

Report presented by the International Intellectual Property Institute (IPI) to the United States Agency for International Development (USAID) on the USAID sponsored visit to South Africa

16-22 September 2001

This report to USAID is set out in the following manner:

1. Background
2. A daily report on organisations visited by IPI;
3. The response from the organisation visited;
4. Observations on work being done by the particular organisation;
5. Initial proposals on future projects with each organisation.

The introduction on IPI and general comments on Intellectual Property (IP) and its role in assisting growing economies in the area of IP are weighted in the description of the first day and are not repeated in the report except where germane to a particular industry sector.

Background

USAID has an interest in sustaining democracy and promoting economic development in South Africa and as part of that interest has determined that Intellectual Property (IP) development has a role to play. At the request of the Department of Trade & Industry (DTI), USAID/South Africa funded the participation of two IPI staff members in meetings, workshops and seminars in South Africa with various government departments, universities and other organisations. The purpose of these meetings was to assist in and share information about the issues around the understanding of Intellectual Property rights (IPR) and trade issues surrounding World Trade Organization (WTO) agreements as well as to advise on South Africa's national laws and amendments to further facilitate trade and development.

Nathan Associates coordinated and scheduled the meetings for the IPI staff on behalf of USAID/South Africa. A Nathan Associates' staff member was present at all meetings. A USAID/South Africa and/or a representative of the United States Embassy in South Africa attended some meetings.

The Agreement on Trade Related Aspects of Intellectual Property (TRIPS) required that all countries develop and establish their IP regimes so that they would be in line with the United States' regime. At the time of negotiating the TRIPS agreement it was clearly recognised that the agreement was more favourable to the United States and other developed countries and that the *quid pro quo* for this benefit, being greater access to the developed country markets by developing economies, was negligible.

IPI was created by Bruce Lehman to address this situation. The Institute recognises that IP rights in a post-industrialised world are essential to a developing country. Significant economic growth in the last 15 years was achieved in the so-called "intangible" sector, in products of the intellect and through the rights protection of such products i.e. patents, trademarks, copyrights, trade secrets etc.

IPI is involved in the investigation of how it can be of assistance in implementing programmes and in the actual implementation of those programmes that will address the issue of maximising IP resources to stimulate its economic growth.

There is now a recognition that the dynamic created at the TRIPS negotiations should change and that the U.S. and other developed countries should encourage and assist countries to develop economically using IP as a tool and not merely exercise their economic powers over those countries. Article 67 of TRIPS, largely ignored to date, is a perfect vehicle for this.

Daily Meetings (*Please see Schedule appended for a list of all meetings*)

17 September 2001

The University of Cape Town (UCT)¹

Bruce Lehman, President of IPI and Lee Gillespie-White, Project Counsel (hereafter referred to as “we”) met with the Departments of Economics and Research Development (Office of Industry Liaison). The following people were present from those departments:

Professor Murray Leibbrandt	Director	School of Economics
Dr. James Hodge	Lecturer	School of Economics
Professor Paul Dunn		School of Economics – Middlesex
Mr. Jeremy Wakeford		School of Economics
Dr. Tony Heher	Director	Office of Industry Liaison
Rosemary Wolson	IP Manager	Office of Industry Liaison
Ms. Cynthia Best		Development Research Division
Ms. Sian Stevenson		Development Research Division
Ms. Susan Cleary		School of Economics Student
Mr. Alex Wolhutz		School of Economics

Additionally, Ms. Nompilo Mali of USAID/South Africa and Ms. Jacquelyne Conley of Nathan Associates attended all meetings in Cape Town.

The next day, at the request of UCT, we attended a further meeting with Dr. Heher and Dr. Sibusiso Sibisi, Deputy Vice Chancellor (Research and Innovation).

