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**Council for Trade-Related Aspects of
Intellectual Property Rights**

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PRIORITY NEEDS FOR TECHNICAL AND FINANCIAL COOPERATION

Communication from Senegal

According to paragraph 2 of the Decision of 29 November 2005 on the Extension of the Transition Period under Article 66.1 for Least-Developed Country Members, "all the least-developed country Members will provide to the Council for TRIPS, preferably by 1 January 2008, as much information as possible on their individual priority needs for technical and financial cooperation in order to assist them taking steps necessary to implement the TRIPS Agreement".

This document reproduces the information which has been received from the delegation of Senegal by means of a communication dated 1 June 2011, and circulated as an advance copy for the TRIPS Council Meeting of 7 June 2011.

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LIST OF ABBREVIATIONS

ADEPME	SME Development and Support Agency
TRIPS	Trade-Related Aspects of Intellectual Property Rights
ARESA	National Agency for Applied Scientific Research
ASPIT	Senegalese Agency for Industrial Property and Technological Innovation
ASPLA	Senegalese Agency for Literary and Artistic Property
BNLCP	National Bureau to Combat Piracy and Counterfeiting
CAIT	Innovation and Technology Support Centre
CCIA	Chamber of Commerce, Industry and Agriculture
CFJ	Judicial Training Centre
CNPCI	National Council for the Coordination of Intellectual Property
R&DC	Research and Development Centres
IPRs	Intellectual property rights
DTIS	Diagnostic Trade Integration Study
ENA	École nationale d'Administration
FDI	Foreign direct investment
GI	Geographical indication
ISRA	Senegalese Agricultural Research Institute
CMs	Collective marks
AIPO	African Intellectual Property Organization
WTO	World Trade Organization
WCO	World Customs Organization
WIPO	World Intellectual Property Organization
WDA	WIPO Development Agenda
IP	Intellectual property
LDC	Least developed countries
SME	Small and medium enterprises
SMI	Small and medium industries
PNDPI	National Intellectual Property Development Plan
R&D	Research and development
SGCDA	Copyright Collective Management Society
ICT	Information and communication technology
UCAD	Cheikh Anta Diop University, Dakar

I. INTRODUCTION

1. The WTO TRIPS Council Decision of 29 November 2005 extended the transition period for least developed countries (LDCs) to implement the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) until 1 July 2013. At the same time, LDCs are not obliged, with respect to pharmaceutical products, to implement or apply Sections 5 and 7 of Part II of the TRIPS Agreement or to enforce rights provided for under those Sections until 1 January 2016. In both cases, LDCs have reserved the right to seek further extensions of these transition periods.

2. Paragraph 2 of the 29 November Decision invited LDC Members, including Senegal, to provide as much information as possible to the Council, preferably by 1 January 2008, on their individual priority needs for technical and financial cooperation in order to assist them in taking steps necessary for implementing the TRIPS Agreement. As part of its biennial Technical Assistance Plan for 2010-2011, the WTO has planned and started implementing several activities aimed at providing LDC Members with support and advice in identifying their priority needs to be communicated to the TRIPS Council. Thus, from 9 to 11 November 2010 Dakar hosted a regional workshop organized by the WTO for LDC Member countries and observers from French-speaking Africa in the framework of the assessment of priority needs to implement the TRIPS Agreement.

3. As the World Intellectual Property Organization (WIPO) Annual Assemblies have recently re-emphasised in approving the organization's new Development Agenda, intellectual property rights (IPRs) should be a tool for development and an integrated part of national policies and programmes on education, science and technology; industrialization; agriculture and the environment; the protection of culture and the encouragement of innovation.

4. At the General Assembly held in 2007, the WIPO member States adopted 45 recommendations of the WIPO Provisional Committee on Proposals Related to a WIPO Development Agenda (PCDA). The 45 adopted recommendations were grouped into the following clusters:

- Cluster A: Technical Assistance and Capacity Building
- Cluster B: Norm-setting, flexibilities, public policy and public domain
- Cluster C: Technology Transfer, Information and Communication Technologies (ICT) and Access to Knowledge
- Cluster D: Assessment, Evaluation and Impact Studies
- Cluster E: Institutional Matters including Mandate and Governance
- Cluster F: Other Issues

5. Among other things, the Assembly decided that WIPO technical assistance should be, *inter alia*, development-oriented, demand-driven and transparent, taking into account the priorities and the special needs of developing countries, especially LDCs, as well as the different levels of development of Member States, and activities should include time frames for completion. In this regard, design, delivery mechanisms and evaluation processes of technical assistance programmes should be country specific.

