



**SOUTH AFRICAN  
RESEARCH CHAIR:**

Intellectual Property,  
Innovation and Development



# Quartely Update



## Greetings to our IP Community

Welcome to the second quarterly update of 2025 from the DSI-NRF SARCHI Chair in Intellectual Property, Innovation and Development.

This quarter has been a period of dynamic engagement and strategic preparation. From meaningful events and research exchanges to key milestones in our Chair's work, we continue to build momentum towards our broader vision of advancing inclusive innovation across the continent.

We are especially pleased to highlight the upcoming IP Emerging Researchers and Postgraduates Symposium, which the Chair will host from 7-11 July. This new platform is designed to foster early-career scholarship and deepen collaborative research networks. We look forward to showcasing fresh perspectives and supporting the next generation of IP scholars.

In this edition, we also shine a light on recent events and updates, share our Visiting Researcher Spotlight, and offer reflections in our IP Highlights section – underscoring key trends, dialogues, and developments shaping the intellectual property landscape both locally and globally.

As always, thank you for your continued support and engagement. We hope you enjoy reading this update and join us in building a more inclusive and impactful future for IP scholarship and practice.

Warm regards,  
The IP Chair Team

### In this update you can expect:

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Event Reports &  
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Recent  
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IP Emerging  
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Postgraduates  
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Local & Global IP  
Highlights

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# Event Reports & Updates

## The Socio-Legal Studies Association (SLSA) Annual Conference 2025



From 15 to 17 April, Dr. Charlene Musiza participated in the Socio-Legal Studies Association Annual Conference hosted by the University of Liverpool.

On 16 April 2025 she presented her postdoctoral research. Her presentation titled 'The role of intellectual property (IP) in cluster policy: fostering innovation and growth in South Africa', explored the gaps in policy and the potential for IP in industrial clusters.

In her presentation she highlighted the importance of integrating IP into South Africa's cluster development strategy. Her presentation began with an overview of South Africa's key industrial clusters, highlighting the geographical concentration around infrastructure. She expanded on the factors that have facilitated the growth of sectors such as automotive, mining, agro-processing, and textiles. She emphasised that while these clusters contribute significantly to South Africa's total exports, the participation of small enterprises remains limited as they often struggle to grow their business.

Central to the discussion was the potential of collective IP rights such as certification marks and collective marks to help clustered enterprises build brand identity, enhance product recognition, and access global markets. Charlene highlighted that the current policy landscape, including the Department of Trade and Industry's Cluster Development Guidelines, fail to address the IP element in business growth, especially for enterprises that face constraints in sustaining market presence.

Drawing on recent policy developments and sectoral data, she explored how collective IP rights can support industrial competitiveness and inclusive economic growth and reiterated the need for IP literacy and institutional coordination. She discussed the appropriate level of government intervention in enabling clusters to use collective IP strategies. Her presentation concluded by emphasising the need for a strategic, inclusive approach to IP in cluster development, an approach that supports market access for small and medium enterprises.

## WIPO Intellectual Property Moot Court Competition



The World Intellectual Property Office (WIPO) held its inaugural IP Moot Court Competition from 23 - 25 April at their headquarters in Geneva. This unique opportunity allowed law students to engage with novel issues arising from the intersection of copyright law, cultural heritage, NFTs, and Generative AI in a simulated court setting, fostering advocacy skills and deepening their understanding of intellectual property law.

Representing the University of Cape Town as 'Team Titan' were Tendai Mikioni, doctoral researcher at the Chair and Boitumelo Kgame, an LLB student. After excelling in the online preliminary rounds held in February 2025, they were among the 12 teams selected to move forward to the main competition stage. In the quarterfinals on April 23, Team Titan argued two intellectually rigorous cases. First, they went head-to-head with the National Autonomous University of Mexico, and later, with the University of Tehran, Iran.

The moot problem focused on a timely legal scenario: whether the use of Generative AI trained on datasets containing culturally significant material to create NFTs violates the copyright of the original creators. Team Titan drew on their skills in legal research, drafting, and oral argument to craft persuasive submissions addressing the interplay between IP law, NFTs, generative technologies, and cultural heritage.