Background Information provided to IPI:

Those present explained to IPI that, notwithstanding that South Africa has strong legislative and judicial IP systems, there is only an embryonic state of economic growth in the country arising out of Technology Transfer. South Africa is in a similar position, as far as its Technology Transfer development is concerned, to Australia, Canada and Scotland but South Africa differs from these countries in that it lacks investment and export growth.

Generally in South Africa, manufacturing is based on licensed technology that is geographically restricted. There is a recognition that export led growth must come from Indigenous Knowledge. There is a dearth of investment in this sector in South Africa and this issue must be addressed.

Dr. Tony Heher reported that UCT has a strong Technology Transfer office when compared to other South African universities but has not as yet started generating wealth from the office. There is a recognition that UCT needs to improve the efficiency of the process in that it is not yet putting enough into the “pipe”. If UCT were as efficient in doing so as the University of Scotland, for example, it would have two spin-off companies per year.

As far as UCT is concerned there is insufficient funding from either the State, the University (where funding is distinct from State funding) and from Industry². Further, the aversion to looking locally for technology development delinks the Universities from generating economic growth.

The South African government does recognise the need for a strong policy in the area of IP generally and specifically in Technology Transfer and UCT is at the forefront of advising government on its policy. Further, it is part of UCT’s policy to uplift IP rights and to be involved in the concomitant economic growth arising out of the development of IP rights. It sees its role as assisting in Technology Transfer development and the policy related to these activities both nationally, including inter-university as well as throughout sub-Saharan Africa.

It was reported to IPI that there are insufficient funds in the budget of UCT’s Department of Research Development to fund even one U.S. patent. There is an attempt to find financial alternatives including Venture Capital funding as well as grant funding etc. What is needed in putting together training programmes to work with other South African universities and universities in the rest of Africa are funds from agencies such as USAID. South Africa is the leader in this sector in the continent and therefore is in a good position to take the lead in policy matters. Formal studies arising

¹ USAID/South Africa through its contact with Nathan Associates funds certain programmes at the universities with whom we met.

² Previously UCT’s funding was 40% of government funded out of R 100 million, it now receives 20% of government funding out of R100 million

from UCT have informed South African government's policy and should therefore also inform policy for the rest of the Africa.

It is clear that UCT must build on its already existing capacity, not only to generate wealth for the University but also for other universities and other governments. UCT recognises a need for a broad-based training programme on Technology Transfer and Research and Development for universities continent wide, the development of a programme for implementation of Technology Transfer and the establishment of a showcase project to clearly illustrate the benefits of Technology Transfer for universities and governments in the economic growth of a country.

Project Vision

IIPi, with the financial assistance of USAID, proposes the following projects:

1. A three-day training workshop on the practice of Technology Transfer from research and development stage through invention to patenting of the invention and marketing and licensing the invention.
2. Together with UCT, establishing a model project in order to study the Technology Transfer system and design the best method for universities and other institutes to gain financially from the system. This will include the practical implementation of the Technology Transfer process including the steps set out in point one above and the filing of a patent in the international market.
3. Providing technical assistance to UCT, other universities and institutions to establish a fully automated system for the entire process from invention disclosure to the filing of a patent, culminating in an interactive CD Rom educational programme that would be shared with other universities throughout sub-Saharan Africa.
4. Working together with universities and government departments (notably the Department of Trade and Industry) to finalise government policy in the area of Technology Transfer.

UCT, in a note sent to IIPi proposed that IIPi could be of assistance to it in the following areas, which complement the project proposal/s set out above:

1. Strengthening UCT's capability in Technology Transfer and its ability to transfer the knowledge to other universities. This capacity building/institutional strengthening would include:
 - a) Finding funding for the filing of patents in the U.S and other International markets;
 - b) Training in the area of licensing management including secondments either from or to the U.S.;
 - c) Researching licensing opportunities, including possible partnerships with U.S technology brokers;
 - d) Training of UCT Innovation staff and other University staff;
 - e) Providing support for the marketing of IP benefits to UCT, academics, government, other universities and institutions and industry;
 - f) Establishing a research programme in conjunction with UCT's Department of Economics to identify and document the economic benefits of IP to the South African economy;
2. Developing IP institutions in South Africa, similar to the Association of University Technology Managers (AUTM), to provide a centralised service for the Technology Transfer function.³ The development of such an institution would include training and capacity building. Such an institution would provide a "voice" for the IP industry and develop the capacity of individual institutions to manage their own IP.
3. A roll-out of the knowledge imparted and the support provided, to other institutions in Southern and sub-Saharan Africa.

