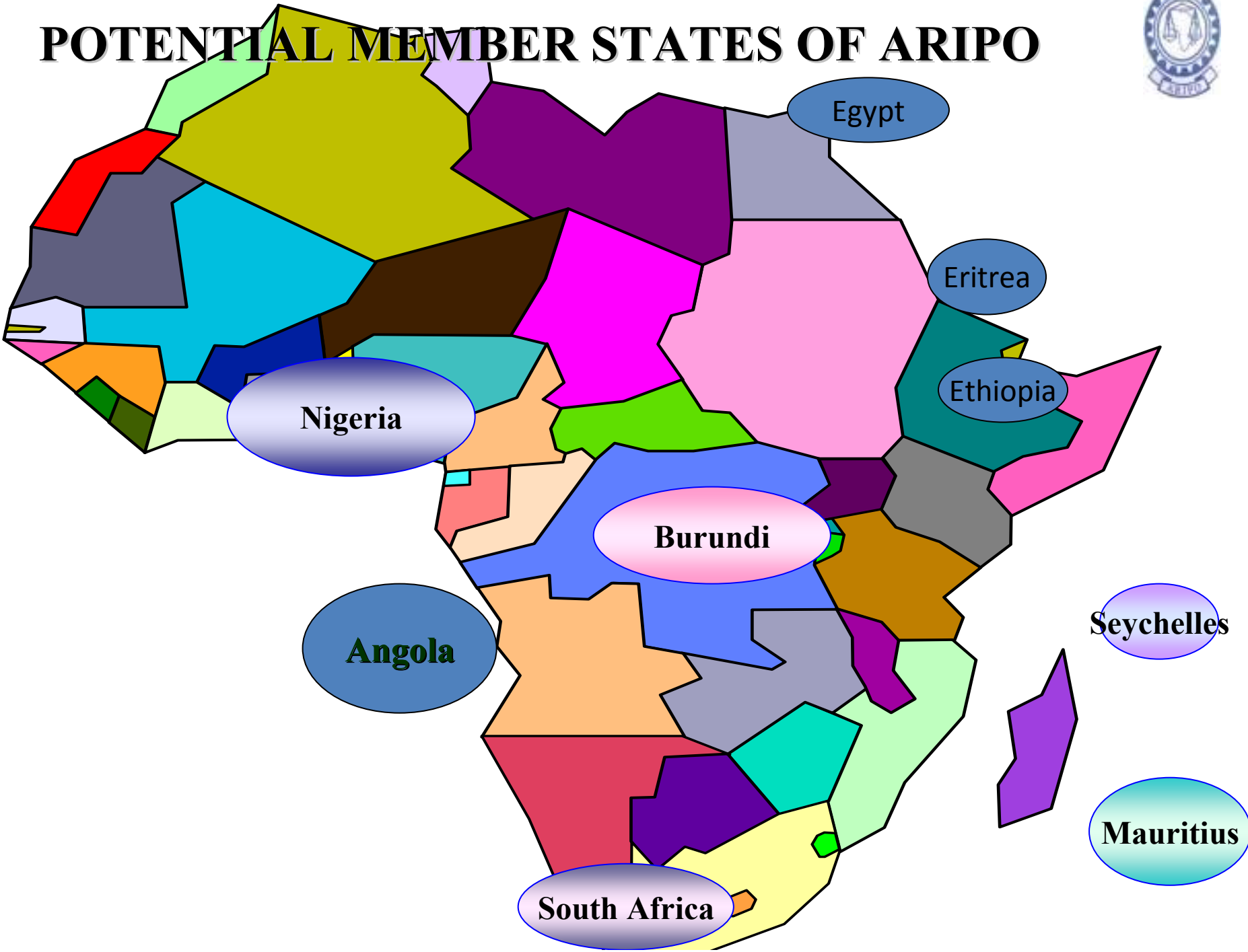
Copyright & Related Rights



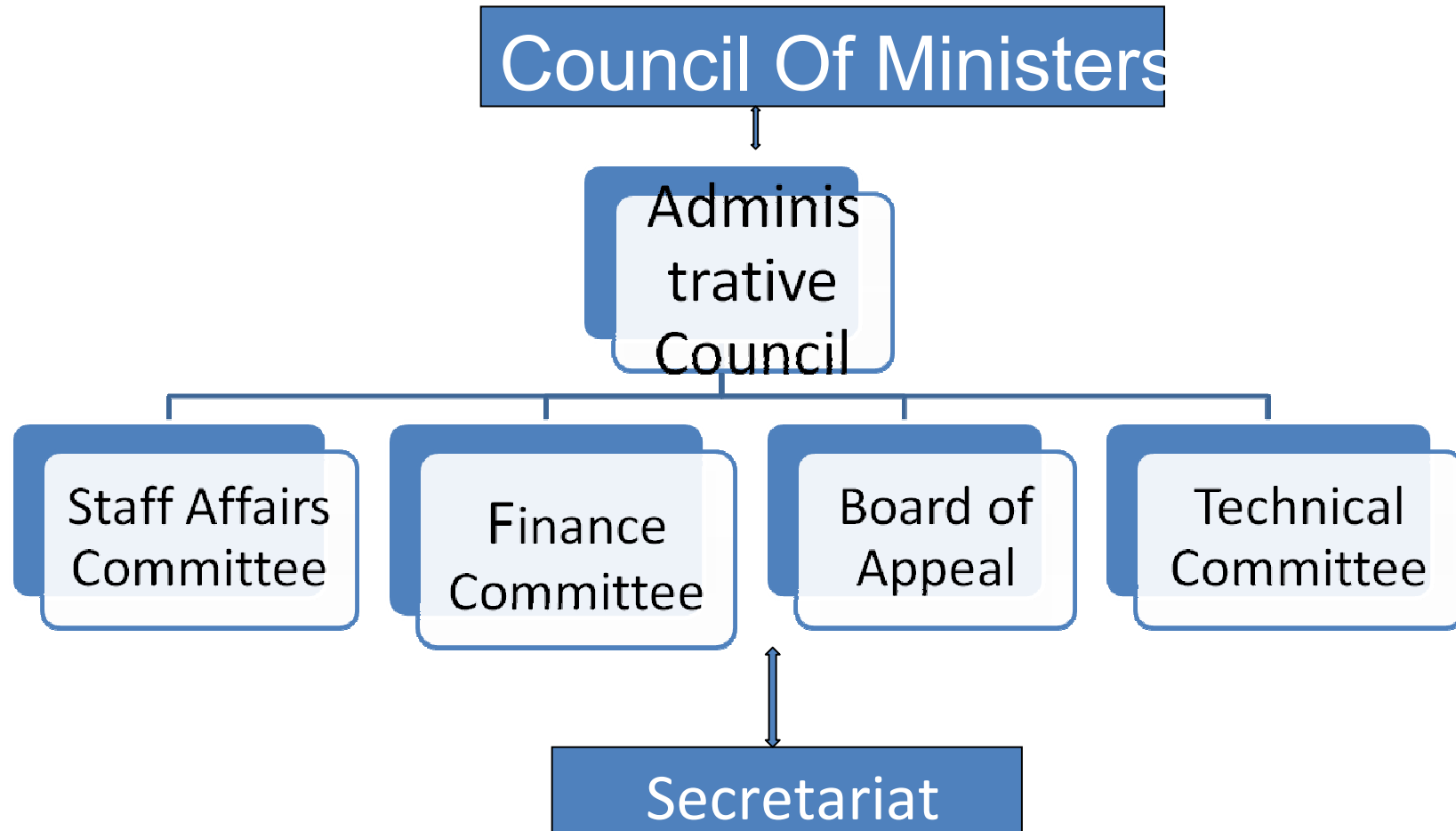
Member States of ARIPO



POTENTIAL MEMBER STATES OF ARIPO

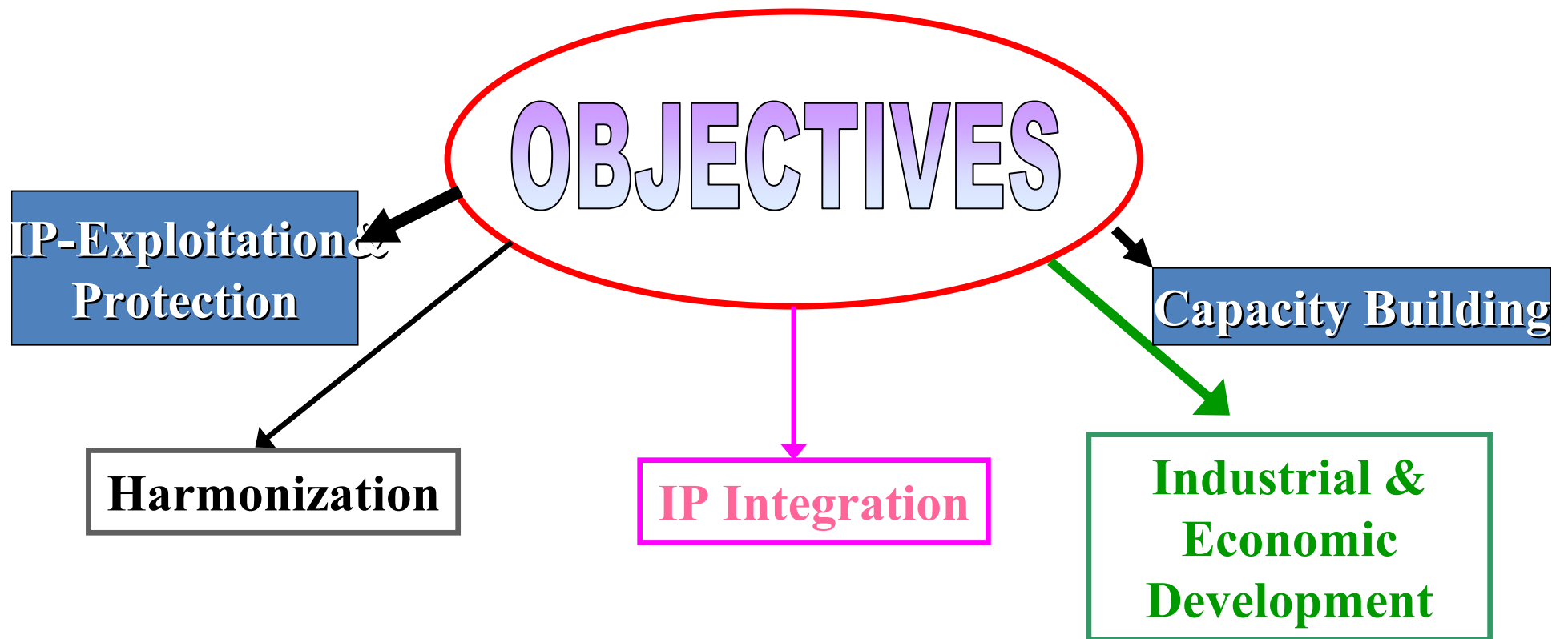


GOVERNANCE OF ARIPO





ARIPO Regional Strategy & Policy





ARIPO Global Approach with Regard to IP

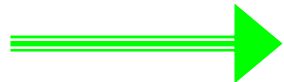
Main Areas of Action



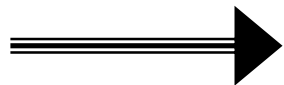
Standards, Norms setting and Training