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## Worldwide Symposium on Geographical Indications



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*Prof. Caroline Ncube with Prof. Irene Calboli*

The Worldwide Symposium on Geographical Indications 2025, held in Victoria Falls, Zimbabwe, on May 1–2, brought together a diverse array of policymakers, academics, international experts, and community representatives to engage on pressing issues at the intersection of intellectual property and local development. Jointly organized by WIPO in cooperation with the Government of Zimbabwe and supported by ARIPO, the two-day hybrid event featured high-level addresses, regionally focused updates, and thematic panel sessions. Discussions ranged from the evolving governance and international frameworks for geographical indications (GIs), to their role in tourism, sustainability, and the protection of traditional knowledge and cultural expressions. With rich contributions from across the globe and a strong African presence, the symposium reinforced the importance of GIs as tools for economic empowerment, cultural preservation, and sustainable development.

On 2<sup>nd</sup> May, during the second session of the conference, titled "Geographical Indications and Traditional Knowledge and Traditional Cultural Expressions," Professor Caroline Ncube, NRF-DSI Research Chair in Intellectual Property, Innovation and Development at the University of Cape Town, served as the session moderator. The panel explored diverse global perspectives on the intersections between geographical indications (GIs), traditional knowledge (TK), and traditional cultural expressions (TCEs). The discussion highlighted how GIs can serve as a potential avenue for protecting TCEs, offering insights from Mali, Mexico, and the Lao People's Democratic Republic. Her expert moderation facilitated a rich exchange of experiences and strategies across these distinct cultural and legal contexts.

## Reimagining Cooperation on Trade and Sustainability: An African Perspective

Professor Caroline Ncube attended the Reimagining Cooperation on Trade and Sustainability: An African Perspective symposium, held in Cape Town from 26 to 27 May 2025. Hosted by the Remaking Trade Project in collaboration with the Nelson Mandela School of Public Governance, the two-day forum convened trade scholars, policymakers, and civil society actors to address Africa's evolving role in global trade and sustainable development. Sessions tackled themes including sustainable industrialisation, the critical minerals economy, the intersection of trade and climate change, and the reform of global governance structures. The Chair maintains a strong relationship with the Nelson Mandela School through Dr. Tebogo Lefifi, who serves as both a Junior Research Fellow with the Chair and a Senior Programme Manager at the School. Professor Ncube's participation reflects the Chair's commitment to engaging with regional and continental dialogues that shape inclusive, forward-looking trade and development frameworks.



**Reimagining Cooperation on Trade and Sustainability: An African Perspective**  
Cape Town, South Africa  
26–27 May 2025

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## Workshop on Reconciliation and the United Nations Declaration Act: Indigenous Intellectual Property in Canada and International Developments

Professor Caroline Ncube participated virtually in the international workshop Reconciliation and the United Nations Declaration Act: Indigenous Intellectual Property in Canada and International Developments, held in Moncton, Canada, from 27 to 28 May 2025. Organized by the Maritime Aboriginal Peoples Council (MAPC) and ABS Canada, the hybrid event convened Indigenous leaders, legal scholars, and policymakers to examine how Canada's implementation of the United Nations Declaration on the Rights of Indigenous Peoples intersects with intellectual property reform. Professor Ncube contributed to Day 1 of the workshop with a presentation on South Africa's integrated legislative approach to Indigenous intellectual property, offering insights into the country's hybrid model shaped by the Intellectual Property Laws Amendment Act and the Protection, Promotion, Development and Management of Indigenous Knowledge Act. Her contribution reflected the Chair's commitment to advancing comparative dialogues on Indigenous rights and IP governance across the Global South.



## Colloquium on Race, Refuge and Repair: Rethinking Migration from the Global South

From 29 to 30 May, our Postdoctoral Research Fellow, Dr. Ghati Nyehita, attended the Race, Refuge and Repair: Rethinking Migration from the Global South colloquium, hosted at the University of Cape Town. This two-day international gathering brought together scholars, legal practitioners, and activists to critically explore the intersecting dynamics of migration, racialisation, sovereignty, and decoloniality from a Global South perspective.



With thought-provoking keynotes, plenaries, and panels addressing themes such as colonial legacies in migration governance and the racial politics of mobility and protection, the event created space for rich dialogue and reflection. Dr. Nyehita's participation aligns with her broader postdoctoral research interests in law, equity, and human rights, and contributes to ongoing engagements at the Chair on the socio-legal dimensions of access, inclusion, and justice.

