



THE AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION
(ARIPO)

CHALLENGES IN EXAMINATION

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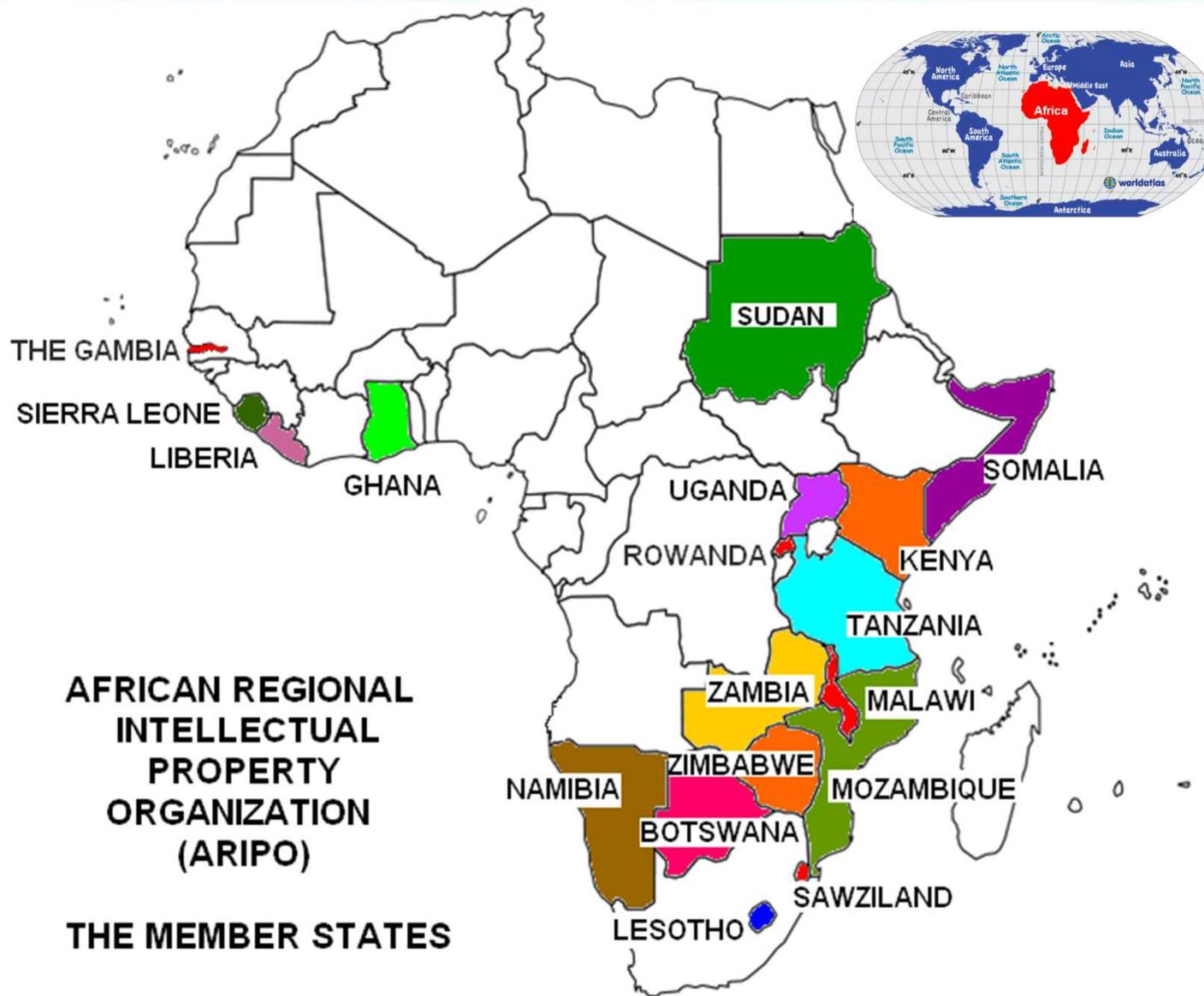
WIPO Regional Seminar on Effective Utilization of the Patent Cooperation Treaty (PCT) and International Work
Sharing Initiatives, Tokyo, Japan, November 26 - 28, 2013