6. It is in this context that WIPO supported certain countries, including Senegal, in drawing up national intellectual property development plans.

II. NATIONAL CONTEXT

A. INTELLECTUAL PROPERTY: POLITICAL AND LEGAL FRAMEWORK

7. Senegal has a fairly substantial legal framework for intellectual property. It consists of legal texts that deal with the subject matter directly or others that address only certain aspects of IPRs. Senegal is also a party to several international, regional and multilateral agreements and treaties on IP currently in force.

1. Domestic legislation

- Law No. 2008-09 of 25 January 2008 on Copyright and Related Rights
<http://www.wipo.int/wipolex/en/details.jsp?id=5764>
- Act No. 2008-12 on the Protection of Personal Data
<http://www.wipo.int/wipolex/en/details.jsp?id=6229>
- Law No. 2008-11 on Cybercrime
<http://www.wipo.int/wipolex/en/details.jsp?id=6226>
- Guidance Law on Information Society
<http://www.wipo.int/wipolex/en/details.jsp?id=6338>
- Senegalese Customs Code
<http://www.wipo.int/wipolex/en/details.jsp?id=6219>
- Basic Law No. 65-60 of July 1965 (Penal Code of the Republic of Senegal)
<http://www.wipo.int/wipolex/en/details.jsp?id=6336>
- Decree No. 2004-733 of 21 June 2004 establishing a Public Registry of Cinematography and Audiovisual Works
<http://www.wipo.int/wipolex/en/details.jsp?id=6224>

2. Regional legislation

- Charter for African Cultural Renaissance
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=21&treaty_id=309
- Cultural Charter for Africa
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=21&treaty_id=308
- Bangui Agreement (AIPO)
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=21&treaty_id=227

3. Multilateral texts

- Singapore Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=30
- Trademark Law Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=5

- Madrid Protocol
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=8
- Budapest Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=7
- Brussels Convention
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=19
- Performances and Phonograms Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=20
- Copyright Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=16
- Nairobi Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=22
- Hague Agreement
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=9
- Patent Cooperation Treaty
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=6
- WIPO Convention
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=1
- Paris Convention
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=2
- Berne Convention
http://www.wipo.int/wipolex/en/wipo_treaties/details.jsp?treaty_id=15
- Optional Protocol to the Convention on the Rights of Persons with Disabilities
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=260
- United Nations Convention on the Use of Electronic Communications in International Contracts
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=300
- United Nations Convention on Jurisdictional Immunities of States and their Property
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=259
- Convention on the Rights of Persons with Disabilities
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=258
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=285
- International Treaty on Plant Genetic Resources for Food and Agriculture
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=255

- Convention Relating to the Status of Stateless Persons
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=290
- International Plant Protection Convention
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=276
- WHO Framework Convention on Tobacco Control
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=275
- Kyoto Protocol to the United Nations Framework Convention on Climate Change
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=278
- Stockholm Convention on Persistent Organic Pollutants
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=265
- Cartagena Protocol on Biosafety
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=256
- Convention on Biological Diversity
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=254
- United Nations Framework Convention on Climate Change
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=268
- Agreement Establishing the World Trade Organization (WTO)
http://www.wto.org/english/docs_e/legal_e/04-wto.pdf
- Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement)
http://www.wto.org/english/docs_e/legal_e/27-trips.pdf
- United Nations Convention on the Law of the Sea
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=291
- Protocol (II) additional to the Geneva Conventions of 12 August 1949
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=282
- Protocol (1) additional to the Geneva Conventions of 12 August 1949
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=281
- Convention on Transit Trade of Landlocked States
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=293
- Convention concerning the Protection of the World's Cultural and Natural Heritage
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=289
- Universal Copyright Convention 1971
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=205
- Protocol 1 Annexed to the Universal Copyright Convention 1952
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=209

