



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



Schweizerische Eidgenossenschaft
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Swiss Confederation

Federal Department 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)

- **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

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

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!

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- Questions?
- Comments?

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