



UNIPORT + VELMA

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# INTERNATIONAL INTELLECTUAL PROPERTY SUMMIT 2016

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University of Port Harcourt, Choba, Rivers State  
May 19 - 20, 2016



**Intellectual Property and Technology Transfer Office (IPTTO), University of Port-Harcourt, Rivers State in conjunction with Velma Consulting and Professional Services, Abuja, are organizing the International Intellectual Property Summit, 2016.**

The event, billed for the premises of the university, is scheduled to hold from Thursday, May 19 to Friday, May 20, 2016.



International institutions such as the Harvard Law School, Massachusetts, the International Telecommunications Union, the International Chamber of Commerce, the European Union Intellectual Property Office and World Intellectual Property Organization have signified their interests in partnering with us on this programme. These organizations and more will also be providing resource persons who shall participate at the event, in conjunction with local facilitators.

During the 2-day programme, the city of Port Harcourt will play host to foreign and local experts in Intellectual Property law and practise from all over the world.

Resource persons and delegates will be accommodated at some of the best hotels in Port Harcourt, adequate security will be provided and other logistics, including transportation and feeding, will be available.

Participants will be drawn from all stakeholders in intellectual property, which very much includes virtually all sectors: the legal industry, entertainment industry, technology research and development sector such as ICT, industrial technology, manufacturing, oil and gas, health, insurance and financial sectors, the academia and literary society, amongst others, will be present at the Summit.

The event is also an opportunity for participants to be affiliated with the university, as well as establish collaborations with other strategic partners and

participants. The potential by way of synergy and business opportunities that this event will provide for participants is enormous, as its reach is wide.



#### OBJECTIVES

The conference seeks to explore the theoretical and practical frameworks in ensuring successful enforcement of Intellectual Property Rights in Nigeria. It seeks to achieve the following:

- Create an intellectual forum/one-stop shop where the windows of opportunities inherent in Intellectual Property Rights in Nigeria will be articulated
- Expose Nigeria's Intellectual Property Rights owners to international best practices for job and wealth creation
- Create awareness on the limitation in establishing a legal framework for Intellectual Property in Nigeria

- Promote originality, creativity and profitability in works of arts, science and technology
- Improve understanding of the available types of Intellectual Property and how they add value to business
- Create balance between Proprietary and Open Innovations – IPR Strategies under current economic and business environment
- Improve understanding in the process of commercializing of Intellectual Property
- Expose participants to techniques in optimizing Intellectual Property Portfolio with Strategic Portfolio Management
- Highlight techniques in managing Intellectual Property litigation to protect and defend Intellectual Property rights

#### PROJECTED OUTCOME

The Summit shall provide an informed blueprint and baseline on contemporary issues and framework on global best practices as it relates to intellectual property rights through a communiqué that shall be issued at the end of the Conference

#### SCHEDULE OF EVENTS

The content will be participant-driven and adapted to fit current trends. There will be Plenary Sessions, Group Discussions/Break-Out Sessions and Panel Deliberations.

- Plenary Sessions will feature focused speeches on contemporary issues in Intellectual Property practice
- Group Discussions will cover a number of topics, including
- Panel Discussions will address the two prongs of the summit: economic benefits and cultural concerns in technology transfer

#### GROUP 1: Intellectual Property Rights and Best Practices for Economic Benefits

- Beyond Record Sales: Intellectual Property and the Entertainment Industry in Nigeria (Music, Nollywood/Movie Industry)
- Literature and Creative Writing and Anti-Plagiarism Issues

#### GROUP 2: Intellectual Property Rights in Research & Technology

- Intellectual Property Rights, Technology Transfer and the Local Content
- Contemporary Issues in Software & E-Properties
- IP Leverage through strategic partnerships with big industry players: Technology Transfer, Licensing & Commercialization