- Protocol 1 Annexed to the Universal Copyright Convention 1971
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=206
- Protocol 2 Annexed to the Universal Copyright Convention 1971
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=207
- Universal Copyright Convention 1952
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=208
- Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 1949
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=277
- Convention (IV) relative to the Protection of Civilian Persons in Time of War of 1949
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=280
- Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 1949
http://www.wipo.int/wipolex/en/other_treaties/details.jsp?group_id=22&treaty_id=279

8. This legal arsenal needs a certain amount of adapting and updating, and the texts administered by bodies with remits that touch on IP issues (Trade, Customs) need to be reviewed or supplemented.

B. ADMINISTRATION OF IPR

9. There are a number of obstacles in the path of IP development, one being that several bodies deal with these matters and coordination between them is a problem for users of the system (SME-SMI, R&DC and cultural players).

10. The bodies involved are: the Ministries of Industry, Culture, the Interior, Scientific Research, Trade, and Higher Education (Cheikh Anta Diop University, Dakar - UCAD). There is also civil society.

11. Furthermore, the institutional framework has problems regarding the availability of material and financial resources, creating and building the capacities of players (staff and rights holders), IP teaching in higher education, and the development of research.

C. MEANS OF ENFORCING IPRS

12. In order to set up a framework for more effective enforcement of IPRs in Senegal, the main stakeholders have identified a number of priority needs for technical and financial cooperation: organization of awareness-raising campaigns; training for the staff of bodies responsible for rights enforcement, including the police, customs, and the judiciary; provision of detection and testing equipment; development of IPR enforcement manuals for the main enforcement agencies; access to case law and research resources for the commercial courts, including through the establishment of a special IP section.

D. INNOVATION, CREATIVITY AND TECHNOLOGY TRANSFER FOR DEVELOPMENT

13. Senegal has the potential for innovation and creation. Unfortunately, it has not managed to set up a suitable IP regime. The public sector has a dominant role in research initiatives, while the private sector uses the results without really participating. Yet, public sector R&D is unable to meet growing market demand. Most of the country's industries suffer from inadequate development, in

particular because the necessary R&D facilities are lacking. Although the technologies used are for the most part imported, technology transfer is extremely limited. Virtually no patents are registered locally.

14. Technology transfer undeniably plays a vital role in the overall development of a country. Institutional linkage between our local research institutions and that of international organizations needs to be more deeply rooted.

15. Although Article 66.2 of the TRIPS Agreement requires developed country Members to provide incentives to encourage technology transfer to LDCs for the purpose of capacity building, its enforceability remains a problem.

III. NATIONAL INTELLECTUAL PROPERTY DEVELOPMENT PLAN

16. The National Intellectual Property Development Plan (PNDPI) can be described as a strategy for IP development which aims to create a framework in Senegal to protect and promote the IP system so that it can be used effectively in implementing the country's economic, social and cultural development policy. It will also monitor the setting up and strengthening of the bodies responsible for the promotion of intellectual creations.

17. In order to achieve this overall aim, the following specific objectives will be pursued:

- Turn IP into a driving force behind technology transfer;
- provide economic operators with effective protection of their IP assets;
- foster the development of a critical mass of property titles;
- establish a legislative framework that is conducive to the promotion and protection of invention and innovation;
- establish a framework conducive to the modernization of the bodies responsible for managing and administering intellectual property assets;
- strengthen the protection of related rights;
- combat counterfeiting and piracy more efficiently;
- build the IP capacity of public and private institutions;
- provide for an integrated research/enterprise system;
- acquire standard IP skills;
- promote the teaching of IP in universities and colleges.

18. To that end, the PNDPI is pursuing four major objectives corresponding to priority areas of action, namely:

- Strengthening the legislative and regulatory framework;
- modernizing IP administration;

- promoting the use of IP by companies;
- promoting IP in the education and research sector.

