

THE EAST AFRICA CONFERENCE ON INTELLECTUAL PROPERTY RIGHTS AND DEVELOPMENT



28th - 29th JUNE, 2006, Jinja-Uganda

SYNTHESIS REPORT OF THE PROCEEDINGS

Godber Tumushabe
Ronald Naluwairo

ACODE Public Dialogue Series, No.7, 2006

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ACKNOWLEDGEMENTS

The convening of the East Africa Conference on Intellectual Property Rights and Development is a clear testimony of the ever growing partnership between ACODE and public sector agencies in stimulating dialogue on critical public policy issues. This Conference would therefore not have registered overwhelming success without the good working relationship between ACODE and the national Intellectual Property Rights (IPR) management institutions. The contribution of the following persons who spent time and resources planning for the Conference is therefore acknowledged. These are: Mr. Kyomuhendo Bisereko, Ag. Registrar General of the Uganda Registration Services Bureau; Prof. Otieno Odek, Managing Director of Kenya Industrial Property Institute (KIPI); and Mr. Esteriano, Registrar General - Business Registrations and Licensing Agency of Tanzania (BRELA).

We are also grateful to Dr. John Mugabe (Science and Technology Forum-New Economic Partnerships for Africa's Development) and Prof. Patricia Kameri-Mbote (Faculty of Law, University of Nairobi) for finding time to participate in the Conference and sharing with the participants their expertise and experiences on IPR and development.

In a special way, we would like to express our sincere appreciation to the Rockefeller Foundation for providing the financial support that facilitated the partnership between ACODE and the national IPR offices and making the Conference a reality. The flexibility and creativity with which the Conference was organized are all testimony of the Foundation's commitment to meaningful policy dialogue on fundamental public policy issues. Indeed, the Foundation has given all of us within the sub-region the challenge of translating the recommendations of the Conference into tangible outcomes that engender development through the development and application of science and technology tools.

Finally, the Conference could not have been successful without the unreserved commitment of all the participants. The dynamism and intellectual discipline of the participants enabled us to be creative, flexible and yet achieve so much in such a short time. Our collective challenge is to keep the spirit of the Conference alive and ensure effective and rigorous follow up of the Conference outcomes. In a special way, Mr. Bashir Twesigye and Ms. Annet Nuwagaba are recognized for ensuring proper planning and handling all the logistics for the Conference.

LIST OF ACRONYMS

ACODE	Advocates Coalition for Development and Environment
AU	African Union
BRELA	Business Registrations and Licensing Agency of Tanzania
CSOs	Civil Society Organizations
FDI	Foreign Direct Investment
EAC	East African Community
IP	Intellectual Property
IT	Information Technology
IPR	Intellectual Property Rights
KIPI	Kenya Industrial Property Institute
KIPO	Kenya Industrial Property Office
NEPAD	New Economic Partnership for Africa's Development
NSI	National System of Innovation
RSI	Regional System of Innovation
URSB	Uganda Registration Services Bureau
SMEs	Small and Medium Enterprises
S & T	Science and Technology

1. INTRODUCTION

This is a synthesis report of the proceedings of the East Africa Conference on Intellectual Property Rights and Development which took place in Jinja-Uganda from the 28th -29th June 2006. The Conference brought together senior level officials from the national IPR offices, research and academic institutions, national planning and investment authorities and practicing IPR lawyers. The overarching objective of the Conference was to provide a platform for stakeholders to engage in a mutual dialogue on the role of intellectual property rights in stimulating science and technology innovation, technology development and technology transfer within the East African Community (EAC). The Conference also provided a rare opportunity for IPR practitioners from the three EAC States to engage in a dialogue on practical steps necessary for operationalizing the relevant provisions of the Treaty Establishing the EAC.

The Conference was co- convened by Advocates Coalition for Development and Environment (ACODE) in partnership with the Governments of Uganda, Kenya and the United Republic of Tanzania represented by their respective IPR management institutions. Funding for the Conference and

future follow up activities is provided under a grant to ACODE from the Rockefeller Foundation.

2. BACKGROUND AND RATIONALE

Since the time of the industrial revolution, the growth of economies around the world has been driven by continual technological innovation largely through the pursuit of scientific understanding and application of cutting-edge engineering solutions. Over the last decade, scientific and technological break-throughs have helped to address pressing global public policy problems in a wide range of critical areas such as agriculture, industry, health, information and communication. Indeed, in the agriculture sector which is a dominant economic activity in the three East African countries, scientific and technological advances have contributed to addressing problems of agricultural diseases control, enhancing drought resistance and creating products with enhanced nutritional value.

