





National Intellectual Property Strategy

Executive Summary
September 2022



Upon a Presidential directive, executed by virtue of a Prime Minister's decision, a specialized committee was formulated, headed by a representative of the Council of Cabinet Legal Advisers, and the membership of all ministries and authorities concerned with the management and protection of Intellectual Property Rights, as well as the Advisory Council of Egyptian Scientists and Experts, in order to draft a national strategy for Intellectual property.



Context of Launching



An Overview of the Strategy

This strategy is the first step of its kind in the field of IP in Egypt; it is intended to serve as a cornerstone and a solid basis for the establishment of the IP system in Egypt, and its legislative and institutional advancement. The strategy is consistent with the United Nations Sustainable Development Goals (SDGs), the World Intellectual Property Organization (WIPO) Development Agenda, Egypt's Vision 2030, and the structural reform program for the Egyptian Economy.

IP is closely connected to all aspects of our daily life, from food, medicine, communication systems, electronic devices, industrial equipment, books, images and much more. IP rights are granted to creators and innovators in many fields in exchange for their intellectual output represented in products and services that benefit all of us, as members of the society.



The Importance of IP



Achieving Balance in the IP system

To ensure the effectiveness of the IP system, a fine balance must be achieved between the rights of IP owners on the one hand, and the general rights of the society as a whole, on the other hand. This is mostly important with respect to public interest purposes, especially the issues of the availability of medical supplies, food, education, access to knowledge, technology transfer, etc., without curbing innovation, creativity and competitiveness.

IP rights have become essential to support and drive the transition to a sustainable, low-carbon economy. WIPO Green's platform at the COP26 Climate Conference emphasized maximizing the role of IP in catalyzing the private sector's use of technology that supports climate action and the Green Economy. The Strategy also intersects with Egypt's National Climate Change Strategy 2025, where the latter's objectives overlap with the main pillars of the IP Strategy.



IP & Green Economy



Strong integration with other policies & commitments:



This was to ensure harmony and integration between state policies and objectives across domains.

Methodology of Development:

Basis:

- **Global best practices**
- **National strategies**
- **Local studies**
- **Int. organizations' studies**
- **Subgroups studies**
- **International treaties joined by Egypt**
- **Stakeholders' engagement**

Duration:

18 Months
(Dec 2020 - June 2022)

With participation from:

- **35 Entities**
17 Ministries and 18 Authorities.
- **A Specialized Company**
Synergies Center for International & Strategic Studies
- **8 Experts**
With various IP specializations.



Principles on which the strategy was based

Respect for IP

Equal opportunities, social justice and adherence to transparency standards

Supporting competitiveness and preventing monopolistic practices.

Ensuring and consolidating freedom of thought and opinion, and the rights of artistic and literary creativity, developing talents, inducing innovation and scientific research, supporting and developing its institutions, fostering researchers and inventors, and protecting their acquired rights.

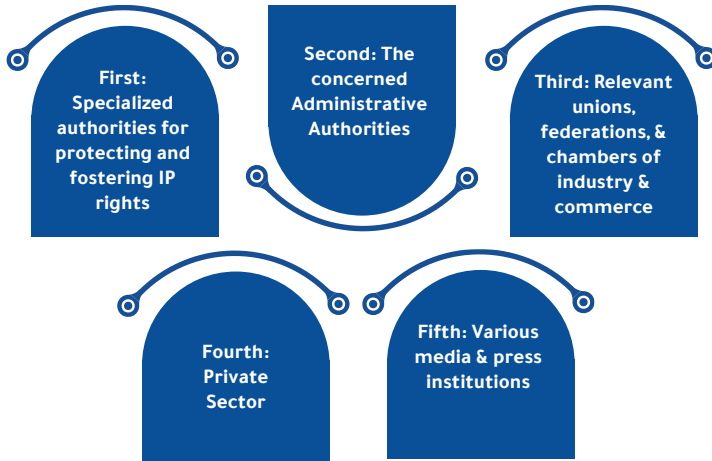
Achieving the optimal balance between granting exclusive rights to encourage creativity, innovation and investment in various fields on the one hand and achieving the general interest of society in various aspects of life on the other.

Governance and enhancement of institutional work in the authority to be established and entrusted with the competence of protecting IP rights

The correlation between authority and responsibility, whereby the State Authorities are deemed responsible for carrying out their duties towards implementing the strategy and ensuring its effectiveness.