19. The main results expected from the PNDPI can be summarized as follows:

- Improved legal context harmonized with the objectives, principles, rights, obligations and flexibilities set out in the TRIPS Agreement as well as other commitments to international and regional IP standards;
- modern, service-oriented, and accessible and automated administration services for IPRs available for enterprises, creators and inventors in Senegal;
- strengthened institutional framework and improved national IP coordination mechanism;
- increased awareness and use of IP as a tool for economic development and integration;
- structured expansion of IP education, training and research institutions within a common national network;
- increased capacities for effective and efficient enforcement and regulation of IPRs among the bodies responsible, such as the police, public prosecutors and the judiciary.

A. IMPLEMENTATION MODALITIES

20. Addressing the identified problems, needs and challenges will be a long-term undertaking in Senegal, and needs to be addressed in a comprehensive, gradual and sustainable manner. There is no "quick fix" solution.

21. The PNDPI, phased over five years, with a detailed, external mid-term review, which will allow for genuine capacity development in Senegal's national IP system and legal, regulatory and administrative institutional infrastructure, is an appropriate response.

22. To achieve the expected results and objectives, the PNDPI programme will support a number of activities in the form of eight programmes under the four clusters mentioned above.

Programme 1: Modernization of the Senegalese Agency for Industrial Property and Technological Innovation (ASPIT), creation of the Senegalese Agency for Literary and Artistic Property (ASPLA) and the Copyright Collective Management Society (SGCDA).

Programme 2: Legislative and regulatory measures.

Programme 3: Logistical and material support.

Programme 4: Training and awareness raising.

Programme 5: Human capacity building.

Programme 6: Providing Small and Medium Enterprises/Industries (SME-SMI) with appropriate technologies.

Programme 7: Support for research and development centres, universities and colleges.

Programme 8: Teaching of IP at universities and colleges.

23. Implementation of the PNDPI could be assisted and coordinated by the National Council for the Coordination of Intellectual Property (CNPCI). It will be the role of the CNPCI to supervise the IP system, monitor the system as a whole, keep the State informed regarding the implementation of the PNDPI, and lead the audit of the bodies involved in implementation. It will comprise representatives of the Office of the President of the Republic, of the Prime Minister's Office, of the Ministries of Culture, Industry, Justice, Higher Education, Trade, Agriculture, the Interior, Health, and the Environment, and of the Chamber of Commerce.

24. The Council will work in close cooperation with the development partners and a network of designated contact points in each of the participating institutions. It will be responsible for specifying, managing and coordinating all programme activities, and for financial management, procurement, work planning and reporting.

25. Development partners, including potentially multilateral organizations and WTO Members (national IP offices, development agencies, innovation, technology research institutes, and education organizations), will be requested to provide experts for specific PNDPI programme activities. The CNPCI will use financial support from development partners to procure consultancy services from international and national experts and academics in the fields of IP law, economics, administration, education and training, enforcement, and management.

B. CONCLUSION AND OUTLOOK

26. A memorandum for the implementation of Senegal's PNDPI was recently signed with WIPO for an amount of CFAF 8.5 billion. The memorandum establishes a framework for cooperation with WIPO which will enable the State of Senegal to create an environment conducive to IP development.

27. However, it should be pointed out that, on the one hand, there has as yet been no real commitment to implementing the activities of the various programmes covered in the PNDPI and, on the other, the needs expressed in the context of the PNDPI will in all likelihood expand, which would mean funding beyond the estimated amount for the PNDPI. Hence the need to include the programmes already identified under the PNDPI among the priority needs Senegal has expressed in view of the impending implementation of the TRIPS Agreement.

28. Senegal will have to take account of the needs thus identified when it next updates its Diagnostic Trade Integration Study (DTIS) and Action Matrix, so that partial funding can be obtained through broader initiatives for LDC support, in particular the Aid-for-Trade initiative and the Enhanced Integrated Framework (EIF). Initiatives such as these afford opportunities to strengthen and coordinate efforts made to meet the individual priority needs identified by LDCs in the area of TRIPS.

29. Thus, Senegal has formulated an IP development programme that identifies particular areas of action requiring technical and financial assistance. It welcomes such aid as the multilateral institutions and WTO Members may provide for the programme's implementation.