Central to the debate on science and technology, capacity has always been the issue of intellectual property rights protection. In the recent public

policy discourse, there are those who argue that for developing and least developed countries such as those of East Africa, they need to provide strong IPR protection regimes as a means of stimulating technological innovations, facilitating technology transfer and attracting Foreign Direct Investment (FDIs). Yet, others have challenged this assertion by pointing out that the utility of IPR policy, legal or administrative regimes lies in their ability to harness IPR as a policy instrument for achieving clearly set national development policy objectives.

Indeed, in spite of the many years of IPR protection since independence, East African countries like many others in Africa, with very limited exceptions, have registered minimum success in harnessing the potential of IPR protection to stimulate the development of science and technology at the national level. However, in East Africa, the coming into force of the Treaty Establishing the EAC has presented a fresh opportunity for a more systematic dialogue on the necessary conditions for harnessing the power of IPR protection to achieve the objectives of national science and technology capacity. The Treaty commits the three East African countries to undertake joint actions to, among other things,

create a conducive environment for the promotion of science and technology within the Community and to harmonize policies on commercialization of technologies and promotion and protection of intellectual property rights.

At the moment, the challenge is that within the EAC, there is limited dialogue taking place on these issues and the structures of the Community do not seem to provide the necessary framework for such a structured dialogue. For example, while major policy decisions within the Community are made at ministerial level, there are fewer opportunities for the relevant ministries to meet on issues of IPR. This is mainly because the national IPR institutions and science and technology issues within the EAC member States are handled by a variety of ministries ranging from science and technology to finance and planning, education and trade among others. Indeed, this is why regular dialogues among the various sectors are essential in creating the necessary momentum for creating an appropriate institutional framework for bringing together all the relevant agencies in the context of the EAC.

It is in this context that the East Africa Conference on Intellectual Property Rights and Development

was organized to provide a platform for dialogue on harnessing the power of intellectual property rights in promoting science and technological innovation in the region.

3. WORKSHOP OBJECTIVES

The overarching objective of the East Africa Conference on Intellectual Property Rights and Development was to provide a forum for a broad range of stakeholders to engage in dialogue on how to best tap the potential of intellectual property rights in the development process. The Conference was designed to provide a forum for scientists, managers of national IPR institutions and legal practitioners to engage in a dialogue on how to best use IPR as a policy instrument to stimulate innovation, accelerate technology transfer and application of technology solutions to address pressing problems in critical areas of agriculture, pharmaceuticals and industry.

The Conference had the following specific objectives:

- Identify strategic policy and administrative options for increasing the role of IPR offices in stimulating innovation and accelerating technology transfer in East Africa;

- Identify strategies for cooperation between IPR Offices and the National Councils for Science and Technology and agree on systematic joint actions to promote the use of IPR as a policy tool for stimulating innovation and technology transfer;
- Establish a forum for dialogue among IPR offices and National Councils for Science and Technology in the context of the Treaty Establishing the EAC.

Within the context of these objectives, the East Africa Conference on IPR and Development sought to place IPR and national IPR institutions at the centre of the debate on structural economic transformation and industrialization, shape the debate on the rationale for IPR protection, accelerate the pace of implementation of legal, policy and institutional reforms at the national and regional level and mobilize the EAC structure to provide the political platform necessary to promote these reforms.

4. PARTICIPANTS

The Conference brought together senior level officers of national IPR offices, National Councils for Science and Technology as well as investment and national planning

agencies from the member States of the EAC. The Conference also attracted academicians and selected representatives of civil society organizations active in the area of science and technology and intellectual property rights. The full list of participants is annexed to this report as Annex II.

5. OPENING SESSION

Introductory remarks were delivered by Godber Tumushabe, the Executive Director of ACODE. The Conference was officially opened by Mr. Kyomuhendo Bisereko- Ag Registrar General- Uganda Registration Services Bureau.

In his introductory remarks, Mr. Tumushabe thanked the participants for honoring the invitations to the Conference and welcomed the participants from Kenya and Tanzania to Uganda. He stressed the importance of the meeting and pointed out that the subject of the dialogue was long over-due. He reiterated ACODE's continued role in convening and facilitating multi-stakeholder public policy dialogues on important development issues in Eastern and Southern Africa.

