

INTERNATIONAL TREATIES COMMITTEE



Simon Brown

Constitution

The committee is chaired by Simon Brown a partner of Adams & Adams and has various participants of other members firms.

Purpose Statement

IP Law forms an integral part of International Law, primarily as a result of International Treaties being agreed upon by nations. Each country is afforded the opportunity of incorporating the Treaties into National Legislation. Accordingly, the Committee is tasked with evaluating and analysing the objectives in a specific treaty with a view to assessing the potential benefits to be derived by South Africa joining such Treaties. The nature of the various International Treaties requires analysis in order to assess the value and benefit of each treaty to South Africa which enables the Committee to make a recommendation concerning accession. Adherence to various Treaties brings to the table potential benefits to the country some of which have a direct economic impact; others could lead to improved protection for right holders in respect of IP whilst others relate more to administrative / procedure advantages within the context of the IP registration system in the country. Almost without exception, most IP Treaties were negotiated in the absence of developing and least developed nations and the needs of such nations may not have been considered when the Treaties were drafted. The various Treaties should be analysed and strategic recommendations made as to whether accession will be in the best interests of South Africa.

Goals

The Committee continues to consider various Treaties and more recently how provisions will impact on our International obligations in terms of Conventions and Agreements. However, clarity must be obtained in respect of the implementation of DTI's IP Policy Document on the Access to International Treaties.