



**Opening Speech by His Lordship, Justice Siyani
Mohamed Mustapher, the Principal Judge of the High
Court of the United Republic of Tanzania, during
inauguration of Judicial Colloquium on Copyright,
Trademarks and Mediation of IP Disputes
28th February,
2023.**

**Mr. Daren Tang- Director General of World Intellectual
Property Organization (WIPO)**

**Honorable Dr. Paul Kihwelo, Justice of the Court of Appeal of
Tanzania and Principal – Institute of Judicial Administration
Lushoto,**

**Honorable Justices of the Court of Appeal of Tanzania
present,**

**Honorable Judge Jeremy Fogel, Executive Director of the
Berkeley Judicial Institute,**

**Honorable Francis Tuiyott, Judge of the High Court, Nairobi
- Commercial and Tax Division,**

**Honorable Judges of the High Court of Tanzania present,
Hon. Wilbert Chuma, Chief Registrar of the Judiciary of
Tanzania,**

**Ms. Eun-Joo Min, Director of the WIPO Judicial Institute, IP
and Innovation Ecosystem Sector,**

**Ms. Heike Wollgast, Head of the IP Disputes Sections –
WIPO Arbitration and Mediation Centre,**

**Prof. Ilanah Fhima, Co-Director - Institute of Brand and
Innovation Law and Deputy Director of Research Studies -
Faculty of Law University College London,**

**Honorable Deputy Registrars and Resident Magistrates
present,**

**WIPO Officials and Distinguished Facilitators present,
Ladies and gentlemen,**

It is a great pleasure and honor that I address this elite audience with the task to officiate this three days Judicial Colloquium organized by the World Intellectual Property Organization (WIPO) and the Judiciary of Tanzania.

At the outset, I would like to convey our gratitude and profound

appreciations to the World Intellectual Property Organization for organizing this remarkable event. Today's event is part of implementation of the Memorandum of Understanding between the Judiciary of Tanzania and WIPO with the view to strengthening the Judicial System and Services for Intellectual Property Protection.

We greatly appreciate World Intellectual Property Organization, for their generous financial and technical support offered in various collaborative endeavors including Judicial capacity building, publication of Judiciary of Tanzania decisions in the WIPO Lex judgment database, establishment of WIPO depository library in the Judiciary of Tanzania library, promotion of Alternative Dispute Resolution and exchange of Judicial experiences through conferences, seminars and Judicial Colloquiums one of which you are currently in attendance. I would like to extend our special thanks and sincere gratitude to the WIPO Judicial Institute and WIPO Mediation Centre for working closely with the Judiciary of Tanzania to ensure that this Judicial Colloquium is a resounding success. We acknowledge and value your tireless effort, dedication and unwavering commitment.

Distinguished Participants, May I also take this opportunity to convey our sincere gratitude to the WIPO Judicial Institute for

contributing immensely in developing training materials and a compendium of digest of Intellectual Property Cases. I believe that the facilitators will take you through the said training materials as this Colloquium also intends to introduce the said materials to Judicial Officers. The materials were specifically designed to serve as a guide and quick reference to Judicial Officers in Tanzania. I therefore call upon you to read them as that will equip you with knowledge, skills and new insights on this very crucial subject and eventually enable you to adjudicate IP disputes effectively and efficiently.

Distinguished participants, Intellectual Property (IP) is a key factor in promoting economic growth and development in any country while the Judiciary is a key stakeholder in the protection of Intellectual Property Rights. There is no doubt that the Judiciary is increasingly playing a seminal role in the development of the intellectual property system as we grapple with an increasingly fast paced world of technological feats. In this regard, it is imperative that Judicial Officers have in-depth knowledge and understanding of Intellectual Property.

Among the common challenges, in most of the developing countries including Tanzania, is low Intellectual Property

awareness among Judicial Officers. This Colloquium thus, aims to raise IP awareness among Judicial Officers in Tanzania, build Judicial capacity on this crucial area and provide platform for discussions and exchange of experiences among Judicial Officers and prominent IP experts on the most pressing IP issues in Tanzania.

Distinguished participants, the Intellectual Property experts who are with us today, will take us through the: WIPO's work with Judiciaries; international and regional IP legal framework; the Judicial role in innovation and IP; trademark issues in the United Republic of Tanzania and national jurisprudence, trademark and copyright infringement, trends in copyright litigation in the United Republic of Tanzania and national jurisprudence; as well as adjudication of IP disputes and trends in IP case management.

Distinguished participants, during the last day of this Colloquium, you will also get an opportunity to enhance your mediation skills. The Judiciary of Tanzania recognizes and values the role played by Alternative Dispute Resolution mechanisms in resolving disputes brought before the court. In that spirit, the theme of the Judiciary of Tanzania's 2023 Judicial year, is "Importance of Alternative Dispute Resolution in Promoting Sustainable Economy.

No doubt, this Colloquium will offer an opportunity for all participants to learn or improve mediations skills and tactics from WIPO Arbitration and Mediation Centers' experts.

Distinguished participants, I would like to most sincerely thank all facilitators and IP experts from WIPO, ARIPO, Berkeley Judicial Institute, United States of America, Judiciary of Tanzania, Judiciary of Kenya, University College London, and London Commercial & IP Chambers, for dedicating their valuable time in contributing to this Colloquium. I recognize that they have spent much time and made extra effort to prepare presentations. We greatly value and appreciate their immense contributions.

As I conclude, I would like to reaffirm the Judiciary of Tanzania's commitment in building capacity of its Judicial Officers in Intellectual property. We look forward to strengthening cooperation which will lead to the development of a vibrant and sustainable IP and innovation ecosystem in Tanzania.

With these few remarks, I have the singular honor to officially open this Colloquium and wish you fruitful deliberations.

Thank you for your kind attention