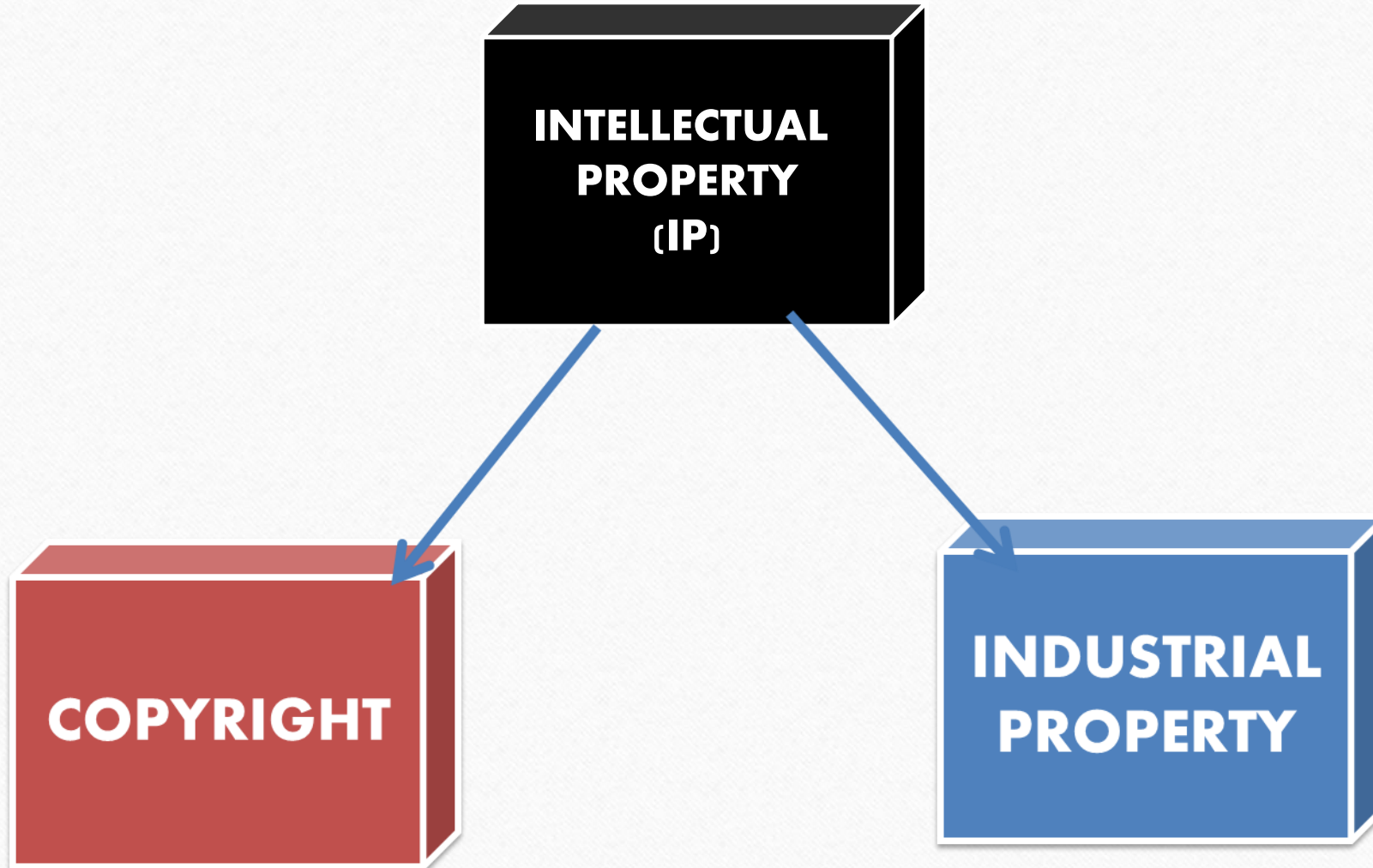


INTELLECTUAL PROPERTY

By
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BIPA

Definition of Intellectual Property

-
- ✓ Refers to creations of the human mind.
 - ✓ Two categories:



Intellectual Property Rights (IPR)

- ✓ Refers to enforceable rights over creations of the mind to give the creator exclusive right to exploit and benefit from his/her creations over a set period of time.

Uses of IP

IP cross sectoral in nature

- ✓ relates to trade, health, agriculture, education, science and technology, culture, environment etc.
- ✓ Serves as an effective policy tool in unlocking local creative, innovative and inventive potential, stimulating the transfer and use of technology and creative works.

Uses cont....

- Encourages competition, creates wealth and fosters national, cultural and economic development.
- many academic and research institutions are involved in the generation and use of IP assets. But because of lack of institutional IP policy valuable research results that could have been patented gets lost.

IP legal and regulatory framework in Namibia

- ✓ BIPA Act, 2016 (Act No. 8 of 2016).
- ✓ Industrial Property Act, 2012 (Act No. 1 of 2012).
- ✓ Copyright and Neighbouring Rights Act, 1994 (Act No. 6 of 1994).
- ✓ Competition Act, 2003 (Act No. 2 of 2003).

IP legal contd

- ✓ Merchandise Act, 1941 (Act No. 17 of 1941).
- ✓ Customs and Excise Act, 1998 (Act No. 20 of 1998)

Legal gaps

- ✓ Copyright and neighbouring rights Act must be amended to provide an enabling legal environment to address the use of digital technologies.
- ✓ Customs and Excise Act must be revised to comply with current requirements.
- ✓ Enact a law to regulate access to genetic resources and protection of associated traditional knowledge.

Legal gaps contd

- ✓ Promote the use of existing regional and internal legal instruments to which Namibia is a party.
- ✓ Inadequate enforcement of IPRs in general.
- ✓ Inadequate use of IP where the country has comparative advantage.



BUSINESS AND INTELLECTUAL
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THANK YOU VERY MUCH