#### GROUP 3: Intellectual Property Management for Businesses & Industries

- Basics of IP Protection and IP Management Strategies
- Dealing with Patent Rights and Pitfalls
- Counterfeiting, Quality Control and Intellectual Property concerns
- Transferring Intellectual Property Risks, Role of Insurance Companies

#### GROUP 4: Litigating Intellectual Property Rights

- Introduction to Intellectual Property Law
- Legal/Regulatory Framework for Intellectual Property Rights
- Panellists are drawn from the legal industry, financial sector, public/government agencies, industry regulators and private sector



## DAY 1 (THURSDAY, MAY 19, 2016)

### Activities

#### Registration

Participants meet for a pre-event breakfast at the scheduled venue

**Total Time Allotted: 1 hour (9.00am – 10.00am)**

- Registration of participants and documentation
- Familiarization and introduction between participants
- Distribution of conference materials and participation tags

#### Session 1: Welcome Address

Welcome Address by the Chief Host and the Host, the Vice-Chancellor of University of Port-Harcourt

- **Total Time Allotted: 20 minutes**

#### Session 2: Plenary

- **Total Time Allotted: 1 hour 30 minutes**
- Keynote Speech by Honourable Minister of Communications, Barrister Adebayo Shittu
- Tea Break
- Lead Presentation

The conference is scheduled to run for two days.

- Reactions from select participants

#### Lunch Break

- **Total Time Allotted: 1 hour**

#### Session 3: Panel Discussion

**Total Time Allotted: 2 hours (3.30pm – 5.30pm)**

First Panel to discuss *Intellectual Property Rights, Enforcements and Best Practices for Economic Benefits*

Panellists to include representatives from

- Legal Industry
- Public Sector/Regulatory Bodies:
  - Copyright Commission
  - Ministry of Information
  - Nigerian Communications Commission
  - Ministry of Telecommunications

Private Sector:

- Copyright Society of Nigeria
- Nollywood
- Music Artists and Producers
- Academics, Literary and Creative Writers
- Marketers and Promoters
- Insurance/Financial Sector

Strategic Partners:

- Julesgaard Intellectual Property Clinic, Stanford University, California
- European Union Intellectual Property Office
- World Intellectual Property Organization
- International Chambers of Commerce

## Day 2 (Friday, May 20, 2016)

### Activities

#### Session 1: Plenary

- **Total Time Allotted: 2 hours**
- Keynote Speech 2
- Lead Presentation
- Reactions from select participants

#### Tea Break

- **Total Time Allotted: 30 minutes**

#### Session 2: Focused Group Discussions

- **Total Time Allotted: 2 hours**

Participants pre-register for preferred group

- Four Groups focused on different areas of interests
- To run simultaneously

General Plenary to answer questions and evaluate outcomes

- **Duration: 15 minutes**

#### Lunch Break

**Total Time Allotted: 1 hour**

#### Session 3: Plenary

**Total Time Allotted: 1 hour**

- Lead Presentation
- Reactions from Select Participants

#### Session 4 Panel Discussion

**Total Time Allotted: 1 Hour 30 minutes**

Second Panel to discuss *Cultural Concerns in Intellectual Property Rights, Technology Transfer and the Local Content*

- Panellists will include representatives from

- Legal Industry
- Public Sector/Regulatory Bodies
  - Nigerian Communications Commission
  - Ministry of Telecommunications
  - National Office for Technology Acquisition and Promotion
  - National Information Technology Development Agency
  - Ministry of Trade and Investments

#### Private Sector

- Oil & Gas Industry
- Telecommunications Industry
- Health Sector
- Engineering/Technical industry
- Insurance Sector
- Manufacturing Sector

#### Strategic Partners

- Berkman Centre for Internet and Society, Harvard Law School, Massachusetts
- International Telecommunications Union
- World Intellectual Property Organization

#### Farewell Session

**Total Time Allotted: 30 minutes**

- Presentation of Awards/Certificate
- Repertoire/Communiqué



# RESOURCE PERSONS

The following resource persons will be joining other erudite Nigerian scholars and opinion shapers at the Summit.



