



JUDICIAL COLLOQUIUM

WIPO/IP/JU/DAR/23/INF/1
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DATE: FEBRUARY 22, 2023

Judicial Colloquium on Copyright, Trademarks and Mediation of IP Disputes for the Judiciary of the United Republic of Tanzania

organized by
the World Intellectual Property Organization

and
the Judiciary of the United Republic of Tanzania

Virtual, February 28, March 1 and 2, 2023

PROGRAM

prepared by the International Bureau of WIPO

All session times are indicated according to the local time zone, East Africa Time Zone (EAT).

Tuesday, 28 February 2023

14:00 – 14:05 Welcoming Remarks

Hon. Upendo Lembris Ngitiri, Resident Magistrate, Judiciary of the United Republic of Tanzania, Dar es Salaam, United Republic of Tanzania

14:05 – 14:20 Official Opening

Hon. Mustapher Siyani, Principal Judge, High Court of Tanzania, Dar es Salaam, United Republic of Tanzania

Eun-Joo Min, Director, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, World Intellectual Property Organization (WIPO), Geneva, Switzerland

14:20 – 14:30 WIPO's Work with Judiciaries

Inés Fernández Ulate, Legal Officer, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, WIPO, Geneva, Switzerland

14:30 – 15:00 International and Regional IP Legal Framework

- WIPO-administered treaties related to Copyright and Trademarks
- Agreement on Trade-Related and Related Aspects of IP Rights (TRIPS)
- The African Regional Intellectual Property Organization (ARIPO)

Inés Fernández Ulate, Legal Officer, WIPO Judicial Institute, IP and Innovation Ecosystems Sector, WIPO, Geneva, Switzerland

15:00 – 15:30 Innovation and IP: The Judicial Role

Hon. Jeremy Fogel, Executive Director, Berkeley Judicial Institute; Former Judge; Former Director, Federal Judicial Center, California, United States of America

15:30 – 16:00 Nature of Trademarks and Requirements for Registration

- What is a trademark?
- National legal framework
- Obtaining protection
- Requirements for valid trademark application

Hon. Paul Kihwelo, Justice, Court of Appeal, Dar es Salaam, United Republic of Tanzania

16:00 – 16:40 Rights Arising from Trademark Registration

- Exclusive rights
- Restrictions and limitations

Ilanah Fhima, Professor of Intellectual Property Law; Co-director of the Institute of Brand and Innovation Law; Deputy Director of Research Studies, Faculty of Laws, University College London, London, United Kingdom

- 16:40 – 17:30 Trademark Infringement**
- Likelihood of confusion
 - Passing off
 - Counterfeiting
 - Non-infringing acts

Ilanah Fhima, Professor of Intellectual Property Law; Co-director, Institute of Brand and Innovation Law; Deputy Director of Research Studies, Faculty of Laws, University College London, London, United Kingdom

- 17:30 – 18:00 Trademark Issues in the United Republic of Tanzania and National Jurisprudence**

Hon. Paul Kihwelo, Justice, Court of Appeal, Dar es Salaam, United Republic of Tanzania

Wednesday 1 March 2023

- 14:00 – 14:30 Nature of Copyright and Obtaining Protection**
- What is copyright?
 - National legal framework
 - Obtaining protection
 - Requirements for valid copyright protection

Hon. Adam Mambi, Judge, High Court of Tanzania, Dodoma, United Republic of Tanzania

- 14:30 – 15:20 Rights Conferred by Copyright Protection**
- Economic rights
 - Moral rights
 - Related rights
 - Limitations and exceptions to copyright
 - Term of protection
 - Ownership and transfer

Hon. Francis Tuiyott, Judge, Commercial and Tax Division, High Court, Nairobi, Kenya

- 15:20 – 16:00 Copyright Infringement**
- Infringing act
 - Copyright piracy
 - Available remedies

Hon. Francis Tuiyott, Judge, Commercial and Tax Division, High Court, Nairobi, Kenya

- 16:00 – 16:30 Trends in Copyright Litigation in the United Republic of Tanzania and National Jurisprudence**

Hon. Upendo Lembris Ngitiri, Resident Magistrate, Judiciary of the United Republic of Tanzania, Dar es Salaam, United Republic of Tanzania

16:30 – 17:00 Adjudicating IP Disputes and Trends in IP Case Management

Hon. Jeremy Fogel, Executive Director, Berkeley Judicial Institute; Former Judge; Former Director, Federal Judicial Center, California, United States of America

Thursday, 2 March 2023

14:30 – 14:40 Introduction

Heike Wollgast, Head, IP Disputes Section, WIPO Arbitration and Mediation Center, WIPO, Geneva, Switzerland

14:40 – 15:30 WIPO Mediation including Online Conduct of Mediation Proceedings

Chiara Accornero, Legal Officer, IP Disputes Section, WIPO Arbitration and Mediation Center, WIPO, Geneva, Switzerland

15:30 – 16:30 Practical Aspects of Mediation of IP Disputes

Ike Ehiribe, Barrister, 7 Stones Commercial & IP Chambers, London, United Kingdom

16:30 – 17:00 WIPO Mediation Case Examples

Chiara Accornero, Legal Officer, IP Disputes Section, WIPO Arbitration and Mediation Center, WIPO, Geneva, Switzerland

17:00 – 17:30 Plenary Discussion

17:30 – 17:40 Closing Remarks

Hon. Wilbert Chuma, Chief Registrar, Judiciary of Tanzania, Dar es Salaam, United Republic of Tanzania

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