

German-Arab Chamber of Industry & Commerce
Conference

Intellectual Property Rights
In Egypt

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**“Protection of Intellectual Property is a Necessity
For a Growing Economy”**

By

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Distinguished Guests, Ladies and Gentlemen,

It is indeed a great honor and pleasure to be invited to moderate on:
“**Protection of Intellectual Property is a Necessity for a Growing Economy**”
and address this esteemed gathering.

In the beginning, I would like to thank the German-Arab Chamber for their efforts in organizing this Conference.

It is a fact that the comprehensive economic reform and restructuring program Egypt is conducting has successfully went beyond the economic crises of the eighties and is apt now to prepare Egypt for entering the 21st Century.

The successfully fast growing Egyptian Economy has been dealing with the international market using its tools and speaking its language. One of the most important tools governing the prevailing international discipline, is the Property Rights and its protection.

Without acting with this orientation, the Intellectual property rights will be violated leading to the defrauding of patents and trade-names, which will later have its negative impact on the R&D activities leading to the definite decline of this fast growing economy.

Macro-Economic Indicators:

Egypt's strategy of gradualism towards liberalization and reform with a strong social safety net in place has proven to be the correct course and evidence supports it. Recognition in published reports by world renowned institutes such as Merrill Lynch, HSBC, and Flemings favor the process.

But even with all this, we cannot rest the case. More achievements have to be done to prepare Egypt for the 21st century and its challenges.

- Egypt has to successfully complete its privatization mass program and move towards including utilities to cover water, telecommunication, ports, roads and power.
- Egypt's capital market needs strengthening to ensure its continued growth.

- Another challenge is legislative reform including creation of institutes that facilitate the transition and enhance it.
- Preparing Egypt's educational system for the 21st century is a challenge of remarkable proportion.
- Magnifying Egypt's competitiveness advantage in information, technology and industry.

Distinguished Guests, Ladies and Gentlemen,

The growing Egyptian economy of over 70% privately driven and monitored with its rapidly developing industrial activities has given a special care and attention to the problems and challenges of Intellectual Property Protection.

However, we do not claim that we are in best shape. To bring up this attention into positive steps, Egypt became a member in various International Agreements and Organizations such as:

- Paris, Bonn, Madrid and Lahay Agreements.
- **WIPO** "World Intellectual Property Organization"
- **WTO** "World Trade Organization"

In addition, The new Egyptian Commercial Code No. 17/1999, in force since October 99, has taken measures and proceedings to confront and control many illegal competition transactions through:

- Development of the legalization and codes related to Patents, Trademarks, designs, and Trade names, covering new areas such as Plant Varieties, biotechnology, microorganism and Utility Models.
- Development and Computerization of the Administrative bodies i.e. the Ministry of Trade and Supplies in relation to Trademarks and Prototypes, and the Ministry of Scientific Research in relation to the Patent Rights.

- Development of the Specialized Courts handling disputes related to the protection of intellectual property.

In this context, we still recall the AIPPI International Symposium held in Cairo in October 1997 organized by the Egyptian Association for Industrial Property Protection whereby the Industrial community has expressed their:

Recognition of the eminent role of the Intellectual property rights in producing new generations of creators

Belief in the necessity in recruiting all tangible and human resources to serve the technology-transfer and human development purposes within a balanced relationship between both providers and recipients.

Pursuit of supportive means and tools to enable the administrative departments in charge of the Intellectual Property Rights to simplify the procedures with the objective of decreasing the conflict and cases of disputes that come subject to courts.

Assurance in the consolidated link between development and innovation in all activities.

Conviction of the prime and vital role of the Non Governmental Organizations (NGO's) in the development of Intellectual Property Rights awareness.

Recommendations:

First: Implementation of Intellectual Property Protection Rights

TRIPS Agreement on Trade related Aspects of Intellectual Property Rights.

- 1- Revision of judicial and border measures in force in Egypt and Arab Countries to be in conformity with the Trips Agreement.
- 2- Continuous training and up-grading of Police and Customs bodies.

- 3- Periodical review of the necessary measures to be adopted by the judicial and customs authorities, and promotion of the exchange of information and visits of local and international expertise.

Second: Settlement of Intellectual Property Disputes

- 1-Constant development of the administrative complaint committees to decrease volume of disputes coming to court.
- 2-Establishment of specialized courts to handle disputes related to Intellectual Property.
- 3-Expansion of professional training programs provided to junior judges and judicial staff acting in the field of Intellectual Property.
- 4-Organizing more training programs in the field of arbitration as a means of disputes settlement.

Third: Problems related to Intellectual Property Disputes in the field of Pharmaceutical Industries in Developing Countries

- 1-Abiding to a time-oriented plan in order to make use of the drugs situation constantly placed under the public domain.
- 2-Promoting a mandatory medical insurance and health plan.

Fourth: Intellectual Property Rights Acquirement: Challenges and Development

- 1-Careful study of the various uses and applications of vital technology that would serve scientific research at no conflict with ethical and religious principles.
- 2-Abiding to scientific research ethics in biotechnology development in case of humans and animals.

3-Revision and up grading of applicable legal provisions in order to cover future applications of informatics and communications.

Fifth: Transfer of Intellectual Property Rights as a means for Development

- 1- Careful legal revision of the standard and common forms of licensing contracts in pharmaceutical fields in order to protect technology recipients from eventual abusive provisions.
- 2- Publications of informative booklets and periodicals indicating the restricted provisions (black provisions) and those which may trigger either damage or benefit (gray provisions) in order to avail developing countries making use of the advanced technology without negatively influencing a fair return to the technology provider.
- 3- Accessing constant information to negotiators of licensing contractors which would provide support to negotiators and awareness to recipients.

Sixth: Role of the NGO's in the implementation of Intellectual Property Protection Rights.

- 1- Total support to the vital role of the NGO's to create awareness of the intellectual property rights and their application.
- 2- Encourage NGO's to undertake constant training and scientific programs in cooperation with judicial and administrative authorities concerned with Intellectual Property Rights.
- 3- Encouragement of the cooperation between NGO's and their counterparts in other countries in order to update information and data in the field of implementing Intellectual Property Rights in view of the comparative law.

To conclude, I would like to bring forward that Egypt, which is now at a turning point is teaming up to be more open than ever before for E U partnership rather than being on the E U- aid programs.

The main characteristics performance is now featuring commitment, regional cooperation, hard-work and engagement in globalization and international integration.

The message is " Egypt is joining the Global Economy and is competing. Moreover, it shall play by the international rules and share in the prosperity of the New World.

Thank You