## Prof. Christopher T. Bavitz

Prof. Christopher T. Bavitz is Managing Director of Harvard Law School's Cyberlaw Clinic, based at the Berkman Center for Internet & Society. He is also a Clinical Professor of Law at HLS, where he co-teaches the Counseling and Legal Strategy in the Digital Age seminar and teaches the seminar, Music & Digital Media. Chris concentrates his practice on intellectual property and media law, particularly in the areas of music, entertainment, and technology.

He oversees many of the Clinic's projects relating to copyright, speech, and advising of startups, and he serves as the HLS Dean's Designate to Harvard's Innovation Lab. Prior to joining the Clinic, Chris served as Senior Director of Legal Affairs for EMI Music North America. From 1998-2002, Chris was a litigation associate at Sonnenschein Nath & Rosenthal and Rubin Baum LLP / Rubin Baum Levin Constant & Friedman, where he focused on copyright and trademark matters.

Chris received his B.A., cum laude, from Tufts University in 1995 and his J.D. from University of Michigan Law School in 1998.



## Dr. Emanuel de Abreu Pessoa

Dr. Emanuel de Abreu Pessoa got his PhD in Economic Law from the University of São Paulo, under the supervision of Professor Dr. Gilberto Bercovici. His Masters Degree from the Federal University of Ceará, was approved on first place in the admission contest at age 21.

He developed the Dissertation "The Regionalism in the Unitary and Federal" under the guidance of Professor Emeritus Paul Bonavides. Graduated in Law from the Federal University of Ceará (2006), making all the requirements of "magna cum laude" and obtained the title of Master of Laws from Harvard Law School (2012), where he was elected representative of the students and received full marks by his long paper completion of the course, written under the supervision of professor Roberto Mangabeira Unger.

He is a fellow of the UFC, CNPq, the Harvard Law School, the Education Foundation and the Instituto Ling; He is a member of the Academic Task Force, the Advisory Committee Welfare and Student Government at Harvard Law School.

He is currently a member of the Harvard Business School Alumni Angels Association, which offers valuation and coaching of startups that seek angel capital as well as mentorship, and the International Committee of Young Entrepreneurs Committee Affairs of the Federation of São Paulo State Industries.

# STRATEGIC PARTNERS

International Chambers of Commerce  
World Intellectual Property Organization  
European Union Intellectual Property Office  
Juelsgaard Intellectual Property and Innovation Clinic,  
Stanford University, CA  
Berkman Center for Internet and Society, Harvard Law  
School, MA

African Intellectual Property Organization  
Organisation Africaine de la Propriété Intellectuelle  
American Intellectual Property Law Association  
African Regional Intellectual Property Organization (ARIPO)  
Intellectual Property Owners Association



## John Syekei

John Syekei is a Partner at Coulson Harney Advocates, Nairobi. He has had numerous citations as one of the leading Intellectual Property lawyers in Kenya and the East African region from international legal directories. John has recently been ranked in the Gold Band by WTR 1000, 2015.

He was also ranked by WTR 1000 in 2013 and 2014 in the same Gold Band category. Chambers also recognised John as a leading lawyer and Managing IP ranked him as an IP star in 2014 and 2015, a very highly regarded recognition within the IP world. Under John's supervision, Coulson Harney won IP Team of the Year at the prestigious African Legal Awards in 2015.

John advises clients on IP issues arising within the financial services, manufacturing, IT, telecommunications and pharmaceutical sectors. His practice areas and experience cover dealing with major IP dispute resolution matters before the High Court and Court of Appeal, commercial IP (licensing and franchising) technology and e-commerce, advertising law and counterfeit actions (search and seizure raids). He also runs a very busy filing practice (trademarks, designs and patents) across Kenya, Uganda, Tanzania, Rwanda, Burundi, Ethiopia, Sudan. John also handles trademark opposition and cancellation actions before the Registrar of Trademarks in Kenya as well as domain name disputes on behalf of clients of the Firm.