## 2nd Conference on the State of Artificial Intelligence in Africa (COSAA 2025)



The Centre for Intellectual Property and Information Technology Law (CIPIT) at the University of Strathmore hosted the 2nd Conference on the State of Artificial Intelligence in Africa (COSAA 2025) on June 3rd and 4th, 2025, in Nairobi, Kenya. Our team joined the proceedings via zoom. The conference had a rich programme with several keynotes lined up. The opening keynote was presented by Prof Caroline Ncube virtually. The entire conference was live streamed and can be watched on CIPIT's YouTube Channel.

COSAA 2025 raised critical reflections on how Africa should respond to the intersection of AI and intellectual property (IP). Prof. Jake Okechukwu highlighted the challenges open access poses for publishers and creators. He urged Africa to revisit its IP frameworks, deciding what to retain and what to reform, to ensure fair credit and compensation.

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Innovator Mukiri Mwirigi pointed to widespread uncertainty and fear around IP protection, noting that many lack clarity on what is being protected and how. Crucially, speakers challenged Africa to decolonise its understanding of IP. Drawing on African communal identity, they questioned whether AI and IP should mirror Western notions of invention and ownership. Instead, African epistemologies, where knowledge is communal and passed through generations, offer alternative frameworks.

Representation was a strong theme: the need for African stories, voices, and cultural content in datasets was emphasised. Visual and creative artists must lead this charge, ensuring Africa is seen and heard in AI systems.

In relation to agentic AI, Professor Chijioke Okorie, who delivered a Keynote Address, stated that the law will hold individuals responsible for agentic AI liable and subject to imprisonment. To arrive at this conclusion, she based her argument on the analogy of agentic AI to juristic persons (companies), where directors can be convicted despite the juristic person having its separate legal personality.

Regarding innovation, Professor Okorie defined it as the “process of taking an idea from inception to impact.” She dissected AI into two segments in relation to innovation. AI, she argued, can be a tool for innovation, moving from an idea to impact. On the other hand, innovation can also refer to the way AI is designed, developed, and deployed. Professor Okorie also emphasised that owning intellectual property alone is insufficient; we must explore how to leverage such ownership effectively, to get into rooms, and to benefit.

As AI reshapes the world, Africa must reclaim its narrative on its own terms. You can catch the day 1 morning session [here](#) and afternoon session [here](#).

### Ad-Hoc Committee on the AfCFTA Implementation Review Mechanism (AFIRM)

Professor Caroline Ncube participated virtually in the inaugural meeting of the Ad-Hoc Committee on the AfCFTA Implementation Review Mechanism (AFIRM), held from 9 to 11 June 2025 in Mombasa, Kenya. Convened by the AfCFTA Secretariat, the meeting marked the launch of a key initiative aimed at evaluating the progress of State Parties in implementing their trade commitments. Professor Ncube's participation builds on her appointment as a member of the African Continental Free Trade Area (AfCFTA) Trade and Industrial Development Advisory Council, an honour shared by only one other expert from South Africa. Her ongoing contributions to the AfCFTA process reflect the Chair's commitment to shaping continental frameworks for equitable trade, industrial development, and knowledge governance.



### User Rights Symposium 2025: Principles for Progress in Digital Copyright

Professor Caroline Ncube was invited to attend the Global Expert Network on Copyright User Rights Symposium: Principles for Progress in Digital Copyright hosted by American University's Program on Information Justice and Intellectual Property in partnership with South Centre, IFLA, COMMUNIA and others. The symposium took place from 16 to 17 June 2025, at the Geneva Graduate Institute and online, bringing together researchers, library professionals, and government representatives to discuss emerging principles and policy options for digital-era copyright limitations and exceptions. Through plenaries and working sessions, participants shaped a foundational working document outlining objectives to advance the public interest in copyright law, supporting the mandate of WIPO's SCCR.

### 43rd Congress of the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP)

The 43rd Congress of the International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP), held in Copenhagen from 22 to 25 June 2025, was a dynamic forum exploring the intersections of IP and justice. With a packed academic agenda and wide global participation, the event featured rich discussions on cultural heritage, AI governance, access to knowledge, climate justice, and innovation equity.