He observed that countries in East Africa were not making impressive strides in science and technology innovation largely because the current national systems for

innovation were not coherently linked to intellectual property rights and development. In particular and with the exception of Kenya where there had been visible reforms championed by the Kenya Industrial Property Office, intellectual property rights regimes were operating on the sideline of the system and were not effectively linked to the innovation system. Mr. Tumushabe further reiterated that although the three countries had committed themselves to cooperate in the field of science and technology, the region still lacked the concomitant structures to carry forward the spirit of the cooperation. In particular, the EAC structures lacked a clear institutional set up where decisions on intellectual property rights protection and promotion could be made. This problem was also not helped by the fact that the national IPR offices and the national councils for science and technology fall under different ministries ranging from trade and science and technology, to education, finance and planning among others.

Mr. Tumushabe concluded his remarks by reiterating ACODE's commitment to facilitate a process at the national and regional level whereby stakeholders can engage in a mutual dialogue and ensure measurable progress in this

area. He particularly recognized the immense contribution of the Rockefeller Foundation for providing the grant that supported the convening of the workshop.

On his part, Mr. Kyomuhendo Bisereko thanked ACODE for initiating the idea of convening the regional conference on IPR & Development and informed the participants that the initiative was fully endorsed by the respective Government agencies in the three East African countries. He stressed the importance of intellectual property rights in development but regretted that Governments in the region were not according the subject the attention it deserves. This was partly evidenced by the underfunding of these institutions; the slow pace of institutional, policy and legal reforms; and the failure to evolve an effective institutional framework for regional consultations and decision making at the EAC level.

6. SUMMARY OF THE PRESENTATIONS

Presentations were made by John Mugabe, Patricia Kameri-Mbote, Godber Tumushabe, Bisereko Komuhendo, Leonila Kishebuka and Sylvance Sange. The following section summarizes the key issues that emerged from the presentations and the plenary discussions.

6.1. Operationalizing the Concept of National Systems of Innovation

Dr. John Mugabe from the Science and Technology Forum of NEPAD made a keynote presentation on Operationalizing the Concept of National System of Innovation (NSI) in East Africa. The presentation and the plenary discussion addressed a number of issues that provide a framework for understanding and questioning the structure of the system for innovation at the national level. In particular, Dr. Mugabe raised key questions that are central to the debate on scaling up IPR especially in a regional context. Do national systems for innovation exist in the EAC member countries and are they structured to engage at the regional level? Is the process of regionalism, particularly in science and technology taking place? Are the principles that underpin regionalism appreciated? And finally, isn't there a contradiction to be focusing on developing national innovation systems while at the same time talking regionalism?

There was general consensus that a system for innovation whether at the national or regional level must entail at least four basic components which must interact as a systematic unit. The four components are:

- The presence of actors with clearly defined roles;
- Norms and rules that govern and guide the system;
- The existence of knowledge networks; and
- Activities that transform research and new knowledge into new goods and services.

Dr. Mugabe emphasized that while science and technology innovation could still take place in the absence of such an organized system, IPR could only be an effective catalyst where science and innovation was taking place in this systemic framework. It was further noted that while elements of a system for innovation existed at both the national and regional level, they are currently not properly coordinated as a system operating in its totality and this situation partly accounts for low levels of scientific innovation and technological development and application.

Dr. Mugabe emphasized though that the focus of countries in the region, especially in light of the revival of the EAC and now the pending political federation, should be on developing a Regional System of Innovation (RSI) as opposed to NSI. But in order for a RSI to work, there are key things that must be appreciated. First, the different states in the region must have the

ability and flexibility to surrender certain decision making powers to a regional arena. Secondly, there

Box 1: Key Principles for Establishing an Effective RSI

- Recognition and appreciation of different science and technological capabilities at the national level;
- The RSI should add value and not just replicate national efforts;
- Developing Regional Systems of Innovation is a process that requires a lot of planning, resources and patience; and
- A RSI should emphasize building and strengthening of regional knowledge networks as the pillars of the innovation system.

should be recognition of diversity. In this regard, policy emphasis should be on standard setting and not necessarily on harmonization. Thirdly, there must be knowledge networks which should include national and trans-national research institutions and public and private organizations which must however be linked and properly coordinated. Lastly the RSI should focus on producing regional public goods as opposed to national public goods.

