Liedekerke wolters waelbroeck kirkpatrick

ADHESION OF THE DRC TO THE EAC DOING BUSINESS AND IP RIGHTS

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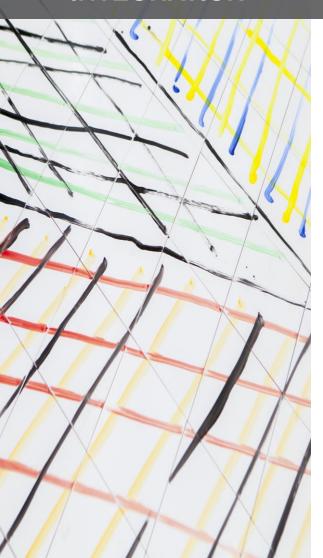
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ADHESION OF THE DRC TO THE EAC



- June 2019 Expression of interest from DRC's President to be a member of the EAC
- 27 February 2021 Summit of the EAC's Heads of State opened the admission process
- 15 to 24 January 2022 Negotiations between the EAC and the DRC in Nairobi
- 29 March 2022 Summit of the EAC's Heads of State admitted the DRC into the EAC.
- 11 July 2022 the DRC has deposited the instruments of ratification with the EAC Secretary General.

AND NOW, INTEGRATION



- Development of roadmap by the Council for the integration of the DRC into the EAC, detailing how the DRC will implement the Customs Union, Common Market, Monetary Union and Political Federation
- Integration includes the ratification of the EAC texts to ensure their entry into force in the DRC.

WHAT THE EAC WILL BRING TO THE DRC AND ITS INVESTORS

- A single common market: free movement of goods persons, labour, services and capital
- A customs union: free internal trade and common external tariffs
- Facilitating cross-border trade and transport (better access to strategic ports of Mombasa and Dar es Salaam)
- Instrument safeguarding peace between partner states
- -> Crucial to be part of a strongly integrated bloc for a country like the DRC.

INTELLECTUAL PROPERTY IN THE DRC

- IP rights are legally enshrined in the DRC: Law No. 82-001 on Industrial Property in 1982, and Law No. 86-022 on the Protection of Copyright and Neighbouring Rights in 1986.
- Legislations have not been updated to take into account new technologies or developments of the market as well as the country's adhesion to TRIPS and WIPO
- Enforcement is almost inexistent due to the lack of judiciary power and control from the local administration.
- There is certainly a need for more IP protection in the DRC, especially over the medium and long term.

IMPACT OF THE ADHESION TO THE EAC ON IP ENFORCEMENT AND PROTECTION

- Founding texts include commitments towards partner states to cooperate to harmonize IP laws and to enhance IP protection
- Up till now, no laws and policies that have been enacted to harmonize IP laws within the EAC
- >< European Union (EU trademark and EU unitary patent)
- EAC Customs Union and Customs Management Act increasing control over counterfeit goods at the borders.

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