30. This document has two annexes. Annex A highlights the main priorities in terms of financial and technical elements allowing the necessary steps to be completed for implementation of the

TRIPS Agreement, taking as a basis the intellectual property development strategy worked out from the responses and suggestions made in the course of consultations with the various stakeholders and in the context of talks held at national level. The needs evaluation covers IP policy and legal framework, administration, IPR observance and regulation, the promotion of innovation, technology transfer incentives and the use of intellectual property as a tool for development.

31. Annex B contains an indicative time-frame of a long-term national programme aimed at IPR capacity building in keeping with Senegal's needs.

Annex A

Priority needs for technical and financial cooperation to take steps necessary to implement the TRIPS Agreement

1. Administration of IPR

- Creation of a National Council for the Coordination of Intellectual Property (CNPCI) to ensure better coordination of national IP policy;
- creation of the Senegalese Agency for Literary and Artistic Property (ASPLA) to advise the State and policymakers on literary and artistic property matters;
- creation of the Copyright Collective Management Society (SGCDA) as foreseen by Law No. 2008-09 of 25 January 2008 on copyright and related rights;
- creation of an Innovation and Technology Support Centre (CAIT) to provide support for researchers and inventors;
- building and furnishing of ASPIT and ASPLA headquarters;
- upgrading of the Ministry of Trade Laboratory for better handling of IP-related tests;
- supply of rolling stock and equipment to the services and authorities in charge of intellectual property matters to help them to be more operational and efficient in carrying out their tasks;
- developing human resources in the CNPCI, ASPIT, ASPLA, CNPCI and SGCDA. Staff in these different bodies will require on-the-job training in IPR administration, patent information services, strategic and business planning, financial management and accrual accounting, human resources management, information technology skills, and communications on an ongoing basis.

2. IP Policy and Legal Framework

- Adoption of the laws on patronage and the status of the artist in order to provide artists with a favourable working environment while at the same time opening up opportunities for financing;
- accession to certain international conventions with a view to completing the national legal arsenal and enjoying the advantages involved;
- development of domestic legislation on the practice of traditional medicine;
- coordination of IP policy development. While several aspects of the basic elements of the IPR legal framework are already in place, and new draft laws and regulations are being prepared, what is missing is an over-arching national IP policy framework developed and supported by all interested stakeholders, and covering the policy linkages between IP and public health; agriculture and the environment including plant variety protection; education, science and technology; enterprise development and regulation, competition, and the protection of Senegal's rich cultural heritage and

traditional knowledge. Financial and technical assistance is required to design and implement a comprehensive, coherent and inclusive national IP policy development and consultation process;

- creation of an IP observatory within the CNCPI to keep the government and partners informed of IP-related developments in the country;
- training for policymakers on IPR concepts, international IPR conventions and best practices from other countries. Technical assistance is required to launch an intensive phase of human resources development for government officials, the private sector and civil society. What is needed is theoretical and practical training, tailored to the needs of policymakers, on basic IP concepts, the international framework for IPR protection (TRIPS Agreement and other principal international IP conventions including obligations, flexibilities, safeguards and exceptions applicable to Senegal), key challenges (benefits, costs and risks) for developing countries implementing stronger IP protection and best practices from other countries. Educating government officials and other relevant stakeholders in basic concepts of intellectual property rights is essential to raise awareness and understanding of IPRs in general, their value and how they can be used in the interest of furthering Senegal's local and regional development.

3. Enforcement of IPRs

- Improving consumer education and public awareness about IPRs. There is a medium-term need for technical and financial assistance to support public education and awareness-raising campaigns throughout Senegal on IPRs, including obligations, flexibilities, safeguards and exceptions. Campaigns should be professionally designed and use well-defined messages to target different audiences appropriately, e.g. consumers, businesses and traders, artists and musicians, radio and television broadcasters, the academic community, manufacturers, researchers and legal and business service professionals. Such campaigns should include participation from private sector and right holders' organizations as well as consumer associations;
- strengthening of the National Bureau to Combat Piracy and Counterfeiting (BNCLP) by creating synergy with the agencies and authorities responsible for protecting IPRs;
- training of enforcement agencies and right holders' organizations in IPR concepts, national legislation and enforcement strategies. There is a need for technical cooperation and financial support for the "training of trainers" in IP concepts, national legislation and regulations and enforcement matters for the full range of enforcement authorities and such other organizations that play important roles in contributing to effective enforcement of IPRs. These include the police, Customs, the Trade Administration, the Senegalese Standards Association, and potentially the military. Specialized training is needed for the Office of the Public Prosecutor. In addition, support is needed for "training of trainers" on IPR enforcement strategies for other interested organizations (governmental and private sector) including, for example, the Ministry of Health's Directorate of Pharmacy (authority for regulatory compliance of pharmaceuticals);
- training of producers in geographical indications (GIs) and collective marks (CMs) to raise their awareness of the economic interests involved;