6.2 Making IPR Relevant to African Countries: Priorities for Action and Setting the Agenda for Change

This presentation was made by Godber Tumushabe who observed that the current discourse on IPR & Development at the national, regional and international level

does not create the necessary platform for effective policy making. At the international level, he pointed out the fact of a multiplicity of fora for negotiations and rule-making on IPR.

In regard to reconceptualizing the role of IPR in development, Tumushabe stressed that granting intellectual property right protection is not and should never be taken as an end in itself but rather, IPR should generally be used as one of the policy instruments for promoting national development objectives. In this regard, he pointed out that the monopoly rights granted to a patent holder must be balanced with broader national development objectives and societal goals, which in the East African context include: poverty eradication, increased agricultural production and food security and technology transfer among others.

He emphasized however, that IPR protection should be seen as part of a package and not as the only instrument to spur science and technological innovation. In this regard, he called for more research and analysis into other issues necessary for stimulating scientific innovation and technological development. In order to reconceptualize the role of IPR in development, Tumushabe argued that it is important to

Box 2: Factors Driving IPR Policy and Legal Reform Processes in East Africa

- Bilateral assistance programmes compelling countries to engage in IPR policy and legal reforms per se without any bearing on how IPR can enable these countries to achieve their objectives to develop national science and technology capacity;
- Obligations to implement international commitments without due regard to how these commitments complement national development objectives to achieve science and technology capacity; and
- Attracting Foreign Direct Investments without any clear evidence that this is possible and without appropriate legal and institutional mechanisms to ensure appropriate technology content in FDIs.

understand the factors shaping IPR legal and policy reform processes in the region including the agendas of the various actors. He identified the drivers of the IPR legal and policy reform process in the region summarized in Box 2 above.

It was pointed out in this respect that there is need to make the IPR policy and legal reform processes country owned and driven and that such reforms should be responsive to national and regional development imperatives.

There was also general consensus among the participants that given the current levels of institutional disharmony and stagnation of innovation, it was important for any future dialogue on IPR and development to be

driven by rigorous independent and empirical research. It was acknowledged that there are glaring gaps in the existing knowledge including in such areas as: the levels of usage of IPR information by scientists; the extent to which scientists and enterprises within the EAC countries were seeking protection for their innovation; the relevance or correlation between strong IPR

protection and attraction of foreign direct investment; research and analysis that enhances the full operationalization of the science and technology provisions of the Treaty establishing the EAC; and clearly defining the actors and the roles of the actors that operate in the NSI.



6.3 Changing the Mandates of IPR offices from IPR Regulatory Agencies to Development Agents

This session was designed to trigger debate on the nature of actions and strategies required to change the mandates of intellectual property rights offices from regulatory agencies to development agents. The session was also intended to enable sharing of experiences and success stories as far as intellectual property rights' protection, innovation and technology transfer at the national level is concerned. Presentations were made by Sylvance Sange of KIPI, Leonilla Kishebuka of BRELLA and Kyomuhendo Bisereko of URSB.

There was general unanimity on the fact that time was over due for the national intellectual property rights offices to transform from mere regulatory agencies to agents of industrial and technological development as well as social-economic progress in their respective countries. It was observed though that amidst the so many challenges, there were visible signs of transformation although the pace of reform was painfully slow. For example, whereas a new law establishing the Uganda Registration Services Bureau was enacted by Parliament in 1998, the transformation of the Registrar General's Office

into the Bureau was still being hampered by logistical, financial and bureaucratic constraints.

It was further observed that because intellectual property rights offices have traditionally only been playing a regulatory role, the offices do not have clear records of success stories in facilitating and spearheading technology development and transfer. This is notwithstanding the wealth of patent information they have including expired patents and utility models.

Box 3: Challenges of Transforming IP Offices to Development Agencies

- Cross cutting nature of IPR to different sectors, ministries and other offices;
- Low levels of IPR awareness among scientists, policy makers and the general public;
- Inadequate political and financial support to IPR issues and activities in the region;
- Lack of clear and coherent policy framework linking IPR offices' mandates to national and regional development objectives;
- Interference and influence from outside; and
- Linking R & D institutions to IP offices to industries and the general public.

