

Eidgenössisches Institut für Geistiges Eigentum Institut Fédéral de la Propriété Intellectuelle Istituto Federale della Proprietà Intellettuale Swiss Federal Institute of Intellectual Property



Republic of South Africa



Swiss Confederation

Federal Departement of Economic Affairs, Education and Research EAER State Secretariat for Economic Affairs SECO

# Swiss – South African Intellectual Property Project (SSAIP)

17 August 2021



# **Project introductory information**

- Duration: August 2020 July 2024 (4 years)
- **Donor Agency:** Swiss State Secretariat for Economic Affairs (SECO)
- Implementing agencies (responsible for activity implementation):
  - Department of Trade, Industry and Competition (dtic)
  - Companies and Intellectual Property Commission (CIPC)
  - Swiss Federal Institute of Intellectual Property (IPI) Project Coordinators, Olga Allemann, Georges Bauer and Alexandra Nightingale
- Local partners (experts mandated by the IPI / assistance with implementation):
  - Magdaleen Van Wyk Local Project Coordinator (LPC)
  - Horizontal Management administrative support (financial management and LPC contractor)

1

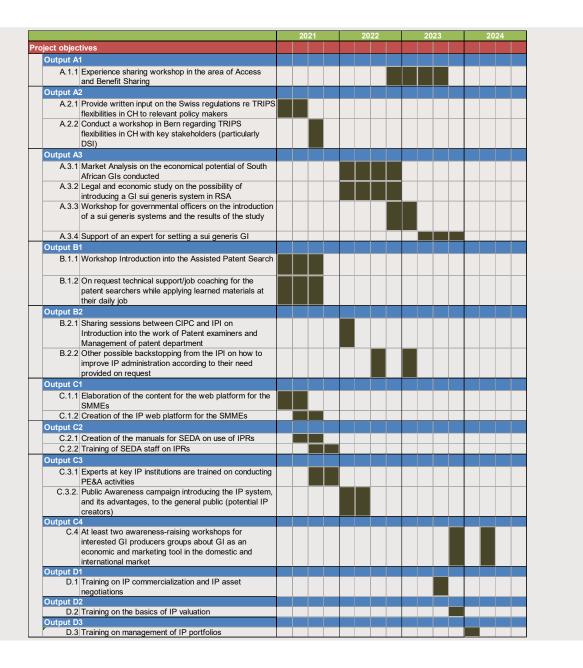


# Outcomes

- Outcome A: National IP Policy strengthened through consultations and workshops and sui generis GI system development
  - Access and Benefit Sharing workshop
  - Compulsory licenses/TRIPS Flexibilities
  - Study on introducing sui generis GI system
- Outcome B: IPR registration and administration entities provide efficient and user-friendly services
  - Basic patent searches
  - Patent examiners trained on efficiency
- Outcome C: SMME supporting agencies and IPR entities promote protection and use of IPRs to potential users IPRs
  - Web platform for SMMEs is created
  - SEDA expertise on IP is strengthened
  - Key institutions trained on delivery of PE&A activities
  - GI producers are aware of benefits of GI label
- Outcome D: Increased commercialization of IPRs as part of innovation process
  - IP asset holders increase negotiating skills
  - Awareness increased on IP asset valuation
  - Skills increased on IP portfolio management and commercialization



### Planning





### **GI** Component

#### GI Protection in RSA prior to 2019

- Trade Marks Act
- Merchandise Marks Act
- Liquor Products Act
- Agricultural Products Standards Act

#### SADC-EU EPA

- Bilateral Protocol 3 on GIs
- Creation of a sui generis GI system

#### **Planned activities:**

- Market analysis on the economic potential of South African GIs conducted
- Legal and economic study on the possibility of introducing a GI sui generis system in RSA conducted
- Workshop for governmental officers on the introduction of a sui generis systems and to present the results of the study conducted
- Support of an expert for setting a sui generis GI legislation system (conditional on positive decision after the presentation of the study)
- awareness-raising workshops for interested GI producer groups



### **Future Planning**

T

### **Regulations relating to the Protection of GIs used on Agricultural products**

Created a sui generis GI system

### Potential gaps in the GI system

- Fractured GI system
- The applicant's members must produce / process at least 50% of the product
- Animal / plant health issues
- Raise awareness for communities
- GI Logo
- Cross-border GIs



# Thank you!

- Questions?
- Comments?

Olga Allemann	Georges Bauer
Project Coordinator International Cooperation	Project Coordinator International Cooperation
Swiss Federal Institute of Intellectual Property	Swiss Federal Institute of Intellectual Property
+41 31 377 72 12	+41 31 377 72 14
olga.allemann@ipi.ch	georges.bauer@ipi.ch
Alexandra Nightingale	Maggie Van Wyk
Project Coordinator International Cooperation	Local Project Coordinator
Swiss Federal Institute of Intellectual Property	Swiss – South African Intellectual Property Project
+41 31 377 72 05	+27 82 469 82 48
alexandra.nightingale@ipi.ch	magdaleen.vanwyk@ipi-projectpartners.ch