Entities involved in the implementation of the strategy:

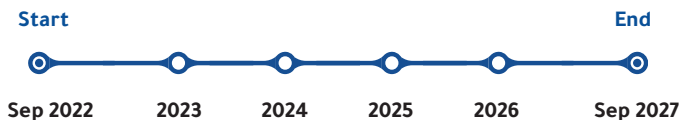


The Strategy has taken into account the existence of a transitional period ranging from (18) to (24) months, so that the Egyptian Intellectual Property Authority -yet to be established- may be capable of undertaking its competencies. Hence, the Strategy has considered that the implementation of its objectives should undergo a couple of stages: the first through the current offices and departments concerned with the protection of IP rights, whereas the second is through the Egyptian Authority for Intellectual Property upon its establishment, in addition to the competent administrative authorities concerned with some of the projects stipulated in the Strategy throughout the period of its implementation.

The Strategy outlined the relevant administrative bodies involved in the implementation, based on their respective competencies, which varied among ministries, councils and bodies concerned.

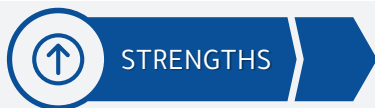
It also drew attention to the role of the trade unions, federations, chambers of industry and commerce concerned, as well as the private sector, and various media and press institutions, in supporting and activating the IP system in all fields.

Duration of implementation of the Strategy: (5 Years)





Highlights of the SWOT analysis:



15 Points in aggregate



The most prominent of which are:

1. A solid constitutional and legislative base.
2. Some institutional capabilities.
3. Prominent political leadership.
4. A wealth of intellectual output and national heritage.
5. Close connection with Egypt's Vision 2030.



24 Points in aggregate



The most prominent of which are:

1. Institutional environment needs governance.
2. Legislative environment needs review.
3. Lack of expertise & developed human resources.
4. Absence of collective management of copyrights.
5. Lack of integration between scientific research and industry.
6. Absence of a comprehensive exclusive pool of IP assets owned by the State.



Egypt is looking forward to:

1. Coordinating with international organizations supporting innovation and creativity.
2. Increasing Egypt's pioneering role in IP on the international arena.
3. Technical and logistic support in the context of applications examination and registration for IP rights, and the digitalization of databases.
4. Coordination in the field of training human resources.
5. Making use of patents' available info that is allowed "Disclosed" for use or fall in public domain.



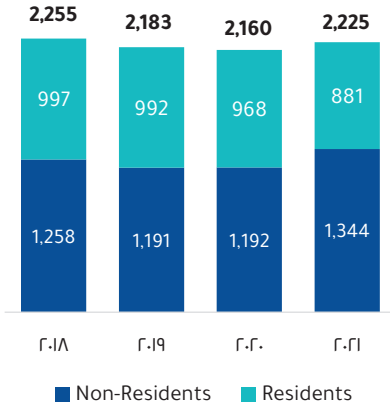
Egypt keeps a close eye on:

1. Dependence on imported technologies, which are subject to protection
2. Continued piracy on Egyptian artistic and literary IP outputs abroad
3. The increasing gap between digital technology in Egypt and developed countries
4. Polarizing of Egyptian scholars and students abroad. (brain drain)
5. Absence of an exclusive database for the documentation of genetic resources, traditional knowledge and traditional cultural expression.



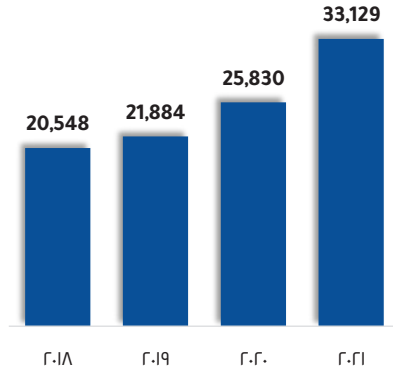
Current IP-related Data in Egypt:

Number of Patent Applications in Egypt



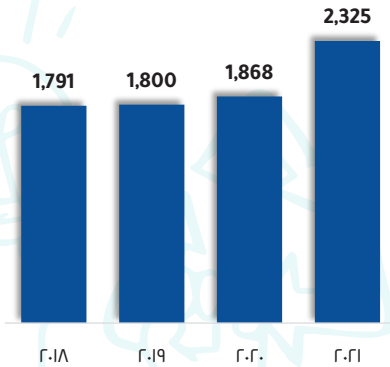
Source: Egypt's National Patent Office

Number of Trademark Applications in Egypt



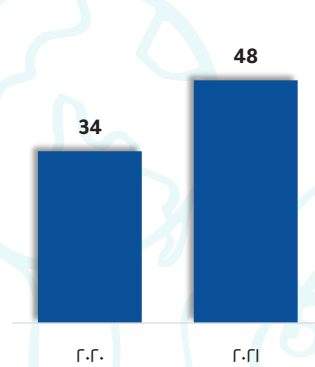
Source: Central Administration of Trademarks and Industrial Designs - Internal Trade Development Authority

Number of Industrial Design Applications in Egypt



Source: Central Administration of Trademarks and Industrial Designs - Internal Trade Development Authority

Number of Plant Variety Applications in Egypt



Source: Plant Variety Protection Office - Ministry of Agriculture



Vision

An IP system that motivates innovation and creativity and enhances R&D and technology production, as well as Arts, Literature and Culture; in order to lead the prosperity of the society on all economic, social, scientific, and cultural aspects, contributing to achieving Egypt's Vision for Sustainable Development.