He advises a number of leading technology companies in the world including Google, Facebook, Microsoft and IBM. He also acts as the Kenyan counsel on regulation, compliance and corporate matters for Philip Morris International and the firm is the Kenyan patent lawyers for The IBM Corporation. John is a member of the International Federation of Industrial Property Attorneys (FICPI), Global Advertising Lawyers Alliance (GALA), International Trademark Association (INTA) and the International Bar Association (IBA)



## Tito Rendas

is a Ph.D. candidate at the Catholic Global School of Law, in Lisbon, Portugal. He received an LL.M. from Harvard Law School (2012), where he contributed to the Harvard International Law Journal and was a member of the board of the Harvard European Law Association. Prior to this, he received his law degree from the School of Law of the Portuguese Catholic University (2010), where he currently teaches, and an LL.M. from Catholic Global School of Law (2011).

His main field of interest is intellectual property law. His most recent paper, Lex Specialis(sima): Videogames and Technological Protection Measures in EU Copyright Law, is critically acclaimed and has been published in the European Intellectual Property Review.





## Intellectual Property Rights as the Backbone for Wealth Creation

There is no gain saying the effect of Intellectual Property on the economy. Its GDP contribution is significant, especially in advanced economies. A 2014 European Parliament Think Tank Report confirms that IP contributes 38% to the European economy

**Table 1 - Direct contribution of IPR-intensive industries to employment and to GDP, in the EU**

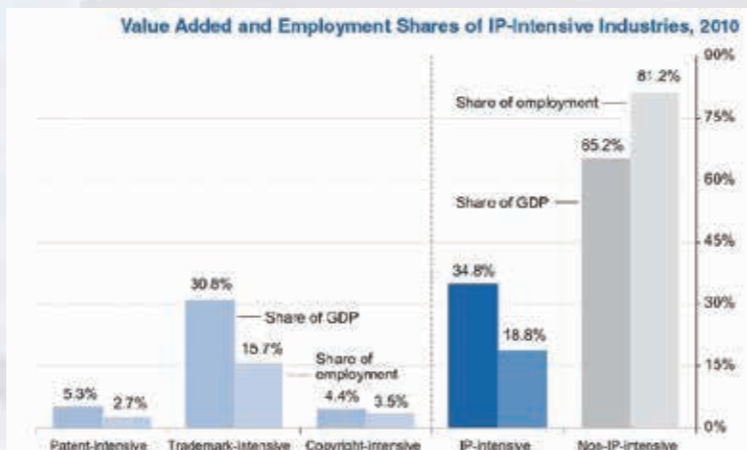
IP right	Employment	Share of total	Value Added / GDP (€ million)	Share of total EU GDP
Trade mark-intensive	45 508 046	20.8%	4 163 527	33.9%
Design-intensive	26 657 617	12.2%	1 569 565	12.8%
Patent-intensive	22 446 133	10.3%	1 704 485	13.9%
Copyright-intensive	7 049 405	3.2%	509 859	4.2%
GI-intensive	374 345	0.2%	16 134	0.1%
<b>All IPR-intensive</b>	<b>56 493 661</b>	<b>25.9%</b>	<b>4 735 262</b>	<b>38.6%</b>
Total EU economy	218 400 733		12 278 744	

**Table 2 - EU external trade in IPR-intensive industries**

IP right	Exports (€ million)	Imports (€ million)	Share of exports	Share of imports	Net exports (€ million)
Trademark	1 023 981	1 158 860	75.5%	75.7%	-134 879
Design	724 292	703 586	53.4%	46.0%	20 707
Patent	957 748	1 049 795	70.6%	68.6%	- 92 047
Copyright	57 051	41 727	4.2%	2.7%	15 325
GI	10 577	1 836	0.8%	0.1%	8 741
<b>Total IPR</b>	<b>1 226 015</b>	<b>1 351 890</b>	<b>90.4%</b>	<b>88.3%</b>	<b>- 125 875</b>
Non-IPR intensive	130 585	178 640	9.6%	11.7%	- 48 055
<b>TOTAL EU TRADE</b>	<b>1 356 600</b>	<b>1 530 530</b>	<b>100%</b>	<b>100%</b>	<b>- 173 930</b>

