

Intellectual Property Seminar Report - 6 September 2017

On 6th September 2017, the Trade Law Centre (tralac), in collaboration with Zelna Jansen Consultancy (tralac alumna), hosted an intellectual property (IP) seminar in Cape Town, South Africa. This is the first in a series of seminars that tralac will host in collaboration with its alumni across the east and southern African region.

The topics covered at the IP seminar included ‘Geographical Indications in the SADC Economic Partnership Agreement and the WTO plain paper packaging case’. The speakers included Honourable Joanmaeriae Fubbs, the Chairperson of the Portfolio Committee on Trade and Industry, South African Parliament; Marumo Nkomo from the Department of Trade and Industry; Dirk Troskie from the Western Cape Department of Agriculture and tralac associate, Abrie du Plessis.

The seminar was attended by delegates from the South African department of trade and industry (DTI), Portfolio Committee on Trade and Industry, the Western Cape department of agriculture, the private sector and academia.

Honourable Joanmariae Fubbs opened the seminar with her introductory remarks. She thanked tralac for organising the seminar at a time when South Africa, among other developing countries, is in the process of formulating and reviewing its own IP policy. She highlighted that South Africa intends to pursue ‘a sustainable development path which ... will be driven by industrial value chain development and structural transformation underpinned by the IP pillars’.

Marumo Nkomo provided a detailed update on South Africa’s IP regime beginning with the 2008 Cabinet mandate to develop a national IP policy. He outlined that South Africa’s IP policy aims to, *inter alia*, foster investment and technology diffusion, promote public health, stimulate innovation, ensure balance between IP owner and user interests, promote intra-governmental coordination on IP, align IP regime to NDP and industrial policy, develop key industries and balance with the public interest. He reminded the audience of the NDP’s call to promote innovation, improve productivity and prioritise public health issues.

Dirk Troskie presented an overview of GIs in the SADC-EU EPA, and the recently (June 2017) approved Cape Town wine of origin. He commenced his discussion by advancing an argument that GIs are crucial for the economic development and growth of local industries and the nation at large. Dirk further gave a brief update of the African Union (AU) policy on GIs.

Abrie du Plessis led a discussion on the EU domestic regulation on GIs, focusing specifically on the EU domestic regulation of labelling and presentation of wines; and closed the seminar piloting two discussions on the plain paper packaging case in the WTO and a brief update on South Africa’s IP legislation focusing particularly on copyrights.