³ IIPi suggested this to DTI and the suggestion was met with enthusiasm

The University of the Western Cape (UWC)

We met with Honours and Masters students from the Department of Economics. The liaison was Ms. Felicity de Jager who oversees the University's Finance, Development Training and Research Unit, established in conjunction with Nathan Associates.

In a lecture delivered by IPI's Bruce Lehman on IP as a commodity and the development of knowledge-based industries, it became clear that the Department had not focused on this area as a topic effecting economic development and growth. One student informed us that IP and trade is not a course provided to either Honours or Masters students by the Department.

The lecture was informative to the students and they seemed interested in the topic and understood the importance of IP rights as a component to economic growth and trade. Students asked that a recommendation be made to incorporate such a course an elective into their Master's Degree Programme.

Project Vision

IPI in conjunction with Georgetown University's Professor Michael Ryan and/or with the George Washington University's Intellectual Property Department would set up a programme for the development of a curriculum on the subject of IP rights and provide a series of lectures on the topic of IP rights and knowledge management over the course of a term. An optional component of the programme could be the training of a professor from UWC in the development and administration of such a course so that the course would become self-funding and sustainable.

18 September 2001

The University of Stellenbosch

Mr. Bruce Lehman discussed International Trade and IP rights with faculty members of the University's Department of Economics and some Honours students. Ms. Rachel Jafta who oversees the University's programme on the Economics of Technological Change was the contact person arranged the lecture. The following faculty members participated in the seminar:

Prof. Colin McCarthy	Economics Trade Policy
Prof. Servaas van der Berg	Economics Development
Mr. LeRoux Burrows	Macroeconomics and Econometrics
Mr. Albert van der Merwe	Environmental Economics
Ms. Rachel Jafta	Economics of Technological Change
Mr. Juan Bester	MA Student (Thesis on IPR and Natural Medicine)

The lecturers present said that the University had an existent but nascent programme in Technology Transfer, lacking in resources and political support. The University's technology transfer programme was established in 1999. It was agreed that further discussions between the University and IPI could involve the law department which specifically deals with IP.

Project Vision

As part of the programme with UCT or separate from it, IPI could work with the University of Stellenbosch in the development of a sustainable technology transfer system where faculty inventions would be identified, developed, patented and transferred to the private sector through the proper licensing and marketing of the invention. Of course, IPI could also work with the faculty in developing and designing a curriculum and course content to promote the idea that IP is an integral part of International Trade and economics. IP is at the moment dealt with as a law subject without the link being made between economics and IP.⁴

⁴ Although we had limited time to go into the details, we did establish that the University is setting up an International Trade Law Centre for Africa and Nigeria, to be completed by 2002. IPI will communicate with Professor Gerhardt Erasmus to ascertain whether it could become involved in capacity building, training and technical assistance in the future.

19 September 2001

Agriculture Research Council (ARC)

Mr. Christo Kok provided some background to the ARC and the development of its IP policy.

As a parastatal and one of 13 research institutes in the country, the ARC receives 54% of its funding from Government and 46% from private sources. This will soon change when funding from the state and from private funding will be equally divided. The ARC previously did not even consider IP issues as all inventions went directly to the community. Obviously with funding from the private sector this situation must be revisited. Now the protection of plant varieties, for example, is important as this area represents a big portion of its research income.