Source: European Patent Office and OHIM

According to the United States Patent and Trademark Office (USPTO), IP sector contributes about 35% to the United States GDP, a figure similar to the EU report in the first table above.



Culled from <http://www.uspto.gov/learning-and-resources/ip-motion/intellectual-property-and-us-economy>

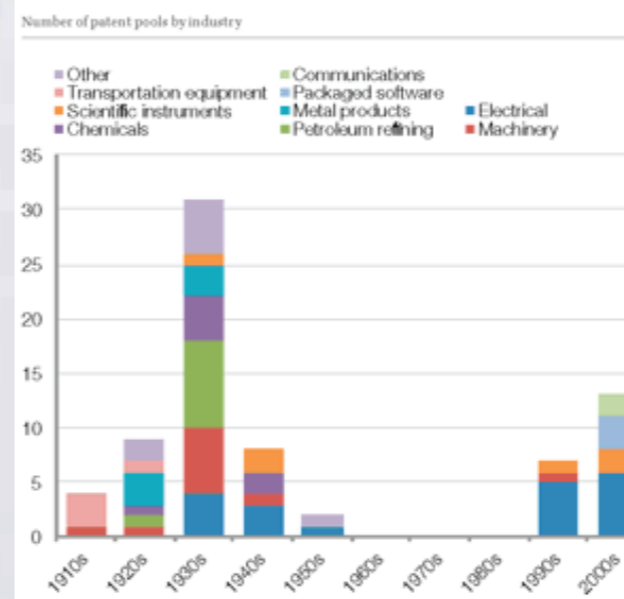
But this is not the case in Africa, none the least Nigeria. With our population, economic effect of IP related contributions ought to be providing the much needed alternative to oil, which is fast losing economic value.

Two major reasons are identified for this. Lack of enforcement of IP rights, and IP theft.

## IP Enforcement

Advanced IP players have since identified that the most effective way to operate IP is to collaborate. According to Josh Lerner of the Harvard Business School and National Bureau of Economic Research and Eric Lin, also from Harvard Business School, in a 2012 report published by WIPO, the past 2 decades have witnessed "an explosion in the number of patent awards across a wide variety of technologies, and a dramatic increase in the volume of patent litigation between rivals." They observed, however, that there is evidence to show that companies are recognizing the benefits of participating in IP collaborations. They then identified the ICT industry as the top most enforced sector.