- training of pilot operators in licensing techniques and the use of patent documents to ensure technological monitoring of companies;
- training of staff from ASPIT, the Food Technology Institute, ISRA, and academic circles in research and the use of industrial design documentation;
- awareness raising of traditional healers and training to preserve the environment and traditional knowledge in order to safeguard the wealth and diversity of the natural cultural heritage;
- IP training for employers and GI/CM experts;
- IP documentation for employers, the Chamber of Commerce, Industry and Agriculture (CCIA), SME/SMI support structures, judges and judicial assistants;
- organization of study trips for staff from ASPIT, ASPLA and research institutes;
- enhancement of cooperation with foreign enforcement agencies on counterfeiting and piracy. Financial and technical assistance is needed to ensure coordination of border measures between Senegal and its neighbouring countries. A study should be undertaken to determine the feasibility of establishing a network mechanism between countries for greater coordination and cooperation between the IP offices, and customs and police authorities;
- strengthening of regional and international structures for technical assistance in the IP area (including training);
- training of focal points (ASPIT, ITA, ASPLA, ISRA, UCAD and employers) and training of a group of journalists and organizers in IPR in order to disseminate IP culture within the country;
- integration of IP teaching in the curricula of Senegalese universities, advanced vocational training centres, the École nationale d'Administration (ENA), the Judicial Training Centre (CFJ), management schools, etc., as this will contribute to providing the country with senior managerial staff in the IP area. The focus will be on supporting undergraduate, postgraduate and doctoral teaching and supervision capacity and on investigating the socio-economic impacts, international experiences in other countries, and identification of the optimum legal and regulatory framework for their administration. The subject matter to be covered would include the full range of intellectual property issues, including new and evolving areas, such as ensuring improved access to medicines, technology transfer concepts, protection of traditional knowledge, exploitation of geographical indications, access to genetic resources, and the evolution of copyright and potentially new forms of rights in the digital environment.

4. Innovation, creativity and technology transfer for development

- Strengthening of the human and material capacity of approved seed companies in order to obtain quality seeds;
- identification, coding and promotion of cultural expressions to preserve, protect and promote the national cultural heritage;

- support for cultural industries by providing them with a secure, investment-friendly environment;
- support for the IP programme of ADEPME and the Chambers of Commerce to encourage innovation and speed up the registration of patents with the African Intellectual Property Organization (OAPI);
- development of business education and awareness about IP for SMEs. There is a long-term need for technical and financial assistance for education and awareness-raising campaigns in basic IP concepts, using IP for development, and the management of IP, for SMEs across Senegal, but targeting the creative industries (copyright and related rights), in particular the agricultural (plant varieties, trademarks, geographical indications), commercial and manufacturing (trademarks and patents) sectors. Activities should be professionally designed and should appropriately target the different segments concerned and their support communities (e.g. creators of IP, business service providers, government research facilities, university researchers, and legal and financial service professionals). Finally, there is a specific need for technical and financial assistance to improve the quality and availability of local business consultancy and support organizations to offer improved services in IP management by SMEs in Senegal, again targeting the sectors described above;
- establishment of a technology monitoring centre and a technology transfer centre to help stimulate business innovation and creativity while favouring cooperation with foreign companies;
- development of a patent information service to support innovation and technology transfer. Technical cooperation and financial assistance are needed to design and implement a computerized and online patent information service in Senegal. The patent information service should include the facility for advanced searching of up-to-date global patent databases to identify technologies and technological information of importance for innovation and technology transfer to support industrial development in key sectors (e.g. manufacturing, energy, agriculture, mining, fisheries, and forestry).
- making public domain technologies available to the Research and Development Centres (R&DC), and creation of a museum of inventions. Indeed, in the context of establishing and strengthening a domestic, creative and innovative base, it is important to attract technology and to absorb and adjust it for local needs. It is important to build upon knowledge available within the public domain.
- support for the activities of the National Agency for Applied Scientific Research (ARESA) and reduction in the cost of patent registration. This would enable ARESA to provide its researchers with better support in their activities while at the same time helping them to make their results more secure, thereby contributing to the development of applied research.

