Box 19.3: Towards a single Pan African intellectual property system

As part of its Science, Technology and Innovation Strategy for Africa to 2024 (STISA-2024), the African Union adopted the statutes of the Pan-African Intellectual Property Organization (ARIPO) in 2016. ARIPO has a mandate to harmonize and align the national intellectual property systems in Africa, as well as those of the two regional jurisdictions.

The first of these regional jurisdictions is the African Regional Intellectual Property Organization (ARIPO, est. 1976). Originally covering only English-speaking countries, ARIPO has since extended membership to other countries, including Mozambique, São Tomé and Príncipe and Somalia.

Similarly, the Organisation africaine de la propriété intellectuelle (OAPI, est. 1977) initially only covered French-speaking countries. It now counts Guinea-Bissau and Mauritania among its 17 member states.

Conspicuous by their absence are Nigeria and South Africa. Respectively the continent’s largest economy and Africa’s most developed patent office, they are members of neither ARIPO nor OAPI.

Moreover, as of October 2020, PAIPO has yet to become operational. It had been scheduled to reach this stage by 2018 and to be fully functional by 2023.

Registration of intellectual property a costly process

In most cases, the process for registering intellectual property remains costly and difficult to navigate for local inventors. For example, it costs over US$ 37 000 at ARIPO and US$ 30 000 at OAPI to register and maintain a 30-page patent for the first ten years (de Andrade and Viswanath, 2017). This compares with US$ 5 216 in South Africa, US$ 4 330 in Malaysia and just US$ 2 500 in the UK.

To compound matters, the rules governing page limits before an extra fee applies differ widely across jurisdictions and the renewal fees (annuities) can be high (Table 19.5). As a result, only 17 000 patent applications were registered in Africa in 2018, equivalent to 0.5% of the global total. Of these patent applications, only 18.4% originated from local residents, according to the World Intellectual Property Organization’s statistics database. In the same year, the UK alone registered more applications for patent registration than Africa as a whole: 20 941, of which 61.4% originated from local residents.

ARIPO and OAPI should join forces to simplify online procedures for patent applications and significantly reduce the cost of pre-examination fees and services for young African innovators, university students and early-stage start-ups. Doing so would be a particularly powerful means of nurturing Africa’s creative forces and helping the most promising ideas to translate into financial assets and gain visibility with potential investors.

In addition, all 54 African countries should more actively pursue mutual recognition of intellectual property as a way to support implementation of Africa’s continental free trade area.

Table 19.5: Estimated patenting costs at ARIPO, OAPI and in South Africa, 2017

<table>
<thead>
<tr>
<th>Stage of patent process</th>
<th>ARIPO</th>
<th>OAPI</th>
<th>South Africa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Filing</td>
<td>1 797</td>
<td>5 150</td>
<td>1 589</td>
</tr>
<tr>
<td>Examination</td>
<td>1 165</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Prosecution</td>
<td>1 060</td>
<td>2 879</td>
<td>120</td>
</tr>
<tr>
<td>Grant</td>
<td>1 830</td>
<td>162</td>
<td>180</td>
</tr>
<tr>
<td>Cumulative annuities</td>
<td>31 990</td>
<td>21 941</td>
<td>3 327</td>
</tr>
<tr>
<td>Total</td>
<td>37 842</td>
<td>30 132</td>
<td>5 216</td>
</tr>
</tbody>
</table>

Source: de Andrade and Viswanath (2017)

Table compiled by Bakary Traoré, OECD

in international journals tracked by Elsevier – on topics related to climate-ready crops or agro-ecology. The National Agricultural Strategy (2018–2027) and its investment plan are part of implementation of the country’s ambitious Strategic Plan for Science, Technology, Research and Innovation (2013), which aims to place science in society. The strategy covers the following areas: food technology; medical sciences; energy, mining and transportation; water; desertification; environmental biotechnology and indigenous knowledge; materials science; engineering and industry; ICTs; space sciences; mathematical sciences; and social and human sciences.

With regard to material sciences, specifically, it is noteworthy that Burundi’s publication intensity has doubled from 0.6 to 1.2 articles per million inhabitants since 2012, placing it in the top 15 for sub-Saharan Africa for this strategic technology (see Figure 20.6).

Medical sciences remain the main focus of research: medical researchers accounted for 4% of the country’s scientists in 2018 (Figure 19.3) but 41% of scientific publications between 2011 and 2019 (Figure 19.5).

Burundi has almost tripled its scientific output since 2011 but the pace has not picked up since the adoption of the Sustainable Development Goals in 2015. With six scientific publications per million inhabitants, Burundi still has one of the lowest publication intensities in Central and East Africa. Some 97.5% of publications involved foreign co-authorship between 2017 and 2019, with Ugandans figuring among the top five partners (Figure 19.5).

The focus of the Strategic Plan for Science, Technology, Research and Innovation (2013) has been on developing an institutional framework and infrastructure, fostering greater regional and international co-operation and placing science...