It was pointed out that there are enormous opportunities at the moment, which should be seized in the transformation of intellectual property rights offices to development agencies. In particular, it was emphasized

that the ongoing IPR policy and legal reform processes in the three countries present rare opportunities for transforming the role of these offices. In Tanzania, it was pointed out that the Ministry for Industry, Trade and Marketing is in the process of developing a National Intellectual Property Rights Policy. In Uganda, it was also observed that Government was in advanced stages of starting on the development of a National Intellectual Property Rights Strategy and that its entire legal regime on Intellectual Property (IP) was undergoing review.

At the regional level, it was also pointed out that the coming into force of the Treaty establishing the EAC and its provisions on science and technology and intellectual property rights present another big opportunity for the countries in the region to rethink the role of IP offices in the regional context and development. The New Economic Partnership for Africa's Development (NEPAD) and its policy and political organs as well as emerging knowledge networks such as in the areas of biosciences were creating new opportunities for reform and action.

6.4 Mobilizing Science Advice for Public Policy Making in the Context of Regional Integration

Presentations on this subject were made by Prof. Patricia Kameri-Mbote, Dr. John Mugabe and Mr. Sylvance Sange. These presentations were designed to inform participants about the EAC Treaty provisions on S & T and IPR and trigger debate and dialogue on how they can be effectively operationalized.

Box 4: Article 103 (1) of the Treaty

Establishing the East Africa Community

Recognizing the fundamental importance of science and technology in economic development, the partner States undertake to promote co-operation in the development of S & T within the Community through:

- a) Joint establishment and support of S& T research and institutions in various disciplines;
- b) Creation of conducive environment for S&T;
- c) Encouragement of the use and development of indigenous science and technologies
- d) Mobilization of technical and financial support for S&T;
- e) Exchange of scientific information, personnel and the promotion and publication of research and scientific findings;
- f) Collaboration in the training of personnel;
- g) Promotion, development and application of Information Technology (IT) and other new technologies;
- h) Establishment of common ethical guidelines for research; and
- i) Harmonization of policies on commercialization of technologies and promotion and protection of intellectual property rights.

While recognizing the scope of coverage of science and technology innovation provisions

of the EAC Treaty, the Conference noted that the Treaty lacks clear and coherent means and mechanisms for implementing these provisions. Indeed, it was emphasized that since the Treaty was first established, this Conference was the first forum to discuss in specific terms what needs to be done to take advantage of the spirit and provisions of the Treaty to ensure cooperation in the area of science technology innovation. Consequently, this platform, informal as it was, could be maintained as a framework for stimulating a more structured dialogue on the interface between IPR and S & T in the context of the Treaty establishing the EAC.

The Conference further observed in this regard that, with the exception of the NEPAD intervention of setting up a Science and Technology Desk at the EAC secretariat, there was hardly any evidence of implementation of the treaty provisions on intellectual property rights and science and technology. Organizations like ACODE and the national agencies responsible for IPR and Science and Technology were therefore called upon to immediately start engaging the EAC on the strategies and mechanisms for the effective implementation of the treaty provisions on S & T and IPR.

Dr. John Mugabe particularly reiterated the need to mobilize science advice for public policy making. Public policy making on

issues of science, technology and innovation should be informed and influenced by scientific research and analysis. Science advice in policy making would help in making right decisions for scientific and technological research and development and would reduce on the costs of policy development and implementation. It would only be then that East African countries in particular and the Africa Continent in general could make substantial progress in the area of science, industrial and technological innovations and development.

Nevertheless, the Conference recognized the challenges involved in mobilizing science advice on the continent owing to the absence of strong institutions dedicated to policy research and analysis, the politics of policy making at the national level, the inherent tradition of many African Governments and Government agencies not proactively seeking science advice.

Box 5: Challenges of Operationalizing the EAC Treaty Provisions on S & T

- Different levels of S & T development;
- Different levels of development of IPR protection;
- Limited Technological and Research Capacity;
- The breadth of S & T which spurs different sectors and ministries; and
- Limited leverage due to international obligations.

7. PRIORITY ACTIONS TO MOBILIZE IPR AGENCIES IN THE NATIONAL DEVELOPMENT PROCESS

Although the Conference was not designed to generate any legally binding resolutions, a number of consensus issues emerged and the Conference agreed on a common set of actions for follow up. The following were the consensus issues that emerged from the Conference.

First, East African countries need to reconstruct their NSI especially if they are to take advantage of IPR and use IPR protection as a policy instrument for national socio-economic and technological development. While some level of innovation was taking place within the region, this was happening in spite of and not because of the existence of a fully integrated NSI. The EAC therefore needs to seize the initiative and begin to define a set of standards for an integrated RSI including the construction of knowledge networks properly configured to produce and catalyze the utilization of scientific knowledge.