Out of the 262 plant varieties the ARC has recently produced only 16 are patented. Because registration of patents is very expensive in Europe and the United States, affordability is a key issue, although training in this field is also lacking, as is capability. ARC has only one attorney on its staff. Even though South Africa has strong legislative and judicial systems in place, it has a non-examination patent office. This is a key flaw that must be addressed in the future. Further IPII recognises a problem that affects not only the ARC but other research facilities too, i.e. affordability for developing countries is an issue not only for the registration of a patent but also for contesting, in foreign jurisdictions, the rights that are held. In this regard, it has been difficult for South Africa, for example, to become a role player in the international markets, notwithstanding its obvious capability in the research field.

The ARC also recognises that the protection of Indigenous Knowledge is an important part of their work. IPII explained that as yet there has been no formal international agreement adopted by the World Intellectual Property Organization (WIPO) on the issues surrounding Indigenous (or Traditional) Knowledge but the Organisation is in the process of establishing norms that will be effective internationally.

The 1992 Convention on Biological Diversity recognises a right to the protection of the genetic resources of a country. However, even though countries are attempting to develop protocols for the protection of its genetic resources, none are yet recognised by statute. Bruce Lehman suggested that one of the means to protect South Africa's genetic resources would be to formulate a visa policy for the conducting of biological research in country and to set out the terms and conditions of a license for use.

One of the ARC members (Ms. Arida Roets) has been working in the Indigenous Knowledge field in the area of folklore, including ethnic designs and recipes, in an emerging market. She enquired about issues of protection and of commercial exploitation of the resultant products in a way that the community would benefit financially. Although the ARC and indeed the government have yet to formulate a policy for its work in this field as a basis for working in the field, Ms Roets had put into place commercial agreements for the sharing of the financial gains of the products by the community. Product development, with strong Indigenous Knowledge and design components, is crucial to the development of craft as a commercial market in South Africa. IPII would strongly advocate for the assistance in the field of IP protections of all those working in these sectors.

It was clear to IPII, and this was reinforced by the members present, that although the ARC is grappling with the right issues, it has yet to put into place norms and/or protocols for the protection not only of the results of its research but also of the genetic resources it works with and the Indigenous Knowledge of the communities it works with.

The Department of Arts, Culture, Science and Technology (DACST) recently (in June 2001) drafted a National Biotechnology Strategy for South Africa and we were asked to look at it and provide our comments.

Project Vision

IPII was specifically asked to arrange a follow up to this initial meeting by way of a workshop on the issues of Indigenous Knowledge and rights protections not only for the Organisation but also on a national level. It was pointed out that David Stockdale of USAID has been communicating with members of ARC on these issues and it was recognised that IP with particular focus on biotechnology, the emerging agricultural sector, Indigenous Knowledge and the development of policy, should be a key issue for ARC in the future.

1. IPII will arrange and conduct a two-day workshop on the following issues:
 - a) Intellectual Property Management;
 - b) The filing of international patents for local inventions;

- c) WIPO's Patent Administration Treaty and its applicability to the protection of South Africa's patents;
 - d) The International Union for the Protection of New Varieties of Plants (UPOV) – South Africa's rights and obligations;
 - e) Patent protection vs. Trade Secret protection: which is more favourable?
 - f) The protection of Indigenous Knowledge.
2. IPII will assist the ARC and DACST in the Formulation of policies for the protection of the genetic resources of the country, including;
 - a) A national visa policy for foreign researchers;
 - b) A policy for the prohibition the export of genetic resources in the absence of the sharing of benefits including the sharing of financial returns from the exported genetic resource.
 3. IPII will assist in the Development with the ARC and DACST of a *sui generis* system for the protection of plant varieties (under Article 27 (3) (b) of TRIPS).
 4. IPII will draw a protocol and license agreements for the exploitation of ARC patents and the exploitation of genetic resources by foreign individuals or companies.
 5. IPII will draw protocol agreements for the sharing by communities of commercial gains through the exploitation of products of their folklore in emerging markets.

