

# ***MAURITIUS PROPOSAL TO APPOINT A CONSULTANT IN THE FIELD OF INTELLECTUAL PROPERTY***

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## **1. Background**

As part of its WTO commitments, Mauritius has enacted a series of legislations on intellectual property, namely:

- the Copyright Act of 2014;
- the Patents, Industrial Designs and Trademarks Act (PIDTA) 2002;
- the Protection Against Unfair Practices (Industrial Property Rights) Act 2002;
- the Geographical Indications Act 2002; and
- the Layout Designs (Topographies) of Integrated Circuits Act 2002.

However, given the more prominent role which Intellectual Property (IP) is expected to play in the economic and cultural development of the country, it has been decided to reinforce the IP policy and to expand the scope of protection of IPRs.

In this context, the Intellectual Property Development Plan (IPDP) developed in collaboration with WIPO in 2009 was reviewed in 2016 to reflect the dynamics of the changing IP environment. The IPDP seeks to ensure, amongst others, that the organisations involved in IP enforcement, the potential users as well as generators of IP have the technical capacity and know-how to use IP as a tool to promote research, innovation and economic growth.

The IPDP recommends, amongst others, that the following be implemented:

- Finalisation and enactment of a comprehensive Industrial Property Bill that purports to ensure compliance with the latest development on IP at the International level, among others. This new piece of legislation will encompass all aspects of Industrial Property, namely Trade Mark, Patent, Industrial Design, Plant Breeders' Rights, Geographical Indications and Layout Design of integrated circuits.
- Expedite the accession of Mauritius to the PCT, Madrid Protocol and Hague Agreement;
- Establishment of an empowered single IP office and an IP Council.

## **2. Objective:**

- The overall objective of the assignment is to implement the IPDP.

## **3. Strategic Objectives**

The strategic objectives include, but are not limited to the following:-

- Ensure the effective implementation of the new IP Bill, including the drafting of regulations relevant to the Industrial Property Bill and the Copyrights Amendment Bill 2017 ;
- Review the structure of the IP office so that it is fully equipped to respond to the new IP set up.

- Assist in the accession of Mauritius to the different WIPO administered Treaties and to effectively implement the obligations arising therefrom;
- Assist in the setting up of the IP Council;
- Coordinate with the stakeholders concerned and the Business Community to mainstream IP in economic activities;
- Devise a sensitisation campaign on IP;
- Advise and assist in the modernization of the IP Office.

#### **4. Qualifications**

The expert should have a degree in either economics, international trade, law, intellectual property law or any other relevant qualifications acceptable to the Ministry of Foreign Affairs, Regional Integration and International Trade

He should have at least 10 years practical experience in the field of Industrial Property Rights and must have been involved in or undertaken similar assignments.

#### **5. Time Frame**

The assignment would span over a period of one year.

## **6. Consultations**

The consultant shall be required to consult stakeholders both from the public and the private sectors in the course of the implementation of the assignment.

## **7. Reporting**

The consultant shall report to the Director, Trade Policy Unit.

*Ministry of Foreign Affairs, Regional Integration  
& International Trade*