Agreed Action: Initiate a regional level process to clearly define the actors that are ordinarily part of a regional or national system of innovation and the various roles that these actors play. This process should consider current and future actors including public and private research organizations, IPR offices, investment authorities, technology transfer offices and small and medium size industries among others. This will be important for structuring a system that facilitates institutional interface and decision making and making it easier to develop the science and technology enterprise ranging from research and development to product development and placing products on the market.

Secondly, although there were 'exciting' statements on the need to deepen regional integration, evidence based on cooperation in specific areas such as science and technology clearly shows halfhearted moves towards regionalism. It is clear that countries still lack the necessary flexibility to surrender important forms of national sovereignty and decision making authority to a regional structure. Yet, deepening cooperation in technical areas such as science, technology, innovation and IPR architecture could easily accelerate the political integration process.

Thirdly, the difficulty of translating the science, technology and IPR provisions of the Treaty establishing the EAC was inherent in the structure and organization of Governments of the EAC member States. At the national level, science, technology and IPR mandates were vested in a wide range of ministries including those dealing with regional coordination, trade and industry, finance and planning, science and technology, education or justice. This national level institutional landscape is clearly inconsistent with the institutional architecture at the EAC level. A reconfiguration of that architecture is therefore a condition precedent to robust reforms and actions at the national level.

Agreed Action: National IPR agencies and other relevant government agencies should develop a partnership with ACODE to build a political constituency that can be engaged to ensure appropriate decisions are made to have a properly structured RSI in place. This should include mobilizing the Ministers for East African Cooperation, engaging the relevant committees of the East African Legislative Assembly and initiating an inter-ministerial dialogue on IPR, science and technology innovation.

Fourthly, the EAC Secretariat was not showing or demonstrating sufficient enthusiasm on

addressing IPR issues as part of the Community's science and technology innovation agenda. Indeed, the absence of a representative from the EAC Secretariat was conspicuous and the organizers explained that although efforts had been made to get the secretariat to participate in the Conference, scheduling problems dictated against the participation of the secretariat. The Conference was concerned, however, that previous attempts to support the employment of an officer responsible for IPR had not materialized after almost 18 months.

Agreed Action: ACODE is requested to explore the possibility and logistical needs for maintaining the East Africa Regional Conference on IPR and Development as a platform for dialogue, exchange of information and peer review of actions that are made to accelerate progress. Channels of communication and advocacy among the various players and the Secretariat should also be strengthened and supported.

Finally, there was general consensus that there still exists critical knowledge gaps that need to be filled in order to stimulate action at the policy and operational level. Currently, the debate on IPR and science and technology innovation is based on anecdotal evidence. This situation needs to change if political players and

policy makers are to be mobilized to spear head radical strategic policy change.

and the constraints and opportunities for regionalism.

Agreed Action: The conveners of the Conference should take the lead in developing and ensuring the implementation of a coherent and consistent action-based research and advocacy agenda aimed and bridging the existing knowledge gaps. The following elements constitute the immediate regional research priorities:

- Generating and synthesizing data on the relationship between strong IPR protection and the ability of countries to attract foreign direct investments;
- The current status, constraints and what needs to be done to operationalize the relevant IPR, S & T provisions of the Treaty Establishing the East African Community;
- The current status and trends in applications for IPR protection by East African nationals including Small and Medium Enterprises(SMEs);
- A comprehensive regional IPR audit analyzing the current policy, legal and institutional frameworks for IPR protection

8. CLOSING REMARKS

The Conference was officially closed by Honorable Fred Jachan Omach, Member of Parliament and Minister of State for Finance, Planning and Economic Development (General Duties) on behalf of Uganda's Minister of Finance, Planning and Economic Development.

The Minister thanked the Organizers of the Conference for having convened this meeting on one of the core areas and strategies for national and regional development. He emphasized the role of intellectual property rights in regional development and argued that strong IPR policy and legal regimes can only make sense to regional development if the three countries invest in and develop strong science and technological innovation base. He further noted that, the development of a strong scientific, innovation capacity and protection of technological innovations through IPR were fundamental imperatives in achieving the regional development objective of industrialization.