Council for Scientific and Industrial Research (CSIR)

The following people were present at the meeting:

Dr. Geoffrey Meese	Project Integration Strategic Technology Group
Maureen Louw	Divisional Fellow
Dr. Dusty Gardiner	Programme Manager – Process Biotechnology Programme
Dr. Neal Cohen	SO4 Team Leader, USAID/South Africa
Dr. Michael Anderson	Director, SEGA/MESP

Dr. Meese provided the following background to CSIR: CSIR is a science council and the largest of the 13 research institutes in South Africa. It employs 3000 people and is funded partially from a 40% annual parliamentary grant with the balance earned by grants and the exploitation of its technologies. Its food and biological technologies earn the group approximately R 80 million per annum with 20% of the parliamentary grant being used to develop new products and transfer these to the public sector. Where government funding is received it is expected that the products resulting from the research done with this funding will be used in poverty alleviation and for the direct benefit of the people of South Africa.

Inventions are developed generally in consortia with funding from both local and international companies and industry but often funding for projects comes from an additional government source. For example, the Innovation Fund where DACST awards tenders on the basis of a biotechnological, IT or raw material sector project which will be for the national benefit and which will result in a commercial enterprise. Work with a commercial enterprise and the obtaining of private sector funding are criteria in the awarding of the tender. It is a requirement set by the government that before funding will be provided on the award of a tender, an IP agreement must be drawn up which clearly sets out the ownership of the IP and the protections which will be sought.

CSIR has recently formed an association with the University of Pretoria and formed the Southern Education and Research Association (SERA). SERA is the IP and/or commercialisation arm for the inventions of both the University and CSIR whereby either of those organisations receive royalty payments and an option of ownership of the IP.

Clearly the protection of IP has become a fundamental component of the work conducted by CSIR. This has been acknowledged by CSIR, which has recently appointed Mr. Terry Watson to handle all IP matters. Unfortunately, Mr Watson could not attend our meeting. The problems experienced by CSIR in the development and commercialisation of new technologies include the lack of venture capital funding, the small biotech industry in South Africa, limited scientific capacity and the lack of legal knowledge surrounding IPR.

Indigenous Knowledge has also become an area of focus for CSIR, particularly with questions on the exploitation of the Indigenous Knowledge for the benefit of communities and licensing possibilities.

Project Vision

In addition to the areas where problems are being experienced as set out above, CSIR would like to see technical support and funding for the technology transfer process, including exchange programmes to assist in the establishment of an infrastructure for technology transfer. Specifically, the commercial exploitation of a product and the protection of the rights surrounding the product are of particular concern.

It was suggested that CSIR and IPI work together on a specific project to develop a vehicle for learning and capacity building. There was also a suggestion that a workshop to cover the issues be held, either in South Africa or with funding provided for attendees to come to the U.S. to learn the systems and best practices of leading organisations with field trips being incorporated into the workshop.

A further suggestion was that legislators, lawyers and judges be trained in the areas of policy, filing and registering and the protection of biotechnology patents.

The specific projects set out in the section under UCT would be of benefit to CSIR and for this reason that section is not repeated here. Briefly, however, the projects would include the following:

1. A training workshop, to be conducted either in South Africa or in the U.S.A. on technology transfer;
2. A training workshop specifically for legislators, lawyers and judges in the area of IP protections of biotechnology patents.

The American Chamber of Commerce

In addition to IPI staff and Ms. Jacquelyne Conley, the meeting included the following:

Ms. Luanne Grant	Executive Director	American Chamber of Commerce
Ms. Fleurette Coetzee	Trade Marks Manager	MIH Holdings Limited & Chairwoman of IP Action Group
Mr. Alan Tousignant	First Secretary	U.S. Embassy
Ms. Reeta de Wet	Economist	U.S. Embassy

In recognition of the fact that IP concerns were becoming an issue between the South African and American governments the IP Action Group had been formed, which had successfully held meetings with the Department of Trade and Industry (DTI) and which had established a co-operative relationship. The relationship had extended to workshops on IP rights and protections including those germane to emerging industries and markets.

