



MINICOM

# Intellectual Property registration drives creativity and development

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An Intellectual Property Right is an exclusive right that derives from someone's work or intellect. In other words, it refers to intangible rights protecting the products of human intelligence and creation, such as copyrightable works, patented inventions, trademarks, and trade secrets.

To ensure that the government protects Intellectual Property rights, the Law on protection of Intellectual Property N° 31/2009 of 26/10/2009 and the Intellectual Property Policy of November 2009.

There are two main branches of Intellectual Property in Rwanda; Industrial Property and Copyright. Industrial Property covers Trademarks, Patents, Utility Models, Industrial Designs, Layout Designs and integrated circuits, Geographic Indication and Protection against unfair competition.

Copyright, on the other hand relates to literary, artistic, and musical works. These include computer programs, music, films, photographs, arts, sculptures, and national folklore among others. According to the World Intellectual Property Organization (WIPO) an international body which has partnership with Rwanda, intellectual property refers to a product of the mind, of creativity and innovation, in many areas, and which needs to be registered somewhere, licensed and protected as a property. In Rwanda, properties are registered at **Rwanda Development Board (RDB)**.

To protect these rights, there must be proof of ownership that requires property owners to register their creations to avoid other people's duplication and piracy that would otherwise stifle creativity and innovation.

The 2014 World Intellectual Property theme is; "Movies - A global Passion." The Minister of Trade and Industry Honourable **François KANIMBA** advises individuals with Intellectual Property to take a keen interest in their registration.

"The Ministry of trade and Industry and its sister institutions continues to make efforts in making the protection and promotion of Intellectual Property Rights in Rwanda a priority. In this vein, I call upon all artists, inventors, researchers and authors to show keen interest in registering and protecting their creations and inventions such they become of more value to them both locally and in international markets," advises Kanimba.

The Minister observes that proper utilization of intellectual property improves individual livelihoods and attract investors. "The World IP Day 2014 represents another opportunity to raise the profile of Intellectual Property in Rwanda while bringing a new dimension to the dialogue by showcasing how African countries and Rwanda in particular can increase export incomes and domestic revenues through the use of Intellectual Property. This year, the International community will look at how IP Rights shape filmmakers, how the film Industry attracts investors, how screenwriters and actors earn a living and how Innovation is pushing the frontiers of creativity in the film Industry."

Since the establishment of the IP law and policy, the minister says, Rwanda has registered giant strides in the promotion and protection of IP. Rwanda hosts a Technology Information Support Center (TISC) which is a program of the World Intellectual Property Organization (WIPO) and the Japan Patent Office (JPO) that is designed to facilitate the sharing of knowledge and to assist innovators, research centers, academia, and SMEs to access and use technology information for innovation from the different patents information.

The National Library in Kigali acts as a central point within a TISC network in Rwanda whereas other TISCs will be established in Institutions recognized by the Ministry of Trade and Industry so as to extend the national capacity and infrastructure in the field of Intellectual Property. This helps the general public to get free information about inventions through access to local and international publications.

Rwanda is the seventh Country in the Sub Saharan Africa to establish such kind of Center after Mozambique, Madagascar, Togo, Niger, Nigeria and Cameroon. publications.

The government has also established Rwanda Society of Authors (RSAU) which is a collective management organization acting on behalf of rights owners such as authors, composers, publishers, writers, photographers, musicians and performers by collecting and receiving royalty fees from users (such as radio and television stations) of their copyright and related rights materials and distribute the money to the rights owners recipients.

Rwanda became a member the Africa Regional Intellectual Property Organization (ARIPO) as well as joining of the International Patent Cooperation Treaty (PCT). "As government, we have so much been involved in sensitization campaigns to educate the public about the need to register their creations so that they can be protected by the law and this would fight piracy and effectively contribute to the business environment," says Robert Opirah, the Director General of the Trade and Investment department in the Ministry of Trade and Industry.

Opirah says that property ownership should be protected not only in the local market but internationally as well.

Although there is still need to sensitize the population about the need to register their intellectual properties and creations, records from the Office of the Registrar General indicate that there has been a rise in the registration. This year, statistics indicate that there has been an increase in the property rights registrations up to 874 from 803 last year.

"You may spend a lot of money and time on coming up with one of the best creations or products, but if you don't register your work at our IP office at Rwanda Development Board, you actually risk that other people may take advantage of your creation and illegally benefit from it," says Opirah.

Today, the IP Office in RDB has recorded considerable successes; 570 scripts, 168

films, 165 songs and 70 industrial designs. Others are 34 literally and artistic work, 250 patents and 8114 trademarks.

Sensitization campaigns to promote registration of property in every district are due. This is aimed at educating the population to understand the need and dangers of not having their creations registered.

## What IP holders say

Innovators under Rwanda Society of Authors that include song writers, artistes, and filmmaker's and publishers have come together, having a voice and protect their creations against piracy and duplication.

### Carole Karemera (Founder of Ishyo Arts Centre)

The founder of Ishyo Arts Centre says registering his intellectual property has not only helped him protect his rights but has been inspired to come up with more creations with confidence.

"There are enormous benefits as long as you register your product; and this actually gives you publicity since the product can never be duplicated or even be taken over by other people," Karemera says.

She urges fellow artistes to embrace the registration of their products saying it simplifies the way of doing business; giving more chances to the original owner of the product to benefit out of it.

Copyright protection is vested in the works, i.e., it is an automatic right and occurs whenever a creative work is produced. The Office of the Registrar General is however required under the Intellectual Property Law, to maintain a data bank of authors and their works by registering copyright works. This registration is voluntary but acts as a very useful tool in anti-piracy and infringements proceeding in court because it provides conclusive evidence of ownership of the right.



### Eric Kabera (Film Producer)

Also the founder of Kwetu Films Institute, Eric Kabera says they have already included intellectual property promotion programs at Kwetu Films Institute.

"Though in Rwanda we don't experience much plagiarism, we have introduced this in our film school, for artistes to practice their trade professionally."

Kabera says that the role of film making in the development of Rwanda resides in exhibiting the country to the international scene to increase visibility as well as importing other good practices.

"It is important for the government to enhance activities related to intellectual property protection. In some countries, governments fund upcoming artistes and we think this should be emulated in Rwanda," appeals Kabera.



### Karirima Ngarambe Aimable (Film Producer)

The IP law is a recognition of value that artistes usher into the world of entertainment and building of knowledge the creativity. By discouraging plagiarism, composers, writers and other artistes are given a chance to come up with better and inspiring compositions.

I have, for example, used one such composition through a documentary, to tell and project Rwandan culture and the 1994 genocide against Tutsi which I experienced. I am interested in all of this to serve as didactic materials among the youth and others who are willing to learn.

Rwanda, by establishing the IP law and policy is building very strong foundations for creativity and development. What is important, however, is to professionalize arts by establishing schools train those in different industries and the upcoming ones. This is the best way to go.

My film "20 ans plus tard" in brief, registered in Belgium, shows how the 1994 genocide against Tutsi took place, sharing history with humanity. In the documentary I interviewed a number of foreigners who revealed how they were shocked and saddened by the genocide, among who are journalists who were in Rwanda during the time. These include; Pierre Martin from RTL TVI, authors, theatre and cinema actors.