Minister Omach informed the participants that the Government of Uganda was committed to the



From Left to Right: Kyomuhendo Bisereko -Ag. Registrar General, URSB, Minister Fred Omach and Godber Tumushabe - Executive Director- ACODE at the closing ceremony.

accelerated development of science and technology and has prioritized science and technology research and development in the 2006/07 national budget. He therefore called upon all the three countries in the region and the relevant organs of EAC and the Africa Union (AU) to place issues of IPR and science and technology innovation high on their political and policy agenda.

The Minister ended his speech by commending the organizers of the Conference, in particular ACODE for providing a platform for this important dialogue on harnessing the power of IPR in enhancing science and technological innovation in the East Africa Sub-region.

9. PUBLICATIONS IN THIS SERIES

- ACODE., (2004). Report of the African Policy Makers Workshop on the Negotiations for a Liability and Redress Regime under the Cartagena Protocol on Biosafet. ACODE Public Policy Dialogue Series No. 1, 2004
- Godber Tumushabe and Arthur Mpeirwe., (2004). Report of the East Africa sub-Regional Workshop on Genetically Modified Organisms, ACODE Public Policy Dialogue Series No. 2, 2004
- Vicky Luyima and Sophie Kutegeka., (2004). Balancing Nature, Wealth and Power through the PEAP Revision Process. Report of the High Level Policy Dialogue on Nature, Wealth and Power. ACODE Public Policy Dialogue Series No. 3, 2004
- Eunice Musiime and Ronald Naluwairo., (2004). Policy Options for Increasing the Role of Organic Agriculture in Ensuring Food Security and Poverty Alleviation in Sub-Saharan Africa. Report of the sub- Saharan Africa Regional Workshop on Organic Agriculture, Food Security and Poverty Eradication. ACODE Public Policy Dialogue Series No. 4, 2004
- Godber Tumushabe, Eunice Musiime and Ronald Naluwairo., (2004). National Biosafety Frameworks: Whose Agenda? Report of the High Level Policy Dialogue on Bio-Safety Frameworks in sub-Saharan Africa. ACODE Public Policy Dialogue Series No. 5, 2004
- Ronald Naluwairo and Eunice Musiime., (2004). Report of the Parliamentary Public Hearing on Genetically Modified Organisms in Uganda. ACODE Public Policy Dialogue Series No. 6, 2004

ANNEX I PROGRAMME FOR THE CONFERENCE

TUESDAY 27 JUNE, 2006

12:00 PM- 5:00 PM Arrival of Participants

WEDNESDAY 28 JUNE, 2006

8:30 AM - 9:00 AM Registration of Participants

9.00 AM - 9: 30 AM Welcome Remarks by **Mr. Kyomuhendo Bisereko, Ag. Registrar General, Uganda Registration Services Bureau, Ministry of Justice and Constitutional Affairs**, and Self Introductions by Conference Participants.

9:30 AM - 9:50AM Overview of the Conference Agenda, Objectives and Expected Outcomes - **Godber Tumushabe, Executive Director - Advocates Coalition for Development and Environment (ACODE)**

9:50 AM -10:20AM Official Opening of the Conference by the Minister of Justice and Constitutional Affairs of the Government of Uganda -**Hon Prof. Khiddu Makubuya**

10:20AM -10:50AM Operationalizing the Concept of National System of Innovation in East Africa: Reconfiguring the Role of National IPR Institutions and the Opportunities Presented by NEPAD - **Dr. John Mugabe, Science and Technology Forum, New Economic Partnership for Africa's Development (NEPAD)**

10:50AM -11: 20AM Plenary Discussions

11:20AM -11: 50AM **TEA BREAK**

11:50 -12: 20PM Making IPR Relevant to African Countries: Priorities for Action and the Role of IPR Offices in Setting the Agenda for Change - **Godber Tumushabe, Advocates Coalition for Development and Environment**

12:20PM-1:00PM Plenary Discussions

1:00PM-2:00PM **LUNCH BREAK**

2:00PM-2:30PM Challenges of Operationalizing the Provisions of the East African Community Treaty on Scientific and Technological Innovation: A Practitioner's Perspective
Prof. Patricia Kameri-Mbote, Professor of Law, University of Nairobi

2:30PM-3:00PM	Plenary Discussions
3:00PM -5:30PM	Excursion tour and site seeing
7: 30PM-9:00PM	Cocktail Hosted by the Executive Director, ACODE

Thursday 29th June, 2006

8:45AM-9:00AM Summary of Emerging Strategic, Policy and Operational Issues from Day 1 - *Ronald Naluwairo, Research Fellow and Head of the IPR and Biotechnology Policy Programme, Advocates Coalition for Development and Environment*

9:00AM - 10:00AM Changing the mandates of IPR Offices from IPR Regulatory Agencies to Development Agents: Sharing Success Stories, Challenges and Opportunities for Reform.

