

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)

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

I

	2021	2022	2023	2024
Project objectives				
Output A1				
A.1.1 Experience sharing workshop in the area of Access and Benefit Sharing				
Output A2				
A.2.1 Provide written input on the Swiss regulations re TRIPS flexibilities in CH to relevant policy makers				
A.2.2 Conduct a workshop in Bern regarding TRIPS flexibilities in CH with key stakeholders (particularly DSI)				
Output A3				
A.3.1 Market Analysis on the economical potential of South African GIs conducted				
A.3.2 Legal and economic study on the possibility of introducing a GI sui generis system in RSA				
A.3.3 Workshop for governmental officers on the introduction of a sui generis systems and the results of the study				
A.3.4 Support of an expert for setting a sui generis GI				
Output B1				
B.1.1 Workshop Introduction into the Assisted Patent Search				
B.1.2 On request technical support/job coaching for the patent searchers while applying learned materials at their daily job				
Output B2				
B.2.1 Sharing sessions between CIPC and IPI on Introduction into the work of Patent examiners and Management of patent department				
B.2.2 Other possible backstopping from the IPI on how to improve IP administration according to their need provided on request				
Output C1				
C.1.1 Elaboration of the content for the web platform for the SMMEs				
C.1.2 Creation of the IP web platform for the SMMEs				
Output C2				
C.2.1 Creation of the manuals for SEDA on use of IPRs				
C.2.2 Training of SEDA staff on IPRs				
Output C3				
C.3.1 Experts at key IP institutions are trained on conducting PE&A activities				
C.3.2 Public Awareness campaign introducing the IP system, and its advantages, to the general public (potential IP creators)				
Output C4				
C.4 At least two awareness-raising workshops for interested GI producers groups about GI as an economic and marketing tool in the domestic and international market				
Output D1				
D.1 Training on IP commercialization and IP asset negotiations				
Output D2				
D.2 Training on the basics of IP valuation				
Output D3				
D.3 Training on management of IP portfolios				

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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