United Industrial & Economic Strategy



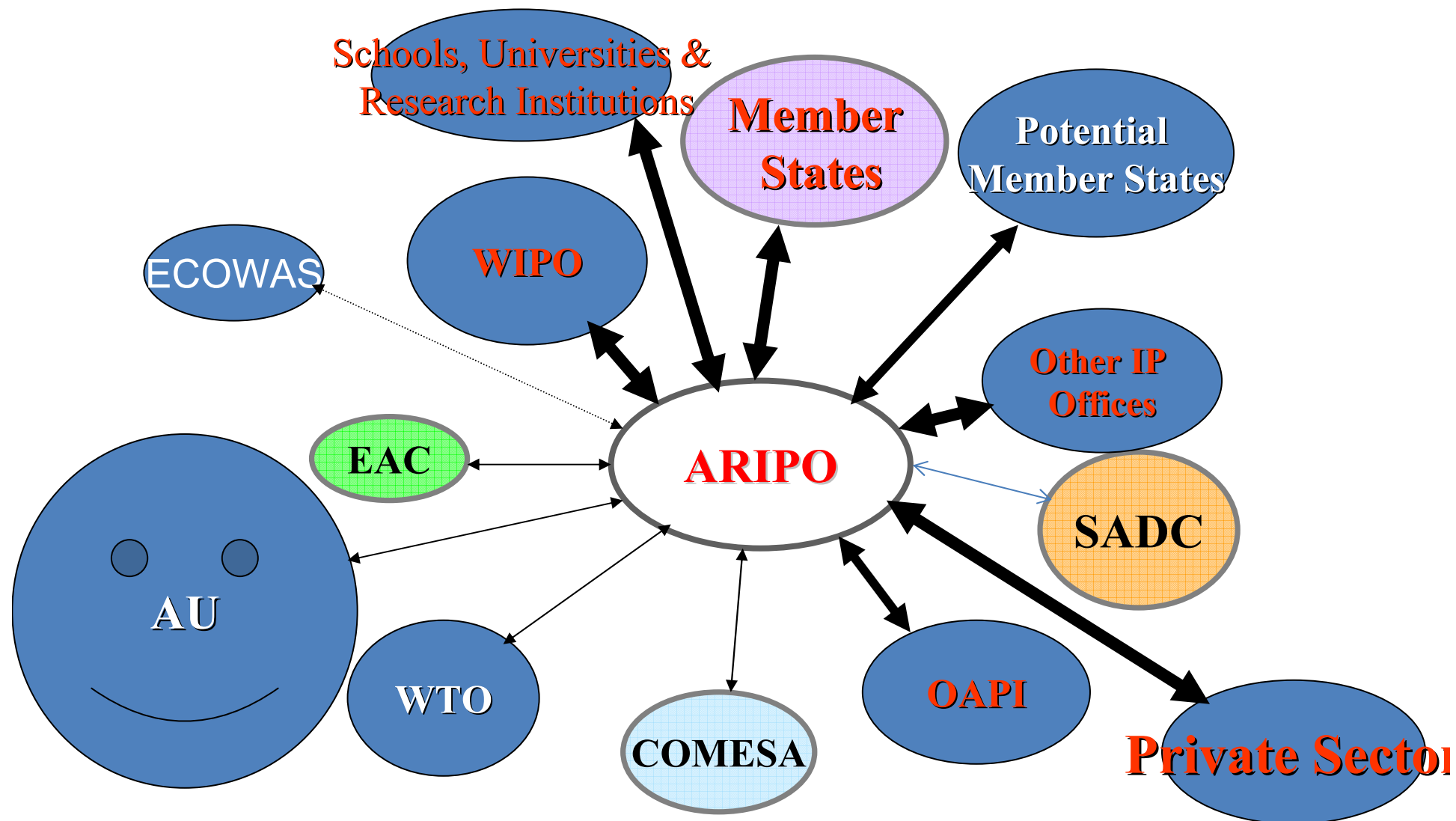
United Developmental Strategy



Information & Data Exchange System



Development through Cooperation & Partnerships with other IP Offices, Organizations & stakeholders





Financing of ARIPO

- Fees Received from the two Protocols;
- Fees Shared with the Designated States;
- Self Sustaining since January 1, 2005;
- Donor Funds (Not in cash but in Activities & Equipment).

Examples of Innovation: Traditional and Modern methods of milking a cow





Traditional farming and modern farming





Technology Push: Looking for a Problem/ **Money!!**

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**“My team has created a very innovative solution,
but we’re still looking for a problem to go with it.”**



INNOVATION ECOSYSTEM

LEGAL FRAMEWORK

- Innovation Strategies/Policies
- Laws and Regulations
- Institutional Policies
- Regulations
- Bankruptcy Laws
- Immigration policies

ORGANIZATIONS AND PROCESSES

- Clusters
- TTOs
- IP Hubs
- Incubators
- Technology Parks
- Intermediaries
- Knowledge Markets

HUMAN AND KNOWLEDGE CAPITAL

- IP Experts
- Specialists
- Education
- Trainings
- Workshops

FUNDING

- **Commercial and Development Banks**
- **Governments**
- **Private Businesses**
- **Foundations**
- **Venture Capitalists**
- **Business Angels**