Prof. Otieno Odek, Managing Director, Kenya Industrial Property Institute
Mr. Esteriano, Tanzania Bureau of Registration and Licensing Agency
Mr. Kyomuhendo Bisereko, Ag. Registrar General, Uganda Registration Services Bureau (Formally Registra General's Office)

10:00AM-10:30AM Plenary Discussions

10:30AM-11:00AM COFFEE BREAK

11:00AM-11:45AM Establishing National Mechanisms for Inter-Agency Cooperation in Science and Technology Innovation: The Concept of National Science and Technology Platforms.

Dr. John Mugabe, NEPAD
Dr. Esteriano, BRELLA

11:45AM-12:00PM Plenary Discussions

12:00PM-12:30PM Priority Regional Actions for Scaling up the Role of IPR Offices in Stimulating Scientific Innovation and Technology Transfer

Prof. Otieno Odek, KIPI
Representative of the EAC Secretariat

12:30PM-1:00PM Plenary Discussion

1:00PM - 1:30 PM

Official Closing of the Conference - Dr. Ezra Suruma, Minister of Finance and Economic Development, Government of Uganda

1:30PM-2:00PM

LUNCH AND DEPARTURE

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Participants at the East Africa sub-Regional Conference on Intellectual Property Rights Pose for a Group Photo

ABOUT THE CONVENERS

The East Africa Conference on Intellectual Property Rights and Development was co-convened by Advocates Coalition for Development and Environment (ACODE) and the Intellectual Property Rights Offices in the three East African countries, which include the Registrar General's Office of the Republic of Uganda, the Kenya Industrial Property Institute (KIPI) and the Business Registration and Licensing Agency (BRELA) of Tanzania.

ADVOCATES COALITION FOR DEVELOPMENT AND ENVIRONMENT (ACODE)

ACODE is an independent public policy research and advocacy think tank based in Kampala-Uganda. ACODE runs programmes in a wide range of areas including environmental governance, science and technology, trade policy governance as well as peace and conflict research. ACODE has active research and advocacy programmes focusing on the Eastern and Southern Africa Sub-region. As part of its mandate, ACODE convenes multi-stakeholder dialogues on emerging and controversial public policy issues with a view to generate consensus and setting common agendas. Over the last 4 years, ACODE has played a leading role in convening multi-stakeholder dialogues on biotechnology in Africa. ACODE is providing the funding for the Conference under a generous grant from the Rockefeller Foundation.

REGISTRAR GENERAL'S OFFICE, UGANDA

The Registrar General's Office is the Uganda Government Department under the Ministry of Justice and Constitutional Affairs responsible for the management of intellectual property in the country. The Department is currently undergoing restructuring to transform into the Uganda Registration Services Bureau (URSB) established under the Uganda Registration Services Bureau Act. Under its new statutory mandate, the Bureau will be responsible for developing and implementing policies for the protection of intellectual property and commercialization of new technologies.

KENYA INDUSTRIAL PROPERTY INSTITUTE

Formally known as the Kenya Industrial Property Office (KIPO), Kenya Industrial Property Institute (KIPI) was established in 2002 by the Industrial Property Act, 2001 as a Government Department under the Ministry of Trade and Industry as a semi autonomous body to manage intellectual property rights in Kenya. The Institute is mandated to administer, provide technological information, to provide training in industrial property rights and to promote inventiveness and innovativeness for accelerated technological, industrial and social economic development of Kenya.

BUSINESS REGISTRATION AND LICENSING AGENCY

Business Registrations and Licensing Agency (BRELA) is a semi-autonomous Government Agency established under the Ministry for Industry and Trade by the Government Executive Agencies Act No.30 of 1997. BRELA's Mission is to regulate and facilitate business operations in the United Republic of Tanzania in conjunction with other partner institutions in the country, to ensure that they operate in accordance with sound business and commercial principles. BRELA's main functions include: Registration of Trade & Service Marks, Granting Patents, Industrial Licensing, Registration of Business Names and Companies.



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