Ms. Grant pointed out that in general, individuals and those conducting small and medium business enterprises have had difficulty understanding IP as it is viewed as being nebulous and esoteric. It is therefore important to find ways to create an understanding of how IP could be put into practice and to help individuals understand its real value. It was stressed that training in IP was crucial to illustrate how it could be translated into economic growth. Ms. Coetzee pointed out that the South African government's Portfolio Committee had difficulty in implementing further legislative IP reforms because IP was not necessarily seen as something that could assist in economic growth.

Project Vision

It was suggested that a training workshop for small and medium sized business heads and government officials might be held on IP rights and international trade and on how IP can be exploited commercially and used as a tool for the economic growth of the country.

It was further suggested that members of the Portfolio Committee, DTI and DACST might attend a workshop in the U.S., which would include site visits and field trips to, for example, the United States' Patent and Trademark Office (USPTO) and leading Technology Transfer Parks and Research Institutes.

The South African Chamber of Commerce (SACOB)

In a brief meeting with Mr. Kevin Wakeford, CEO of SACOB, IPI was provided with an introduction to the state of South African business and the protections of IP. Of concern to SACOB was the protection of the country's innovations in a new economy. As a consequence of local companies becoming international players there was substantial compliance with international standards and treaties. Software and music piracy is mass-based and ranged from small to large enterprises, although much of it was at the small or micro business level and immigrant led. The question of course was how to police this when of South Africa's 700 000 registered entities, only 80 000 are part of the main stream and the rest are peripheral.

Experience from other parts of the world would allow successful enforcement and protection regimens to be replicated. It was suggested that IPI, in conjunction with other organisations, develop a programme where leading experts could second someone to train and assist SACOB members to understand key IP issues. The German government is currently assisting the South African government with its Skills Development Act and a long terms technical advisor has been provided to assist SACOB with trade issues.

Project Vision

In line with the suggestions made, IPI envisages:

1. A training workshop on IP protections and rights including the benefits of closing avoiding piracy both of international and local patents, copyrights, etc.;
2. Drafting of licensing and marketing agreements which could assist SACOB members in the commercial exploitation of their inventions;
3. Establishing a one-year secondment to SACOB to assist all its members in IP issues.

20 September 2001

DTI

DACST

Department of Agriculture

This was scheduled to be a two-day workshop for approximately 20 participants representing 5 government departments. However, because of other meetings and workshops, only 3 departments were represented. In addition USAID/South Africa and Nathan Associates staff attended this one-day workshop. The following issues were canvassed between IPI, DTI and representatives from DACST and the Department of Agriculture.

Copyright

- Copyright and Neighbouring Rights
- Data Protection
- Collection of Royalties
- Folklore
- Indigenous Knowledge

Patents

- Access to and affordability of Medicines
- Parallel Importation

- Compulsory Licensing
- Business Methods
- Examination
- Commercialisation of IP
- Indigenous Knowledge and Medicines
- Article 27 (3) (b) of TRIPS
- Government as producer of Data

General

- State Emblems and Heraldic Signs
- What the State really owns
- Geographical Indications and the European Union (Articles 22-24 of TRIPS)

Agriculture, Biotechnology and Genetic Resources

- Plant Breeder's Rights (UPOV)
- Article 8(j) of The Convention on Biotechnological Diversity
- Indigenous Knowledge

The issues set out above were discussed in details during this one-day workshop. It is necessary to point out that it was clear to IPI that the South African government has in place, or is in the process of putting into place, very clear policies on IP and that it has a good understanding of all the key international issues. Only the areas where IPI could be of assistance will be set out below.

