

World Intellectual Property Day

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Interview. The Centre for Health, Human Rights and Development, is one of the organisations that are promoting access to medicines in Uganda. Mr Moses Mulumba, the executive director, spoke to *Daily Monitor's* **Yoweri Maganda**.

What is Centre for Health, Human Rights and Development about?

Centre for Health, Human Rights and Development (CEHURD) is an indigenous, non-profit research and advocacy organisation, pioneering the justifiability of the right to health, as a means to enforcing human rights in Uganda and the region.

How important is the Intellectual Property Day to CEHURD operations?

The World IP Day, is a very important one. It helps to create awareness within the community and at policy level on IP rights on the country's social welfare. While IP affects daily lives, it is not a well appreciated subject in Uganda. The day is also very important for us to reflect on the achievements made so far. This year, for instance, marks 100 years since the first trademark was registered in Uganda. It is thus critical that we evaluate how trademarks have changed people's lives in the country.

What are some of the laws in Uganda that govern IP?

Uganda has a number of laws governing the various aspects of intellectual property such as the Copyright and Neighbouring Rights Act, the Trademarks Act and the Patent Act. There are also a number of bills pending in Parliament. For instance, the Industrial Property, which is a very important law



The East African region is coming up with regional laws that create a balance between protection of IP and the rights of consumers. The regional countries are at different levels of development; Kenya is categorised as a developing country and is implementing protection of IP whereas Uganda, Tanzania, Rwanda and Burundi are still being exempted in implementation and enforcement of Intellectual Property rights.

Mr Moses Mulumba,
the Executive Director
CEHURD

Activist calls for balance of rights in promoting IP

for the production of medicines as they are protected as inventions.

What is the connection between Intellectual Property and Medicines?

The production of medicines starts

with an innovation process, in which scientists undertake scientific research to innovate medicines for a given health challenge. Once the innovation is attained, the innovators seek to get protection against any third parties infringing

on their innovation under intellectual property law. This protection is usually granted under patent laws, which provide a set of exclusive rights. The effect of this protection is that it creates some sort of monopoly. This has caused a number of drugs on patents to be very expensive.

What then needs to be done to help this situation?

I must mention that patent law has what we call flexibilities- these are tools within the patent system, which can be used to deal with such a situation.

The current global talk on IP is about the extension period. What does this mean for a country like Uganda?

According to the World Trade Organisation rules, Uganda is categorised as a least developed country (LDC). Therefore, it has no obligations to enforce Intellectual Property Rights as provided under the Trade Related Aspects of Intellectual Property Rights Agreement, which is to expire in 2016 for pharmaceutical products.

In November 2012, Haiti submitted a request to extend the transition for LDCs to implement the Trade Related Aspects of Intellectual Property Rights Agreement, on behalf of the LDC members of the World Trade Organisation. This extension, once granted will be a positive move for LDCs such as Uganda.

What is the context of this debate to the EAC Region?

The East African region is coming up with regional laws that create a balance between protection of IP and the rights of consumers.

KEY ISSUE

Intellectual Property Day is very important. It helps to create awareness within the community and at policy level. While Intellectual Property affects daily lives, the law is yet to be appreciated in Uganda.