Creativity and Innovation – Challenges for Public Policy Makers

- Facilitate rather than regulate;
- Encouraging & Financing creativity and innovation
 - At least 1% of GDP on research & Innovation
- Give companies and entrepreneurs more freedom to experiment;
- Tax Rebates on new ideas;
- Legally encouraging Reverse engineering/copying;
- Guarantee a fair share for innovations;
- Industrial, Technological and R&D infrastructure;
- Efficient intellectual property system;
- Recognition & Rewards to innovators;
- Innovation benefits to inventors and creators;
- ¹⁵ Positive attitude towards failures and risks;



Patent Information in Innovation

- Innovation is marked by greater Interdependency;
- Knowledge Production & Application depends on:
 - Information availability;
 - on Networking;
 - **Financing**
 - multidisciplinary approach;
 - Science & Practical Problems;
- Knowledge has become Mobile & Defused such that
 - **Best creators of Knowledge go where their efforts can be rewarded!!**



How ARIPO encourages Innovation

- Region IP titles to inventors/innovators ;
 - Government loans, Grants, tax incentives could be based on IP titles
 - Promotion of Lecturers & Researchers based on IP Titles;
 - ARIPO Utility Models & Industrial Designs
- Providing Patent Information to inventors/innovators;
 - Free Patent Information service;
 - IP units at Universities & Research Institutions ;
- Harmonization of IP laws in the region;
- Capacity Building in all matters relating to IP;
- Drafting of National and Institutional IP & Innovation Policies;
- ARIPO medals & Prizes are given to the best innovators/inventors; etc.



How ARIPO encourages Funding of Innovation by Private Sector, venture capitalists & Angel Investors

- ARIPO Utility Model & Industrial Design protection
 - Cheap and fast to process;
 - Encourages reverse engineering;
- ARIPO Strong IP titles can be used as Collateral in all member states;
 - Bank loans; Private Sector, venture capital, Angel Investors, etc.
- ARIPO Office Provides Free Patent Information;
 - which can lead to Licensing, joint Ventures, Assignments & Cooperation with other innovators, inventors & companies; etc.
- Giving Awards to best Inventors/ Innovators; etc.



Enhancing Business Competitiveness in the Region through IP Information & Protection

- Preventing Competitors from Copying or closely Imitating a Company's Products or Services;
- Avoiding wasteful Investment in Research & Development (R&D) and Marketing;
- Creating a corporate Image through Trademarks, Branding, etc;
- Negotiating Licensing or Franchising Agreements;
- Increasing the Market value of Companies;
- Acquiring venture capital, etc.



How Patent Information has Increased the Innovative & Creative Capacity in Kenya

- Before 1995, there were no local patent applications and limited local Creativity & Innovation;
- In March 1995, an Education & Outreach Program was launched;
- Since 1996, there has been a dramatic increase in
 - The Number of **National Local** Patent Applications;
 - Increase in Reverse Engineered Products;
 - All Universities in Kenya now have IP Centers, Business Incubators & IP Policies;
 - IP has been included in the National Constitution;
 - The Kenya Government has already adopted an IP Policy;
 - Improved linkage between Universities, Research Institutions, Private Industry & the National Patent Office;
 - There is an Increased number of Local Patent Infringement cases;
 - The Public is now aware of the benefits of the Patent system;

Conclusion and Recommendations



- The need for IP Systems & Policies which cater for respective communities **(one size does not fit all)**;
- IP Policies should include: **Political Will and Intensive Awareness Programs, etc.;**
- A curricula which includes IP should be Included at all levels of education;
- All Scientific, Economic & Social Systems should be built around the **diffusion of knowledge, Intellectual Property & Innovation;**
- A System or Policy which protects IP is a necessity but the **downsides** of IPR must be **Controlled by Proper Legislations;**
- IP Policies Should be harmonized to Regional levels rather than at National levels;
- TRIPS Plus IP Rights Imbedded in Bilateral Cooperation Agreements between Developed & Developing Countries should take into consideration, **National, Regional & International Legal Frameworks;**



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THANK YOU