

Current Status and Future Requirements of National IP Education and Training In Zimbabwe.

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Presentation Outline

- Introduction: General Comments on the need for IP education
- Current Status of IP Education and Training Programmes in Zimbabwe
- Future Requirements for IP Education and Training
- Conclusion.

Introduction

- Education about IP implies learning that specifically seeks to create an awareness of IP, its associated rights and duties, various IP laws and how it can strategically be used in national development processes.
- Training and education are integral components of a well-functioning IP system (human resource is a prerequisite to IP Development).
- IP education is essential in a country to awaken people to the concept and its importance: most people are oblivious to the need to protect IP.
- IP is gaining prominence in international commercial transactions which makes training and education imperative.
- Trade in “knowledge-intensive” products is constantly increasing thus requiring countries to educate and sensitize their people regarding IP matters so as to take advantage of the system.

Current Status of IP education and Training in Zimbabwe (Background Information)

- Zimbabwe's intellectual property system can be regarded to be still in its infancy stage despite the adequate laws in place
- The economic challenges that bedeviled the country for almost a decade presented a myriad of challenges to government sectors from health to agriculture to education and industry.
- As a result of budgetary constraints much of the government resources were channeled towards provision of basic amenities eg. food, health.
- No resources were channeled towards education and training programmes particularly in the field of IP which was (and still is) not regarded as a priority sector in government.
- Ultimately, no development has been taking place in the area of IP education and training.

Current Status of IP Education and Training cont.

- The level of IP awareness amongst government policy makers and senior government officials in various Ministries is at the very minimal
- Even most of those who work in the national IP office (ZIPO) are not fully conversant with the subject beyond the mechanical process of registration of applications. Applies to other Gvt Ministries.
- Levels of awareness of IP amongst members of the public are very low owing to virtual absence of educational and training programmes to promote the subject
- Despite the unassailable fact that SMEs constitute the bulk producers of IP, there are no educational and training programmes tailor-made for this section of the society.
- * Thus IP is still a subject that is relatively known by few people in the country.

Current Status cont....

- Zimbabwe has more than seven (7) State Universities and more than three (3) private university institutions.
- The country also has several polytechnic colleges and a significant number of research and development institutions.
- Currently only two universities in the country are offering training in IP (the University of Zimbabwe and the Midlands State University) in their Law Faculties.
- * It is noteworthy that the Faculty of Law at Midlands State University started offering IP as a subject at the request of a lecturer who had graduated with the degree in the Programme from the University of Turin.
- Unfortunately in both Law Faculties, the IP subject is an optional course thus not much credence is still not being accorded in training at institutions of higher learning in the country- it is, therefore, not surprising that not even a single institution of higher learning in the country does have an IP policy.

Current Status cont.

- Unfortunately in both Law Faculties, the IP subject is an optional course, hence not much credence is still being accorded in training at institutions of higher learning in the country- it is, therefore, not surprising that not even a single institution of higher learning in the country does have an IP policy.
- Another disadvantage is that the subject is being taught from a legalistic perspective, that is, the primary focus is on the analysis of IP as a legal subject and not interdisciplinary in nature.
- Training at the Law Schools is, therefore, focused on the mechanical processes of applications registrations and litigation on IP rights.
- No developmental dimension is being taught to students hence the products from these institutions can be described as “half backed” to cultivate and mainstream IP into development processes in the country.

Future Requirements for IP Education and Training in Zimbabwe

- The notion of IP is relatively known phenomenon amongst the policy makers in Government hence awareness raising of IP targeting this group ought to be the first port of call for the future success of education and training of IP in the country- right now it would be difficult for policy makers to approve of any capital project on IP as a result of lack of in-depth knowledge of its relevance in the country.
- The setting up of institutional structures to offer training and education in IP would be imperative in promoting IP awareness in the country-presently the currently government structure is not suitable to offer any training services on IP (ZIPO and the Inter-Ministerial Committee on IP): there may be need to expand their activities and scope of work to accommodate this important role.

Future requirements for IP Education and Training cont.

- Universities and R&D Institutions: Staff and universities and research and development institutions require training on IP. Virtually not a single institution of higher learning in the country has an IP policy or even IP provisions in agreements they enter into with employees, suppliers. Very few institutions have filed IP applications or commercialised IP. That researchers and decision makers in Zimbabwe have not appreciated the importance of IP in development is a clear justification for the need of IP education for these two groups.
- The national IP Office and the recently established Inter-Ministerial Committee on Intellectual Property are key institutions of government that can play a crucial development in IP development in the country if capacity building initiatives are put in motion to strengthen them to be able to discharge their mandate.

Future requirements cont.

- Industries: the level of IP awareness in industries is even lower than in universities. Few companies have taken legal steps to protect their enterprise IP.
- Lack of IP awareness in industries has led to low trade on IP assets
- Industries are major players in economic development of any country and the lack of awareness of an important economic tool such as IP will not point to the need to educate and this section of society on matters of IP and its importance in business transactions.
- Companies need to be sensitised of the need to have IP policies

Future Requirements cont.

- Training of Professional Service Providers: there is an ardent need to build capacity in the area of patent drafting. Most of the service providers in the country are legal practitioners and as such IP is not their core activity. More so, most of these lawyers do not have the technical knowledge relating to drafting hence most of them only act as conveyance of documents to the national IP office.
- Capacity building of the Judiciary and the Prosecutors: the Judiciary plays a crucial role in the enforcement of IP cases and hence training of judges and prosecutors will enlighten them on the importance of IP in national development processes.
- Presently the judiciary has not been very helpful especially in combating piracy in the country as they view it not as a heinous criminal activity hence such cases have not been accorded priority in prosecution.

Conclusion.

- It can be concluded that the level of education and training of IP is conspicuous by its absence and that there is need for capacity building to develop a pool of professional IP experts and service providers. Only this will enhance the promotion of generation, protection and commercial utilisation of IP.
- Main challenge is due to lack of resources to carry out teaching and research on IP- Low levels of IP awareness means that decision makers cannot devote adequate resources to IP training, teaching and research.
- Research and training institutions need to be capacitated to fully understand and appreciate the importance of IP in economic development processes.

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