Annex B

Indicative Timetable

STRATEGIC GOALS AND OBJECTIVES	IDENTIFIED NEEDS FOR TECHNICAL AND FINANCIAL ASSISTANCE	PROPOSED MAIN ACTIVITIES TO ADDRESS NEEDS	LEAD NATIONAL AGENCIES	PROVISIONAL TARGET TIMETABLE
<p><u>Project No. 1:</u></p> <p>Modernizing IP administration infrastructure</p>	<p>Developing an optimal business model for intellectual property administration in Senegal by benchmarking against international best practice. Establishment of the CNPCI, ASPLA and SGCD. Creation of CAIT. Development of human and material resources in the above-mentioned entities.</p>	<ul style="list-style-type: none"> • Creation of a National Council for the Coordination of Intellectual Property (CNPCI). • Creation of the Senegalese Agency for Literary and Artistic Property (ASPLA). • Creation of the Copyright Collective Management Society (SGCDA). • Creation of the Innovation and Technology Support Centre (CAIT). • Upgrading of the Ministry of Trade's analysis laboratory. • Supply of rolling stock and equipment to the services and authorities in charge of intellectual property matters. • Staff recruitment, design and implementation of training programmes. • Human resources development in the CNPCI, ASPIT, ASPLA, CNPCI and SGC. • Building and furnishing ASPIT and ASPLA headquarters. 	<ul style="list-style-type: none"> • Ministry of Industry • Ministry of Culture • Ministry of Health • Ministry of Scientific Research • Ministry of Finance • Ministry of Foreign Affairs 	<p align="center">2011-2013</p>

STRATEGIC GOALS AND OBJECTIVES	IDENTIFIED NEEDS FOR TECHNICAL AND FINANCIAL ASSISTANCE	PROPOSED MAIN ACTIVITIES TO ADDRESS NEEDS	LEAD NATIONAL AGENCIES	PROVISIONAL TARGET TIMETABLE
<p>Project No. 2: Updating IP policy and legal framework</p>	<p>Coordination and development of national IP support policy. Strengthening of the IP policy and legal development and coordination capacity in the Ministries of Industry, Culture, and Trade. Accession to certain legal instruments. Support for the training of policymakers on IPR concepts, TRIPS and international IPR conventions. Support for IP legislative reform and policy coherence. Regular and effective participation of Senegal in meetings of the WTO TRIPS Council and WIPO as well as all related negotiations.</p>	<ul style="list-style-type: none"> • Adoption of laws on patronage and the status of the artist. • Development of domestic legislation on the practice of traditional medicine. • Accession to certain international conventions with a view to completing the national legal arsenal. • Coordination of the development of IP policy. • Creation of an IP observatory within the CNCPI. • Training for policymakers on IPR concepts, international IPR conventions and best practices from other countries. 	<ul style="list-style-type: none"> • Ministry of Industry • Ministry of Culture • Ministry of Justice • Ministry of Trade • Ministry of Health • Ministry of Agriculture • Ministry of Scientific Research • Universities • Civil society and private sector 	<p>2011-2013</p>
<p>Project No. 3: Strengthening IP enforcement and regulation regime</p>	<p>Organization and implementation of communication/awareness-raising campaigns. Training and qualification of private and public sector attorneys and agents. Training of enforcement agencies and right-holders' organizations in IPR concepts, national legislation and IPR enforcement strategies. Enhancing cooperation with foreign enforcement agencies on counterfeiting and piracy. Development of a multidisciplinary IP policy teaching, research and analysis capacity in the academic community.</p>	<ul style="list-style-type: none"> • Design, implementation and monitoring of medium-term public education and awareness-raising campaigns on IPRs targeting different audience segments and using a range of media. • Strengthening of the National Bureau to Combat Piracy and Counterfeiting (BNCLP). • Design and implementation of medium-term training programmes for enforcement agencies, including classroom based and on-the-job training on national legislation and IPR enforcement strategies, training of trainers, and study trips. • Training of producers in geographical indications (GIs) and collective marks (CMs). 	<ul style="list-style-type: none"> • Ministry of the Interior • Directorate-General of Customs • ASN • Ministry of Trade • The National Gendarmerie • The Public Prosecutor's Office, administrative authorities • Private sector, Ministry of Health 	<p>2011-2013</p>