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The Chair was well-represented at the Congress, with four members contributing substantively to its success. Professor Caroline Ncube, Chairholder, played multiple key roles throughout the event. She served as a discussant in the doctoral student presentation session where Nate Gatora, a doctoral researcher at the Chair, participated in the prestigious doctoral student presentation series, sharing his work titled 'Leveraging Intellectual Property Protection Frameworks to Address Climate Change-Induced Environmental and Health Challenges in the Four Corners of Africa.' His presentation drew attention to the urgent need for contextually grounded IP strategies in response to global ecological crises.

Prof. Caroline chaired the session titled IP & Justice: The Cultural Heritage Lens, which tackled critical questions about the equitable treatment of intangible cultural heritage in IP law. She also co-presented a paper titled IP, Global Health Justice and Vaccine Contracts: Public Interest Litigation as a Pathway to Vaccine Access Equity with Dr. Omowamiwa Kolawole, former postdoctoral research fellow at the Chair and delivered concluding remarks in the final plenary session as part of the Executive Committee roundtable, addressing the socio-economic dimensions of IP justice.



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Dr. Ghati Nyehita contributed to the Congress as a rapporteur in two parallel sessions: IP & Justice: Research Methodologies as a Means to Promote Fairness and IP & Justice: The Impact of AI on IP Frameworks. She also presented her own research in the Young Academy stream, titled Intellectual Property as a Tool for Reparative Justice and Economic Empowerment for Refugee Women in Africa, drawing strong interest from scholars working at the intersections of IP and human rights.

Dr. Charlene Musiza also made a mark with her presentation in the session IP & Justice: Socio-Economic and Gender Gaps, where she shared research on The International Treaty on Plant Genetic Resources for Food and Agriculture: Advancing Sustainability Through the Reconciliation of Farmers' Rights and Plant Breeders' Rights. She further served as rapporteur for the session IP & Justice: Democratic Values and Processes, continuing her engagement with global debates on equitable IP governance.



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## Visiting Researcher Spotlight

In its second term (2024 - 2028), the chair has formalised the hosting of an annual visiting researcher for a period of one to three months. From June - August 2025 we are joined by **Dr. Samuel Ugwumba**.



Dr. Samuel W. Ugwumba is a Visiting Scholar at the IP Chair, Department of Commercial Law, University of Cape Town.

Samuel's research focus is on copyright law and policy in developing countries, and particularly how a re-characterization and understanding of copyright as an institution of cultural governance within the political economy of information production can aid in examining the extent to which copyright pays equal attention—as well as the impediments preventing it from doing so—to economic and social considerations. His contribution to IP discourse, and specifically copyright, is that the critique and analysis of these regimes through a governance theory perspective.

Samuel holds a PhD from University College Cork where he was a Law and Business scholar, and analysed in his doctoral thesis the historical, normative, and policy landscape that render copyright impervious to social concerns. His thesis was supervised by Dr. Darius Whelan and externally examined by Professor Fiona Macmillan. He also holds an LLM from Columbia Law School where he was a Burton Memorial Fellow and editor for the Columbia Business Law Review, and Columbia Journal of Race and Law.

Samuel is also a real estate developer with a significant portfolio in affordable housing. He has also produced a couple of Nollywood movies and enjoys playing tennis.

## Recent Publications



**Musiza, C.** (2025, June). *Transforming small businesses via clusters and collective intellectual property rights*. Human Sciences Research Council of South Africa. <https://hsrc.ac.za/wp-content/uploads/2025/06/Charlene-Musiza-PB-external.pdf>

In a continued effort to integrate research into policy processes, the HSRC, in collaboration with the NRF, launched a focused initiative to strengthen the policy engagement capacities of early-career researchers. As part of this partnership, Dr. Musiza's brief explores how industrial clusters and collective IPRs like certification and collective marks can be leveraged to support small and medium enterprises (SMEs) in South Africa, addressing key barriers such as limited financing, market access, and complex regulations.

Dr Musiza draws on extensive research from her PhD and her ongoing postdoctoral fellowship at the Chair.