Insofar as it is recognised that South Africa needs an examination patent office, DTI will shortly be approaching WIPO to assist it in this regard. DTI is supported in this endeavour by the government research institutes. The resultant advantages not only for local companies and institutes but also as a generator of revenue for government cannot be underestimated. Once this is in place a dual fee system, where a lower fee would be charged for individuals, non-profit companies and small and medium sized enterprises and a higher fee for established and big businesses, would be adopted by the government.

If WIPO could not assist the South African government, IPI suggested that the World Bank could be approached to provide the funding to implement an examination system as well as a fully automated system in line with that of the USPTO, Japan's Patent Office (JPO) and the European Patent Office (EPO).

IPI has already provided USAID with a full proposal on the assistance it could provide the South African government in modernising its patent office and we would be happy to re-present that proposal to USAID and DTI for review and further discussion.

The commercialisation of the country's IP was discussed, including a discussion on UCT, CSIR and ARC. It was agreed that South Africa's technology, especially as emanating from these institutes, was globally competitive (of the three, UCT was most resource constrained.) The suggestion was made by DTI and DACST that a centralised service for technology transfer should be established.⁵ South Africa is disadvantaged only in terms of accessing the international investment community and commercial sectors and in obtaining international patent protection in order to commercialise the local invention and in marketing those inventions.

Small and medium sized enterprises should be encouraged to patent, with workshops arranged on the patent process, financial support, licensing and marketing. In this regard, IPI could arrange a workshop on the key issues, such as is outlined above. Projects could also be arranged including public education campaigns for poor communities and school children where inventions would be awarded prizes and be patented and marketed. This would have the dual advantage of providing an incentive to the independent inventor and demystifying the patent system as something that is only of advantage to wealthy corporations. IPI suggested that it could put such projects into place with the assistance of USAID and in cooperation with the National Inventors Hall of Fame in the U.S.

Further, it was discussed that "home-grown" technology needs to be encouraged and a system designed to encourage innovation and commercialisation. IPI could assist DTI in designing such a system including issues such as issues of ownership of the IP by a community and the commercialisation of cultural or other indigenous assets.

⁵ This possibility is discussed in detail in the section on UCT

The protections envisaged in terms of the Convention on Biological Diversity were discussed and it was pointed out that DTI and DACST are still working on a policy to implement these rights. As was discussed with the ARC, visa policies and the government's right to control the exploitation of genetic resources was canvassed. IPI could assist the government in drafting model agreements or best practice and policy documents in this regard.

In general, it was agreed that although DTI and DACST were very advanced in their approach to IP, both departments could gain from assistance mainly in the areas of policy and in the implementation of the policy into practice. As is set out above, a full discussion on all the areas covered is not included in this report, including the discussions on South Africa's copyright and trademark laws as well as its approach to Indigenous Knowledge issues.

All the projects suggested are included in the project visions set out above and thus a separate project vision is not included in this section. The specific projects set out in the other sections would be incorporated in any project specifically designed for either DTI or DACST.

The departments present, and particularly DTI, expressed the view that the one-day workshop was very beneficial and that it would look to developing the relationship with IPI to develop ongoing programmes. Thus, in addition to what is set out above and the projects envisaged by IPI following its discussions with all the institutions, IPI looks forward to communicating further with DTI. Correspondence would be shared with USAID with the hope that a collaborative programme could be developed to assist South Africa in this important area.

IPI would like to thank USAID/South Africa and the U.S. Embassy for its assistance in making this technical assistance activity possible. We also extend our thanks to Nathan Associates' staff for their assistance in scheduling and coordinating the meetings that were held throughout the country.

22 September 2001

The last day of the visit was spent in a meeting with USAID/South Africa, representatives from the U.S. Embassy and Nathan Associates. The purpose of the meeting was to provide a summary of the week's events and an overview of the meetings and possible future projects with the organisations that IPI met with. It was agreed that the proposed projects would be sketched out in this report and be expanded upon in the event that USAID/South Africa wished to pursue any of them.

Lee Gillespie-White
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10/9/01⁶

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