### The ICT industry dominates the recent wave of patent pools



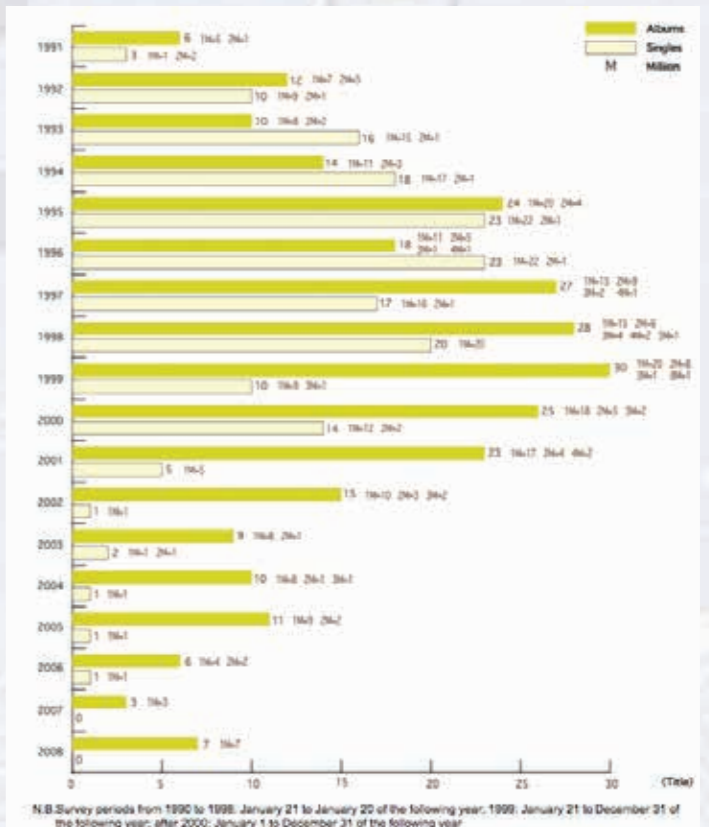
Source: Updated from Lerner et al. (2007)  
Note: Based on information for 75 documented pools. Available at [http://www.wipo.int/wipo\\_magazine/en/2012/06/article\\_0008.html](http://www.wipo.int/wipo_magazine/en/2012/06/article_0008.html)

The robust regime of IP enforcement in advanced countries has made IP profitable for these economies.

This Summit shall examine the reason this is not the case in Nigeria and by extension, Africa.

## IP Theft

The adverse effect of IP theft is crystal stark. In the US, it is reported that theft of music works caused a decline in sales of records from a peak of 30 million in 2009 (before the birth of digital copyright theft) to a low of 3 million in 2007. See <http://www.stopmusictheft.com/the-scope-of-internet-intellectual-property-theft>



In a similar vein, Album sales dropped from 60 million in 2000 to 20 million in 2009, accounting for a 35% decline in just one decade.

As shown in the table below:



### 2009 Versus 2000 Top Ten US Album Sales

2009	2000	%2009/2000
Fearless - Taylor Swift	No Strings Attached - 'N Sync	32.38%
I Dreamed a Dream - Susan Boyle	The Marshall Mathers LP - Eminem	39.19%
Number Ones - Michael Jackson	Oops!... I Did It Again - Britney Spears	29.83%
The Fame - Lady Gaga	Human Clay - Creed	33.97%
My Christmas - Andrea Bocelli	Supernatural - Santana	37.68%
Hannah Montana: The Movie (soundtrack) - Hannah Montana	Beatles 1 - The Beatles	35.97%
The E.N.D. - Black Eyed Peas	Country Grammar - Nelly	35.26%
Relapse - Eminem	Black & Blue - Backstreet Boys	40.44%
The Blueprint 3 - Jay-Z	2001 - Dr Dre	37.95%
Only by the Night - Kings of Leon	The Writing's on the Wall - Destiny's Child	36.77%
<b>21,379,000</b>	<b>60,416,583</b>	<b>35.39%</b>

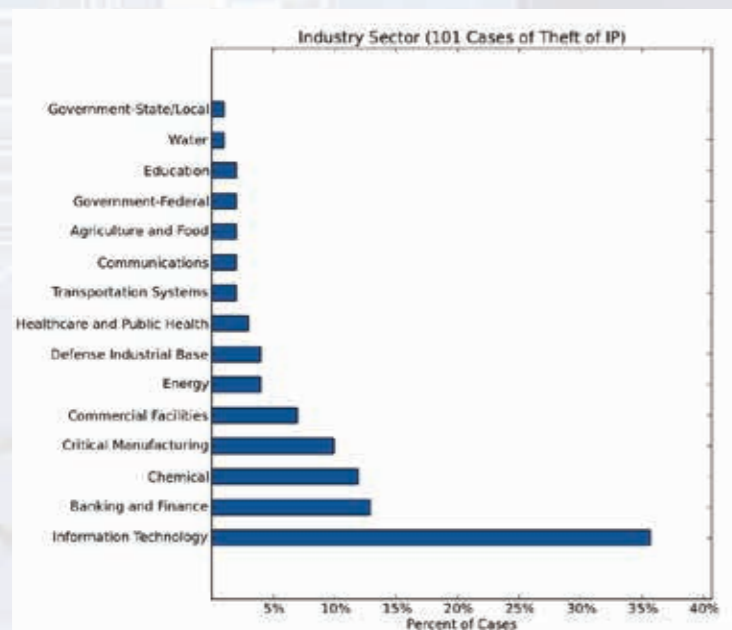
In Nigeria, an album of an average of 14 tracks sells for N100, which is less than 50cents. A video recording of 2 hours goes for about the same price. That is the value we place on creative contents in Nigeria because IP thieves and pirates run the industry and fix the price.

