

# Respect for IP – Growing from the Tip of Africa

## International Conference

Sandton, South Africa  
October 23-25, 2018



### Message from Francis Gurry, Director General, World Intellectual Property Organization (WIPO)

The World Intellectual Property Organization is proud to co-host this International Conference *Respect for IP – Growing from the Tip of Africa*. The international intellectual property system can only realize its fundamental rationale of stimulating creativity and innovation, and hence drive development, in an environment that nurtures respect for IP. Building such respect is a common objective of all WIPO Member States and international cooperation in this area is enshrined in one of the Organization's strategic goals.

WIPO operates on a number of levels to support our Member States' efforts in this area. WIPO's Building Respect for IP Division offers tailored legislative advice on draft or current laws and continuously organizes capacity-building activities to support a range of actors, including national IP offices, the judiciary and prosecutors, in preventing IP infringements and enforcing IP rights. In addition, we make available a range of awareness-raising tools and readily assist Members in the design of national strategies to build respect for IP. Finally, WIPO's Advisory Committee on Enforcement serves as a forum for policy dialogue and information exchange, and we actively cooperate with other international organizations in an effort to drive and achieve policy cohesion in the area of building respect for IP.

This Conference has global significance. First, joining forces with the Companies and Intellectual Property Commission of South Africa, the International Criminal Police Organization, the World Customs Organization

and the World Trade Organization allows us to bring together leading stakeholders and decision makers representing all relevant actors involved in building respect for IP. Various national enforcement authorities, intergovernmental and regional organizations, the private sector and academia all have a role to play in communicating the benefits of IP to our societies and in ensuring a balanced and effective IP enforcement system. Success in this endeavor depends on the constructive dialogue between and collective efforts of all actors, and it is our hope that this Conference will facilitate both.

Second, this Conference takes a holistic approach by considering respect for IP in the context of broader public interests and development-oriented concerns and analyzing the socio-economic dynamics underlying counterfeiting and piracy. In line with WIPO's Strategic Goal VI, building respect for IP therefore encompasses a number of elements in addition to operational law enforcement, such as awareness raising and other preventive activities.

A number of excellent speakers and participants from around the globe will assemble in Sandton for this Conference, and we are very grateful to our partners, and particularly to our local host, the Companies and Intellectual Property Commission of South Africa, for their support in realizing this ambitious program. Over the course of two days, we will explore the value that IP can bring to countries, industries and a wide range of individual actors and jointly seek solutions to some of today's most pressing challenges in realizing IP's full potential and ensuring that IP rights are respected.



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### Message from Roberto Azevêdo, Director-General, World Trade Organization (WTO)

The World Trade Organization is honoured to join South Africa's Companies and Intellectual Property Commission, the World Intellectual Property Organization, the World Customs Organization and the International Criminal Police Organization as co-host of the International Conference: *Respect for IP – Growing from the Tip of Africa*.

The international trading system and the intellectual property (IP) system are vitally important for economic and social welfare, and form integral elements of national and regional development strategies, just as they find their place in the UN Sustainable Development Goals. WTO Member governments have long discussed the significance of a balanced and effective IP system, with increasing focus on learning how best to apply international rules and standards in ways that correspond with national needs and circumstances, while also reaping the benefits from international trade. Fair, balanced and effective enforcement measures form a key part of the policy mix - counterfeiting and piracy are of concern to trading nations around the world, who equally take care to ensure that legitimate trading activities are unimpeded.

When the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) became an integral part of the multilateral agreements constituting the WTO in 1995, it broke new ground. It articulated for the first time at the multilateral level rules on both the substantive protection and enforcement of Intellectual Property Rights (IPRs). These rules aim at procedural fairness, proportionality and transparency in enforcement, so that infringements are dealt with

effectively without creating obstacles to legitimate trade or enabling abuse of IPRs. Further, TRIPS put these rules into a broader social and economic context. Indeed, it is vital that the IP system works in a way that is complementary to other important policy goals, in healthcare for example.

Much of the work of the WTO in this area – together with its many partners - centres on enabling governments to turn these ambitious objectives into practical outcomes. Our collaborative activities include supporting national authorities to build capacity in dealing with IPR protection and enforcement in a manner that is responsive to domestic policy objectives. In addition, we work to make available comprehensive and accessible information resources that create transparency with respect to WTO Members' legislative measures and practices, and provide a forum for discussion of these measures among the Membership. Through the obligation to notify contact points in national administrations, the WTO has also established a partnership network that fosters the exchange of information and international cooperation to combat trade in counterfeit and pirated goods.

In times when the world is more interconnected than ever and global value chains have assumed such an important place in development strategies, joint and multidisciplinary efforts are essential to take advantage of the opportunities provided by international trade. We therefore see this conference as an ideal opportunity to foster collaboration among stakeholders in order to deal with current challenges of adequately and effectively protecting and enforcing IPRs. Only our joint and lasting commitment to a fair and balanced trading regime can drive trade and economic development for the benefit of all countries.



INTERPOL



WORLD CUSTOMS ORGANIZATION



WTO OMC



Companies and Intellectual  
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ORGANIZATION

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### Message from Kunio Mikuriya, Secretary General, World Customs Organization

Customs administrations have a responsibility to facilitate the flow of legal goods and secure global trade against the many threats posed by the diverse forms of illicit trade, including the trade in counterfeit and pirated goods. Such trade remains a cause for great concern due to its high volumes and increasingly sophisticated nature. For this reason, combating infringements of intellectual property rights continues to be a priority item on the World Customs Organization's (WCO) agenda.