Mission

Building a comprehensive IP system based on a progressive integrated legislative environment and a firm developed institutional structure, capable of being an effective tool to motivate and protect creativity and innovation and enhance its contribution to achieve Egypt's Vision and its goals of sustainable development, increasing economic growth and eventually accomplishing social welfare and prosperity.



Strategic Goals

1

Governance of the Institutional Structure of IP



Establishment of a National IP Authority

Supporting and provision of registration, filing and deposition services using modern technological means

Training and development of the human resources in the IP system

Linking the Egyptian IP Authority with the rest of the State authorities and institutions

Promoting the enforcement and respect of intellectual property rights

Maximizing Egypt's role in the global IP system, and coordinating with international bodies and organizations

2

Configuring the Legislative Environment for IP



Short-term intervention

(Urgent phase):

Working on solving urgent fundamental problems related to the IP system

Medium-term intervention:

A Comprehensive Review of all Legislation Related to IP

3

Optimizing the economic return of IP in achieving the SDGs



Encouraging the commercial exploitation of IP assets after their financial valuation according to the latest international standards.

Maximizing the use of IP in scientific research and linking it to the needs of the national industry.

Implementing rational and balanced IP policies in the field of public health and access to medicine.

Maximizing the economic value of medium, small enterprises.

Maximizing the economic returns of the tourism and heritage sectors.

Regulating access to biological resources and related traditional knowledge and the sharing of benefits arising therefrom.

4

Raising awareness of Egyptian society on IP



Disseminating and promoting public awareness of IP and the national IP strategy main pillars

Integrating the concepts of creativity, innovation and IP into the educational process at the pre-university level

Promoting IP awareness in universities and research institutions, and motivating students and students to produce IP



Strategic Goal #1:

Governance of the IP Institutional Structure

The institutional structure is an inherent part of the IP system, so it's a duty to develop such structure in order to achieve the strategy in reality whilst meeting global standards. Hence, this goal mainly addresses the weaknesses in the institutional structure governing IP in Egypt, among which comes at the top of the list: the absence of a strong institutional entity that is capable of activating the role of IP supporting the Sustainable Development Goals, developing effective policies, action plans and programs at the national level, and coordinating with all administrative bodies as well as institutionally concerned international organizations, according to a unified methodology and a clear vision.

IP offices currently operate separately and independently of each other, to the extent whereby their competencies sometimes conflict, even between the competent departments within the same ministry, in addition to the fact that these offices, due to lack of resources and minimized institutional capacities, have been usually unable to make serious strides in raising awareness among citizens and businesses, and educating them about IP and how to make the best use of it in all aspects of economic, social and cultural life. This has, additionally, resulted in a poor coordination with other State bodies concerned with related sectors, directly concerned with IP, whereby the State has missed great opportunities for supporting and developing IP in line with the methodology adopted by many other countries supporting creativity and innovation.

The constitutional legislator realized such situation whereby he decided in Article 69 of the Egyptian Constitution to establish a competent body to foster IP rights and undertake their legal protection, in order to achieve harmony and integration between the elements of the IP system and become an arm of the State in this field.



IP Administration Authorities/Offices



Targets of Strategic Goal #1

- 1 Establishing a **National IP Authority** to unify the efforts of IP departments and offices.
- 2 Supporting **Digital Transformation** and provision of registration, filing and deposition services using modern technological means.
- 3 Training and **Development of Human Resources** in the IP system.
- 4 **Linking the Egyptian IP Authority** with the rest of the State authorities and institutions.
- 5 Promoting the **Enforcement and Respect** of IP rights.
- 6 Maximizing **Egypt's role in the International IP system** and coordinating with international organizations.



Strategic Goal #2:

Configuring the Legislative Environment for IP:

The field of IP is one of the fields characterized by continuous evolving and changing, given its close connection with the cycle of human creativity and innovation. And in Light of the various issues resulted from the application of the provisions of the Law on the Protection of Intellectual Property Rights, whether from legal or executive perspectives, the State had to intervene addressing those provisions in line with the global development in the IP system or to find legal and practical solutions to such issues.

Targets of Strategic Goal #2

1

Short Term Intervention (Urgent):

Working on solving the core problems related to the IP system.

2

Medium Term Intervention:

Working on a comprehensive review of IP related legislation.

Strategic Goal #3:

Optimizing the Economic return of IP in Achieving the SDGs:

During the process of selecting the prioritized sectorial pillars on the short term, the Strategy was keen on identifying Egypt's urgent needs and its national directions regarding those sectors in line with Vision 2030. Among the main factors that contributed to such mission were the studies and working papers prepared by the work groups emanated from the committee in charge of formulating the Strategy.

