



MAURITIUS RESEARCH
COUNCIL

INVENTORS' OPEN DAY

Why does Intellectual Property (IP) matter?

Date: Wednesday, 30th May 2012

Time: 13:00 – 16:00 hrs

Venue: Mauritius Research Council

ABOUT THE INVENTORS' OPEN DAY

The MRC organised an Inventors' Open Day to promote the awareness and use of IP in Mauritius. A number of distinguished IP practitioners were invited to provide participants with practical explanations and guidance on IP issues relevant to their concepts and inventions.

The presentation topics aimed at explaining how the identification and protection of IP assets can play a decisive role in supporting the creative and innovative capacities of organisations and give them a competitive edge on the market. Participants were also made aware of the social and economic impacts of IP infringement and the role of the Customs together with other enforcement agencies in dealing with such infringements in Mauritius.

The event was equally useful to all those with an interest in IP, to gain basic information on the subject and to help them appreciate its importance and relevance in their daily work and life.

TARGET AUDIENCE

Individuals from Research & Development Institutions; SMEs; Enforcement agencies; Inventors; Innovators; IP practitioners; Entrepreneurs; Stakeholders; Creators and users of IP assets from different sectors such as the telecommunications, media, textiles industries; and the public.

PROGRAMME OUTLINE

	Session	Topics Covered	Speaker
12:30 – 13:00	Registration of Participants		
13:00 – 13:20	Welcome Addresses	Prof S Jugessur, Chairman Mauritius Research Council Dr N Gopaul, Research Coordinator Mauritius Research Council	

13:20 – 13:45	The Fundamental of IP Rights and their Protection in Mauritius	<ul style="list-style-type: none"> • Introduction to Intellectual Property Law • Historical evolution and Justification of IP Rights • Different types of IP Rights which are protected in Mauritius and the legal framework (Copyright, Marks, Industrial Design, Patents, Protection against unfair practices, <i>Concurrence déloyale</i>) • Innovations in IP Protection with the advent of digitisation / computerisation (Rights Management Systems, Technological Protection Measures, Intellectual goods – non scarce, non rival and not difficult to exclude) 	Arvin Halkhoree
13:45 – 14:10	Overview of Trade mark Law	<ul style="list-style-type: none"> • Overview of the protection of Trade mark / names afforded through relevant legislations • Importance of trade mark / names protection for the goodwill of businesses in the marketing of specific products or services • How unfair practices as to the use of trademarks have given rise to numerous legal suits in recent years • To understand the different steps to be taken to protect trade marks 	KaushikGoburdhun
14:10 – 14:30	Refreshments		
14:30 – 14:55	Infringement of IP Rights in Mauritius – A Case Study	<ul style="list-style-type: none"> • Real life scenario taken from actual case examples to describe how the law works in practice • Case scenario involving Customs, Police and Civil raids in Mauritius as well as support from other authorities • Practical considerations and lessons from past actions for trade mark and copyright enforcement 	SanjeevGhurburrun
14:55 – 15:20	IP Rights – Border Control	<ul style="list-style-type: none"> • The Role of the MRA Customs as an agency for enforcement of IP Laws (as defined under section 66A-E of the Customs Act 1988) • Procedures for suspension • Importance of border control for local producers and inventors • Limitations – Import and Export only • Some statistics 	MuizSookia
15:20 – 15:40	Questions & Answers		
15:40 – 15:45	Vote of Thanks		

ABOUT THE SPEAKERS

Arvin Halkhoree is a Barrister-at-Law with several years of practice in corporate, financial and commercial Law. He holds a Bachelor of Law degree with First Class Honours from the University of Mauritius, and a Master of Laws in Intellectual Property Law from Queen Mary, University of London. He also holds a diploma in European Intellectual Property Law.

Arvin is presently the managing Director of NS Management Limited, an offshore management company in Mauritius which provides a full range of company formation, administration, management and secretarial solutions to both domestic and global businesses.

Kaushik Goburdhun is a Barrister-at-Law and is the Deputy Chief Legal Adviser of the Independent Commission against Corruption (ICAC). He is a holder of a Master of Laws in International Commercial Law from the University of Kent. Kaushik has written extensively on copyright issues and advocated for a degree of consumer rights protection to be included within the legislation. He has also presented a paper at the General Assembly of the Council for Development of Social Sciences in Africa, which has been published "Enforcement of Intellectual Property Rights – A Blessing or a Curse"

He has also pressed for amendments to be brought under the Financial Intelligence and Anti- Money Laundering Act (FIAMLA) 2002 for a breach of copyright (misdemeanour) to be qualified as a money laundering offence. This implies that the gains obtained from the sale of pirated CDs and DVDs can now be traced, confiscated and investigated by the ICAC.

Sanjeev Ghurburrun is a partner in Geroudis Glover Ghurburrun Chambers. He heads the Intellectual Property Rights department of the Chambers, and has 16 years' experience as a practising barrister in Mauritius specialising in all aspects of trademarks and copyright including protection, management and commercialisation. Sanjeev currently provides legal services to several FORBES 100 companies in entertainment, software, pharmaceutical, consumer goods, and equipment industries, and has presented at many conferences as a guest speaker on Intellectual Property matters.

His areas of IP expertise include: Trademark filings; Prosecution IPO matters; Commercial arrangements relating to IP; Trademark litigation (opposition, invalidation, infringement, passing off and unfair practice); Marks watch; Custom border measures and enforcement

Muiz Sookia is a Certified Chartered Accountant (FCCA) and is currently the Team Leader of the Commercial Fraud and Intellectual Property Right (IPR) Unit of the Mauritius Revenue Authority Customs Department. He has some 20 years' experience in Customs matters and has been leading the IPR team since 2 years.

His main responsibility in the IPR Unit is to ensure that a maximum number of right holders register with the Customs for border protection. He also manages all cases of IPR suspensions for clearance effected by the Customs, and is involved in the training of Officers and stakeholders on IPR matters.