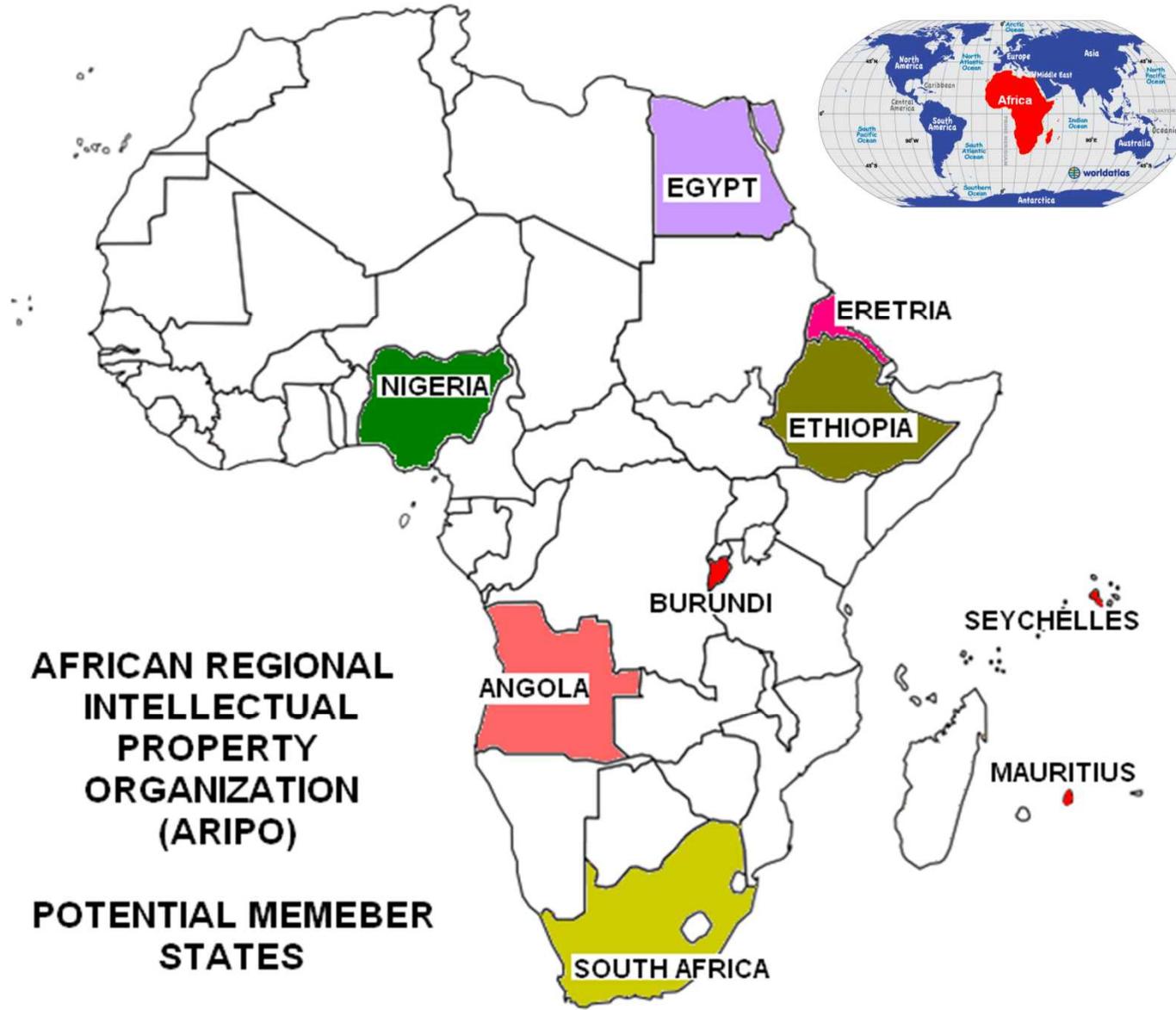
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What is ARIPO?

- ARIPO was created by the Lusaka Agreement, Dec. 9th , 1976.
- The Organization was initially known as the “English Speaking African Regional Industrial Property Organization (ESARIPO)”.
- On 1st June 1981 the Organization established its own Secretariat.
- Is being hosted by Zimbabwe.
- In 1985 Organization’s name was changed from ESARIPO to the African Regional Industrial Property Organization (ARIPO).
- On acquiring mandate on Copyright and Related Rights the name was again changed to the current name, the African Regional Intellectual Property Organization (ARIPO).





**AFRICAN REGIONAL
INTELLECTUAL
PROPERTY
ORGANIZATION
(ARIPO)**

**POTENTIAL MEMEBER
STATES**

ARIPO's Mandate

Has a mandate covers three main areas of Intellectual Property including:

- Industrial Property Rights.
 - Patents
 - Utility Models
 - Industrial Designs and
 - Marks
 - Geographical Indications (GI)
 - Plant Variety Protection (PVP)
- Copyright and Related Rights.
- Traditional Knowledge (TK), Expressions of Folklore (EoF) and Genetic Resources (GR).

ARIPO's Legal Framework

To achieve its mandate ARIPO has three protocols that have been put in place. They include:

- 1) The Harare Protocol for Patents, Industrial Designs and Utility Models. In 1994, a link was established between the Protocol and the PCT.
- 2) The Banjul Protocol for Marks (trade and service marks). 10 Member States party to the Protocol.
- 3) The Swakopmud Protocol for Traditional Knowledge, Expressions of Folklore and Genetic Resources (GR)-(not yet operational. 5 Member States have signed).

ARIPO's Legal Framework

Frameworks Under Consideration:

- Plant Variety Protection (PVP) – draft has already been developed.
- Geographical Indications (GI)
- Access and Benefit Sharing mechanism (ABS) under the Nagoya Protocol.

Challenges in Examination

- Limited capacity to cover all areas of technology (very few examiners, effects quality of patents; bilateral agreement with WIPO, AT, AU, DE and SE – take very long).
- Limited resources and facilities to access patent databases.
- Limited of harmonization between national laws of the M/S (18 M/S).
- Limited capacity and infrastructure in the M/S (non accessible information of M/S).
- No examination guidelines in place (Administrative Instructions in place, but very limited in technical details).
- Limited digitization of patent applications (still working on physical files).
- Patent drafting of local applications (mostly SMEs).
- Limited search-features of our database's software (Patent Office Lite (Polite), developed in-house).

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Thank you