Beyond the entertainment industry, other sectors suffer huge hits from IP theft. Counterfeiting is less pronounced but it eats deeply into our economic fabric. According to a Canadian Government report, loss from counterfeiting rose to as high as \$67million dollars in 2011.

Other sectors affected by IP theft and the volume of the effect are examined in a report by Matt Collins, Insider Threat Researcher at the CERT Insider Threat Center, where he concluded that the ICT industry suffers the highest instances of IP theft



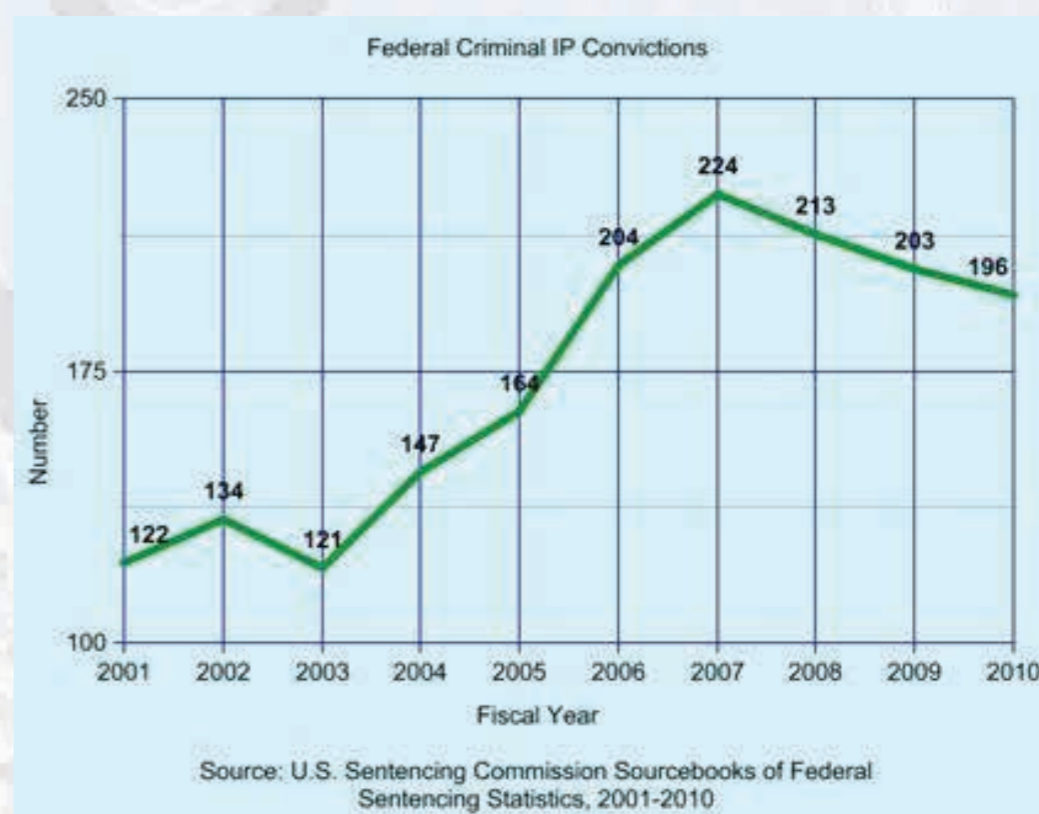
Available at <http://www.rcmp-grc.gc.ca/pep-pelf/ipr-dpi/report-rapport-2012-eng.htm>