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# IP Emerging Researchers and Postgraduates Symposium 2025



## Coming Soon: Emerging Voices in IP Law – Celebrating a Decade of Scholarship

As part of the 10th anniversary celebration of the South African Intellectual Property Law Journal, the DSI-NRF SARCHI Chair in Intellectual Property, Innovation and Development is proud to announce the inaugural **IP Law Emerging Researchers and Postgraduates Symposium**, to be held from **7 to 11 July 2025** at the University of Cape Town.

This landmark symposium will serve as a unique platform for early career African scholars and postgraduate students to present, refine, and publish their research in a dynamic, collaborative environment. With its central theme, *"Intellectual Property in Africa: Catalysing Development, Innovation, and Sustainability in the 21st Century,"* the symposium will provide a critical space to reflect on the evolving intellectual property (IP) landscape on the continent and its role in Africa's developmental aspirations.

Participants will engage with pressing topics that span the full breadth of contemporary IP discourse, including the implications of the African Continental Free Trade Area (AfCFTA) IP Protocol, the role of IP in achieving the Sustainable Development Goals, the potential of frontier technologies and artificial intelligence, and the preservation of Africa's rich traditional knowledge and genetic resources. Writing and discussion sessions will support emerging researchers in developing their papers for possible inclusion in a special anniversary edition of the journal, due to be published in late 2025.

This event also aims to build a community of new African IP scholars whose work advances inclusive policy thinking and promotes Africa-centric approaches to global challenges. Selected participants whose abstracts were accepted earlier this year will receive partial travel and accommodation support, ensuring broader regional representation.

Beyond marking a publishing milestone, the symposium reflects the Chair's long-standing commitment to mentoring emerging researchers and amplifying African voices in global intellectual property debates. By investing in the next generation of scholars, the Chair continues to shape the future of IP law and policy in Africa—centering innovation, equity, and sustainability.

Stay tuned for highlights and reflections from what promises to be a vibrant and inspiring gathering.

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## IP Highlights: 2nd Quarter 2025

In this section, we take a closer look at the key developments and significant events in the realm of intellectual property (IP) from the third quarter of the year. Our highlights encompass both local and global perspectives, showcasing important policy changes, landmark cases, and emerging trends that are shaping the IP landscape.

### April

South Africa joined the global celebration of World Intellectual Property Day on 26 April under the theme "IP and Music – Feel the Beat". The DTIC, CIPC, SAMRO, and academic partners hosted events in KwaZulu-Natal and across the country, spotlighting the vital role of IP in safeguarding musicians' creative rights and supporting South Africa's burgeoning music industry.

A report by the EU-WIPO IP Helpdesk published on 25 April emphasized the increasing significance of patents in driving South Africa's renewable energy sector. Especially through the REIPPPP, more than 17,800 MW of renewable generation is projected by 2030—underpinned by locally patented innovations in wind turbines, solar systems, batteries, and charging infrastructure.

### May

Effective 1 March, the African Regional Intellectual Property Organization (ARIPO) implemented major amendments to the Harare Protocol. Notable changes include revised administrative fees and a new "divergent claims" mechanism, allowing patent applicants greater flexibility by tailoring claims to individual designated member states, enhancing regional access to IP protection.

### June

A recent legal battle between AstraZeneca (AZ) and Glenmark in the UK courts has resulted in a series of rulings concerning interim injunctions aimed at preventing the entry of generic drugs into the market. These rulings offer valuable insights into how the principles from the *American Cyanamid* case are applied in such scenarios. Notably, they highlight the significance of maintaining the status quo, especially when the court cannot confidently determine which party is more likely to suffer irreparable harm from insufficient damages, and when the injunction is likely to remain in place for only a brief period.

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# In Closing

As the first half of 2025 draws to a close, we pause to reflect not only on the activities completed but also on the momentum we've built. From sustained contributions to regional and global dialogues, to supporting emerging voices in IP scholarship, this quarter has underscored the Chair's commitment to engaged, forward-looking research.

Our collective efforts continue to be shaped by a growing network of collaborators, partners, and students; each advancing the conversation around innovation, equity, and knowledge governance in Africa and beyond. We now look ahead with anticipation to the second half of the year, which promises to be as purposeful as it is busy.

Thank you for continuing this journey with us.

*Thank you for reading!*

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