Organized criminal groups are known to be heavily involved in the dissemination of fake goods and are often the main beneficiary of the proceeds from selling counterfeit and pirated goods. Trade in fakes is not only illegal but also serves as a source of financing for other criminal activities and can do immense harm to a country's national production.

The WCO is mindful of these issues and has no shortage of initiatives to help raise awareness of the dangers and negative impact of counterfeit and pirated goods. Capturing the attention of Customs officers and industries worldwide, and ensuring that sufficient vigilance is applied to counterfeiting and piracy, is at the heart of the WCO IPR Health and Safety Programme.

In addition, it is becoming increasingly apparent that concerted and effective international cooperation represents the best possible approach to tackling this global challenge, with a view to disrupting the activities of criminals involved in this trade and eliminating this scourge. Accordingly, the WCO is more committed than ever before to enhancing cooperation with its longstanding public and private partners in the fight against counterfeiting.

The WCO is proud to be co-hosting the International Conference *Respect for IP – Growing from the Tip of Africa* alongside South Africa's Companies and Intellectual Property Commission, the World Intellectual Property Organization, the World Trade Organization and INTERPOL.

I am convinced that this high-level Conference will provide an ideal platform for exchanging ideas, increasing collaboration and partnerships and, above all, finding shared solutions to this global challenge facing us, so as to ensure efficient and safe trade while protecting consumers worldwide and promoting economic prosperity.



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### Message from Rory Voller, Commissioner, Companies and Intellectual Property Commission (CIPC)

The Companies and Intellectual Property Commission (CIPC) is delighted to organize and host the International Conference *Respect for IP – Growing from the Tip of Africa* alongside its renowned partners, the World Intellectual Property Organization, the World Trade Organization, the World Customs Organization and the International Criminal Police Organization. With the entry into force of the Companies Act 2008 in 2011, the activities of the former Office of Companies and Intellectual Property Enforcement and the Companies and Intellectual Property Registration Office were pooled together into the newly created CIPC. Today, having established itself as a reputable regulator, the Commission enters its second five year period since its inception. Tasked with education and awareness raising alongside efficient and effective enforcement, CIPC is ideally placed in the South African corporate landscape to promote and drive the benefits of intellectual property rights.

The objectives of this conference are fully aligned with the current priorities of South Africa as set out in the Industrial Policy Action Plan (IPAP) 2017-2020, particularly with regard to encouraging economic growth, promoting investment and creating job opportunities. In this context, CIPC plays a key role in stimulating innovation and creativity and in reducing regulatory burden, especially as it affects small businesses. Weaving respect for IP into the fibre of the South African society would greatly contribute to the desired economic development.

Common objectives and cooperation with relevant international organizations and the private sector give rise to collaborative partnerships. It is through joint projects, such as this conference, that we can positively influence and shape the intellectual property system and devise solutions to some of the global challenges before us.

In his State of the Nation Address, our newly elected President Cyril Ramaphosa said: "... for though we are a diverse people, we are one nation." We are also becoming one global community in which knowledge, innovation and creativity know no boundaries and call for global respect for IP.

CIPC and South Africa welcome you with open arms to our rainbow nation at the 2018 International Conference *Respect for IP – Growing from the Tip of Africa*.



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### Message from Jürgen Stock, Secretary General, International Crime Police Organization (INTERPOL)

Criminal groups are increasingly involved in activities which endanger the health and safety of citizens worldwide. Trafficking in illicit goods, which includes practices such as falsification (pharmaceuticals), counterfeiting (trademark infringements), piracy (copyright infringements), smuggling of legitimate products and tax evasion, harms businesses and puts consumers at risk from substandard products which could be hazardous. The significant increase in the manufacture and distribution of illicit and falsified products poses a major global health risk. Criminals use the profits from selling falsified medicines or illicit goods to fund other serious crimes.

At INTERPOL, we are tackling criminal rings involved in trafficking in illicit and falsified goods by bringing together key players to foster international cooperation.

INTERPOL assists its 192 member countries by delivering training to build the skills and knowledge of all agencies involved in the fight against illicit trafficking and pharmaceutical crime. Our training portfolio for our member countries and partners worldwide includes practical training as a precursor to operations, specialized courses in investigative techniques, train-the-trainer sessions and online learning courses.

The *International IP Crime Investigators College (IIPCIC)* is a fully interactive online training facility developed to provide member countries cutting edge Internet-based training. Students who successfully complete

the introductory, intermediate and advanced levels receive special certification. The skills obtained by completing IIPCIC training courses are applicable to the investigation of trafficking in illicit goods and pharmaceutical crime.

INTERPOL coordinates on-the-ground operations on a national, regional and global level in conjunction with local authorities. Such operations bring together police, customs, health regulators and key partners including from the private sector to tackle criminal networks behind these crimes.

All levels of society are at risk from counterfeiting or substandard consumer products and falsified medicines. Therefore an important task for INTERPOL is to raise awareness among the general public and governments on the dangers posed by these criminal activities as well as their link to crimes such as drug and human trafficking, environmental crime and even terrorism.

INTERPOL recognizes and values the partnership with multiple international and regional organizations, the scientific community, academia and partners from the private sector to tackle all strategic, operational and technical aspects of trafficking in illicit goods. We strongly believe that the conference *Respect for IP – Growing from the Tip of Africa* is an excellent opportunity to forge such partnerships and jointly address and combat the problem of counterfeiting and piracy.