Source <https://insights.sei.cmu.edu/insider-threat/2013/12/theft-of-intellectual-property-by-insiders.html>

### Protecting IP Rights

IP rights can be protected by civil suits and criminal actions. The United States is in the fore in terms of IP theft convictions in criminal courts. According to statistics provided by the US Sentencing Commission, an average of 164 convictions per year were recorded over the decade of 2000 - 2010



Source: U.S. Sentencing Commission Sourcebooks of Federal Sentencing Statistics, 2001-2010

See <http://www.mediainstitute.org/IP/2011/052511.php>

### Gains from the Summit

This Summit looks at all these issues with a view to proffering ways in which Intellectual Property rights can become the backbone of wealth creation in Nigeria in particular and in Africa in general.

About 1000 participants drawn from a cross section of stakeholders in the IP industry will be at the event.

Nigeria is the hub for entertainment in Africa. Thus, the entertainment and creative industry will be duly represented.

Other sectors expected at the Summit include: Industries, manufacturing, pharmaceutical and other Research and Development oriented establishments

Legal, insurance and financial institutions

The academic community, ably represented by all tertiary institutions in Nigeria.

The public sector, that is, the policy makers, will be represented by regulatory agencies and government officials.

We intend to come up with a communique that will form the basis for a progressive government policy on IP rights in Nigeria.

## ENDORSEMENTS

*“This is a very interesting conference and we will be represented. We are in support of the event and shall also send some materials”*

**Daphne Yong-d’Hervé, Chief Intellectual Property Officer, IP Policy and Management, ICC (International Chamber of Commerce)**

*“We are honoured that you have considered the Office to participate in this summit and welcome discussion on the backbone of intellectual property rights for wealth creation. We sincerely appreciate your invitation and you have our full support for this initiative.*

*As you might be aware, OHIM cooperates with two major African regional organisations, ARIPO and OAPI, as well as with some countries of the Arab League and therefore value this initiative which can help the African continent to take advantage of the opportunities the IP system offers.*

*Indeed, we must all make the best of our IP systems, so that social and economic development continues to be fostered across Africa, thus enabling economic actors to pursue their entrepreneurial activities to enhance living conditions for all.*

*We wish you all the best for a highly successful event in Nigeria”*

**Caroline Teresa JOHNSTON, European Union Intellectual Property Office**

*“We are glad and pleased that your work in the field of Intellectual Property has continued so wonderfully. We do wish you very well and hope that the symposium is a big success.”*

**John Palfrey, Director, Berkman Centre for Internet and Society, Harvard University.**

## REGISTRATION

Participants may register through any of the following means:

At the Intellectual Property and Technology Transfer Office (IPTTO), University of Port Harcourt, P.O. BOX 5323, Choba, Port Harcourt, River State, [www.uniport.edu.ng](http://www.uniport.edu.ng)

At the office of Velma Consulting and Professional Services, Suite D39-EXT, Efab Mall, Area 11, Garki, Abuja, 08061195161

By sending an e-mail to [iptto@uniport.edu.ng](mailto:iptto@uniport.edu.ng) or [velmaconsulting@gmail.com](mailto:velmaconsulting@gmail.com)

Registration costs **₦100, 000.00** per participant. 15% discount for participants who register before April 1, 2016.

Group discounts also available. Contact the organizers for more details.

Payment for Registration to be made to the following account:

NAME: UNIPORT RESEARCH MANAGEMENT FUNDS

BANK: UBA

NAIRA ACCOUNT NO: 1017603112

DOLLAR ACCOUNT NO: 3001752778