

Statement by the DTI on Draft Intellectual Property Policy

The statement below was circulated by the Department of Trade and Industry on 4 August 2011

Intellectual property laws need a review

4 Aug 2011

The Intellectual Property Indaba held in Pretoria today resolved that there is a need to review Intellectual Property Laws across the board in the country.

The purpose of the Indaba was to discuss Intellectual Property issues to assist in the Intellectual Property Policy development process which will inform the review or reforms of the Intellectual Property Laws in South Africa amongst others such as, Trade Mark Act, Copy Right Act, Design Act, and Counterfeit Goods Act.

A unanimous agreement from all participants was that our laws are outdated in terms of the new technologies which are coming up on a daily basis and that the enforcement legislation needs to be revised in order to have an effective enforcement of Intellectual Property rights. There is a need to create an awareness and education for the users of the Intellectual Property so that they can appreciate the value of Intellectual Property.

The Indaba was one part of the consultation process and its outcomes will be taken as input into the Draft Intellectual Property Policy.

The Draft Intellectual Policy will help the country to speak with one voice both at national and international level and also look at the issues around Treaty Formulation at International level.

The reason for this policy is that Intellectual Property is cross-cutting in nature in different government departments and therefore it is necessary for the country to have a well informed Intellectual Property Policy which will address the fragmented approach on the issue.

The Indaba was organised jointly by the Department of Trade and Industry and the Standing Advisory Committee (SAC) on Intellectual Property. SAC is a body established in terms of section 40 of the Copy Right Act to advise the Minister on matters relating to Intellectual Property.

Participants included government departments, legal practitioners, pharmaceutical associations, collecting societies, Academia, SA National Council for the Blind, and other Interest Groups and stakeholders.

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