Whereas for the sectorial pillars on the medium term, it was decided to put them under extensive research and deliberate studies so as to analyze them and identify their expected returns, and mechanisms for optimal implementation, in preparation for their implementation as soon as their components are available. The establishment of the Egyptian Intellectual Property Authority will undoubtedly contribute to the development of these sectors and their utilization.

Targets of Strategic Goal #3

- 1** Encouraging the commercial exploitation of IP assets after their financial valuation according to the latest international standards.
- 2** Maximizing the use of IP in scientific research and linking it to the needs of the national industry.
- 3** Implementing rational and balanced IP policies in the field of public health and access to medicine.
- 4** Maximizing the economic value of medium, small enterprises.
- 5** Maximizing the economic returns of the tourism and heritage sectors.
- 6** Regulating access to biological resources and related traditional knowledge and the sharing of benefits arising therefrom.



Strategic Goal #4:

Raising awareness in the Egyptian society about IP:

Egypt enjoys a great wealth of intellectual output and national heritage. However, the lack of awareness of the concepts of IP, creativity, and innovation, has led to the absence of an optimal utilization of the economic opportunities available to the State for activating the role of IP in all fields. Therefore, this fourth Strategic Goal aimed at spreading awareness about these concepts in order to motivate different segments of society to innovate, create, participate in research and development, and to produce technology, culture and arts, contributing to an increasing production of IP, and its utilization and economic exploitation therefrom.

Moreover, this Goal targets enhancing the respect for non-intellectual property rights to complement the efforts of the Egyptian state in building the Egyptian citizen, and to cultivate the values of integrity, honesty, respect for the law and respect for the rights of others.

Targets of Strategic Goal #4

- 1** Disseminating and promoting of public awareness of IP and the national IP strategy main components.
- 2** Maximizing the use of IP in scientific research and linking it to the needs of the Integrating the concepts of creativity, innovation and intellectual property into the educational process at the pre-university level. industry.
- 3** Promoting IP awareness in universities and research institutions, and motivating students and scholars to produce IP.



Mechanisms for monitoring and evaluating the implementation of the strategy:

Starting from the date upon which this Strategy enters into force and until five years from such date, It is incumbent upon all concerned administrative authorities, to conduct a continuous self-assessment, under the periodic follow-up of the highest supervisory authorities in the State, for the executive steps taken to implement the plans and projects specified in each and every pillar of this Strategy, each according to its proposed time frame, in order to reach the aforementioned Strategic Goals, on the one hand, and to identify the appropriate adjustments to the Strategy in the light of such assessment, on the other hand.

Duration of implementation of the Strategy

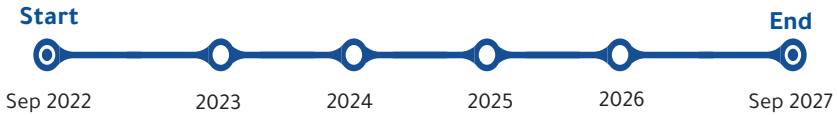


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Institutional and Interim Framework for Follow-up and Evaluation:

Phase I:

Before the establishment of the Egyptian Intellectual Property Authority (two years)

The Council of Ministers will follow up the efforts of the various State authorities and sectors in the implementation of the Strategy, particularly with respect to the necessary steps for developing and governing the institutional structure of IP and establishing the necessary infrastructure to launch the IP system in line with the latest electronic and digital methods, provided that this follow-up is carried out through the inclusion of a special item for this purpose in the agenda of the Council of Ministers periodically.

The concerned ministers shall also issue the instructions, decisions, and directives necessary for the implementation of the pillars of the Strategy, as well as action plans, projects and initiatives thereof, beside taking the necessary steps to inform the Council of Ministers -on an ongoing basis- of the latest developments in this regard.

Phase II:

After the establishment of the Authority (3 years)

The newly established Authority, shall take over all what have been accomplished by relevant IP offices and bodies throughout Phase I, completing and building therefrom, besides starting immediately in implementing action plans and projects entrusted to the new Authority according to the Law of its establishment and this Strategy, each within the time frame allocated for. In addition, it shall undertake necessary coordination and cooperation with all State ministries and bodies concerned with the implementation of the pillars of this Strategy.

The Authority will submit semi-annual reports for presentation to the Board of Trustees - and the Council of Ministers where appropriate - that include taking note of all the results and developments related to the implementation of the action plans and projects referred to and publishing simplified summaries of these reports to the public opinion through the media in order to consolidate the principle of transparency and uphold the values of community participation. It will also undertake the mission of developing KPIs (Key Performance indicators) by which the effectiveness and efficiency of the implementation of targets will be measured.