STRATEGIC GOALS AND OBJECTIVES	IDENTIFIED NEEDS FOR TECHNICAL AND FINANCIAL ASSISTANCE	PROPOSED MAIN ACTIVITIES TO ADDRESS NEEDS	LEAD NATIONAL AGENCIES	PROVISIONAL TARGET TIMETABLE
		<ul style="list-style-type: none"> • Training of pilot operators in licensing techniques and the use of patent documents to ensure technological monitoring of companies. • Training of staff from ASPIT, ITA, ISRA and the UCAD in research and the use of documentation on industrial creation. • Awareness raising of traditional healers and training to preserve the environment and traditional knowledge. • IP training for employers and GI/CM experts. • IP documentation for employers, the CCIA, the SME/SMI support structures, judges and judicial assistants. • Enhancement of cooperation with foreign enforcement agencies on counterfeiting and piracy. • Access by the customs authorities of Senegal to World Customs Organization (WCO) databases that are used to identify counterfeit trademarks. Technical cooperation from the WCO and Interpol would be required to establish this system and train staff in its use. • Training of focal points (ASPIT, ITA; ASPLA, ISRA, UCAD and employers); training of a group of journalists and organizers in IPR in order to disseminate IP culture within the country. 		

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		<ul style="list-style-type: none"> Integration of IP teaching in the curricula of Senegalese universities, advanced vocational training centres, the ENA, the CFJ, management schools, etc. 		
<p>Project No. 4:</p> <p>Using IP for development, promoting innovation, creativity, and technology transfer</p>	<p>Improving business education and awareness about IP for SMEs, targeting the creative industries (copyright and related rights), and the agricultural (plant varieties, trademarks, geographical indications) and manufacturing (patents and trademarks) sectors in particular.</p> <p>Development of a patent information service to support innovation and technology transfer.</p> <p>Identification of a potential economic value of national creative and cultural industries.</p> <p>Development of IP management policies and procedures for national universities and research institutes.</p>	<ul style="list-style-type: none"> Strengthening the human and material capacity of approved seed companies in order to obtain quality seeds. Identification, coding and promotion of cultural expressions to preserve, protect and promote the national cultural heritage. Support for cultural industries by providing them with a secure, investment-friendly environment. Support for the IP programme of ADEPME and the Chambers of Commerce to encourage innovation and speed up the registration of patents with the OAPI; development of business education and awareness about IP for SMEs. Establishment of a technology monitoring centre and a technology transfer centre to help stimulate business innovation and creativity while favouring cooperation with foreign companies. Development of a patent information service to support innovation and technology transfer. Making public domain technologies available to Research and Development Centres (R&DC). Support for the activities of ARESA and reduction in the cost of patent 	<ul style="list-style-type: none"> Ministry of Industry Ministry of Agriculture Ministry of Scientific Research Private sector 	<p>2011-2013</p>

STRATEGIC GOALS AND OBJECTIVES	IDENTIFIED NEEDS FOR TECHNICAL AND FINANCIAL ASSISTANCE	PROPOSED MAIN ACTIVITIES TO ADDRESS NEEDS	LEAD NATIONAL AGENCIES	PROVISIONAL TARGET TIMETABLE
		<p>registration.</p> <ul style="list-style-type: none"> • Scoping study to examine domestic measures (tax incentives, etc.) to promote innovation and opportunities for technology licensing and contract-based research; development of local incentives for FDI; design of support programmes in priority R&D sectors. 		
