



Canada



On behalf of



Federal Ministry  
for Economic Cooperation  
and Development

commons@ip

## Open A.I.R.

### African Innovation Research and Training: Exploring the Role of Intellectual Property in Open Development



**iP Law**

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## Project Summary

The Open AIR research and training project, running from 2011 to 2013, will help African innovators, creators and entrepreneurs turn knowledge into concrete practices that transform economies and drive human development forward. This will be possible by making African intellectual property (IP) systems that govern knowledge work better as tools for open innovation and collaborative creativity.

The 21<sup>st</sup> Century has ushered in new modes of innovation and creation based on collaboration among interconnected networks of people, knowledge and resources, but research and capacity-building around IP systems have not kept pace with these trends. Open AIR's interconnected, empirical case studies and future-focussed foresight research, along with sophisticated capacity-building for public and private sector leaders, carried out by a pan-African network of interdisciplinary experts, can facilitate collaboration, empower communities and reconfigure power structures.

Polarised views on how IP facilitates or restricts innovation and creativity persist because there is little empirical research on this topic. Consequently, relevant actors create or confront sub-optimal IP laws, policies and practices that impede development. Two interrelated hypotheses might explain why this is especially problematic in Africa: (1) African innovation and creativity are not properly valued by current IP-related metrics, and (2) African innovation and creativity are being constrained by sub-optimal IP-related policies and inefficient IP-related practices.

This project, supported by Canada's IDRC and Germany's BMZ, will determine how Africans can harness existing or potential IP systems to measure and facilitate innovation and creativity for more participatory, effective, and just models of 'open' development. Motivated by a vision of innovation and creativity in Africa as being sustainably vibrant, properly valued, democratically participatory, collaboratively shared, widely accessible and justly distributed through society, this project aims at four concrete outcomes for human development:

- raise problem awareness and facilitate critical policy engagement;
- change discourse and behaviour to engender fewer bottlenecks and more collaboration;
- empower a networked, epistemic IP community in Africa; and
- re-configure IP-related valuation metrics, capital and power structures.

These objectives will be met through a two-phased research methodology: (1) landscaping case studies in six thematic areas, including a comparative analytical synthesis; and (2) future foresighting exercises, including strategic and contingency planning.

Thematic case studies using impact assessment interviews and focus groups will be carried out in the diverse but interconnected fields of copyrights ('Empowering Creators in Creative Industries'), patents ('Open Innovation in the Bioenergy Sector') and trademarks ('Collaborative Agricultural Branding Strategies'), as well as in three cross-cutting areas of 'The WIPO Development Agenda,' 'The Traditional Knowledge Commons' and 'Publicly Funded Research.'

Foresight research will collaboratively determine relevant drivers of change, identify and dissect possible scenarios for the future and 'back cast' to generate strategic courses of action.

The project aims to build capacity among current and future research collaborators, policy and issue leaders, and grassroots stakeholders including innovators, creators and entrepreneurs. This capacity-building will happen through seminars and workshops, a researcher fellowship program, and a development-oriented intensive course curriculum.

Outputs and dissemination strategies will involve a combination of events, publications and multimedia productions, and an online portal for research, network-building and capacity-building activities.

Based at and administered from the Intellectual Property Law and Policy Research Unit at the University of Cape Town, South Africa, the project will network with the African IP research community, including three additional hubs in North Africa, West Africa and East Africa. There will also be project nodes in Geneva, Switzerland, for engagement with international law-making and policymaking institutions, and in Ottawa, Canada, to connect developed and developing world resources and researchers. As well, there will be links to projects in Brazil and India, to facilitate South-South collaborative opportunities.

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## **About the implementing and funding partners:**

Open AIR is financed by the IDRC of Canada and Germany's BMZ. The project's capacity-building component is being carried out in cooperation with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), through its initiative entitled 'commons@ip - Harnessing the knowledge commons for open innovation.' The commons@ip initiative focuses on the interaction between intellectual property rights and open innovation, the knowledge commons, open licences and collaborative innovation. It is part of the GIZ programme entitled Train for Trade, <http://www.inwent.org/train4trade>, which aims at strengthening the private sector and its constituent bodies in the SADC region through capacity-building and training in export promotion, quality control, promotion of open innovation, as well as through promotion of local/regional economic development and local/regional trade.

### **University of Cape Town IP Law & Policy Research Unit**

The UCT Intellectual Property (IP) Law & Policy Research Unit assists in developing IP law and policy in Africa and aims to contribute to the manner in which this topic is treated in the emerging and developing countries throughout the world. The Unit's work is premised on the belief developing countries must participate in the evolution of intellectual property policy and law in order to ensure that any changes take full account of the needs of emerging economies. The Unit seeks to work through dialogue, research, debate and capacity-building, and to explore the issues faced by society at large, IP holders and consumers/users.

### **University of Ottawa Centre for Law, Technology and Society**

The goal of the Centre is to research, analyse and shed light on the complex and interdependent relationships between law, technology and society. A joint initiative of the Common Law and Civil Law Sections of University of Ottawa's Faculty of Law, this centre for research, student training and knowledge dissemination brings together independent scholars and professors interested in the Centre's strategic areas of research, which include a variety of subjects relating to law and technology, such as information technology; intellectual property; biotechnology; bioethics; science, technology and society; human rights; governance and public policy; enabling technologies and e-transactions; digital media and communications; safety and security; privacy and access to information; and traditional knowledge.

### **IDRC**

The International Development Research Centre (IDRC) is a Crown corporation set up by the Parliament of Canada in 1970 to support developing countries in using science and technology to find solutions to social, economic, and environmental problems. IDRC's support is directed towards creating local research communities whose work can build healthier, more equitable, and more prosperous societies.

### **BMZ**

The German Federal Ministry for Economic Cooperation and Development (BMZ), <http://www.bmz.de/en>, develops the guidelines and the fundamental concepts on which German development policy is based. It devises long-term strategies for cooperation with the various players concerned and defines the rules for implementing that cooperation. These are the foundations for developing shared projects with partner countries and international development organisations. All efforts are informed by the United Nations' Millennium Development Goals, which aim to halve poverty in the world by 2015. The BMZ commissions the German implementing organisations with executing programmes, and monitors the results of their work.

### **Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH**

GIZ supports people and societies in developing, transition and industrialised countries in shaping their own futures and improving living conditions. Established on 1 January 2011, GIZ brings together under one roof the expertise of the Deutscher Entwicklungsdienst (DED) (German development service), the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) (German technical cooperation) and InWent – Capacity Building International, Germany. As a federally owned enterprise, GIZ supports the German Government in achieving its objectives in the field of international cooperation for sustainable development. GIZ is also engaged in education work around the world. As part of GIZ's Human Capacity Building work, the OpenIT@giz programmes support partners in Africa and Asia by providing advanced knowledge in open innovation and information and communication technologies (ICTs).