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## JUDICIAL COLLOQUIUM

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**WIPO/IP-CR/JU/DAR/24/1**  
**ORIGINAL: ENGLISH**  
**DATE: JUNE 20, 2024**

# **Judicial Colloquium on Copyright, Trademarks and Case Management for the Judiciary of the United Republic of Tanzania**

organized by  
the World Intellectual Property Organization

and  
the Judiciary of the United Republic of Tanzania

**Dar es Salaam, June 26 and 27, 2024**

## PROGRAM

*prepared by the International Bureau of WIPO and the Judiciary of Tanzania*

*Venue: Julius Nyerere International Convention Center (JNICC), Dar es Salaam*

Wednesday, 26 June 2024

**08:00 – 09:00 Registration and Welcoming**

**09:00 – 09:30 Official Opening**

Hon. Chief Justice Mr. Ibrahim Hamis Juma, Judiciary of Tanzania,

Mr. Marco M. Alemán, Assistant Director General, IP and Innovation Ecosystems Sector, World Intellectual Property Organization (WIPO)

**09:30 – 10:00 Coffee Break**

**10:00 – 10:30 Topic 1: IP Adjudication in the United Republic of Tanzania**

- Applicable Laws and Rules
- Judicial IP Administration Structure
- National IP Jurisprudence

Hon. Upendo Ngitiri, Deputy Registrar, High Court of Tanzania

**10:30 – 11:00 Topic 2: Principles of Trademark Protection**

- Trademark protection and rights conferred by registration
- Well-known marks
- Grounds for cancellation

Hon. Justice Paul Kihwelo, Court of Appeal, Dar es Salaam, Tanzania

**11:00 – 12:00 Topic 3: Trademark Infringement**

- Likelihood of confusion
- Passing off
- Counterfeiting
- Non-infringing acts

Hon. Deputy Judge Daniel Alexander KC, Chancery Division and Patents Court, High Court of England and Wales, London, United Kingdom

**12:00 – 13:00 Trademarks: Break out discussion in groups**

**13:00 – 14:30 Lunch**

**14:30 – 15:00 Topic 4: Principles of Copyright Protection**

- Works eligible for copyright protection
- Economic and moral rights of the copyright owner

Hon. Justice Paul Kihwelo

- 15:00 – 15:45    Topic 5: Copyright Infringement**
- Infringement of economic rights in civil and criminal proceedings
  - Defenses to allegations of infringement of economic rights (e.g. fair use)
  - Infringement of moral rights and defenses
  - Online infringement

Hon. Judge Francis Tuiyott, Court of Appeal, Nairobi, Kenya

**15:45 – 16:00**    Coffee Break

**16:00 – 17:00    Copyright: Break out discussion in groups**

Thursday, 27 June 2024

- 8:30 – 9:15        Topic 6: Evidentiary Requirements and Presumptions**
- Civil and criminal proceedings

Hon. Deputy Judge Daniel Alexander KC

**9:15 – 9:45        Topic 7: Digital Evidence in Trademarks Disputes**

Ms. Inés Fernández Ulate, Legal Officer, WIPO Judicial Institute, Geneva, Switzerland

**9:45 – 10:00**    Coffee Break

- 10:00 – 10:30    Topic 8: Remedies: Urgent Measures**
- Interim injunctions
  - Search-and-seizure orders
  - Proportionality

Hon. Judge Francis Tuiyott

- 10:30 – 11:15    Topic 9: Civil and Criminal Remedies**
- Damages (e.g. types of damages available, bases of calculation, evidence of harm)
  - Final injunctions and restraining orders
  - Penalties, Imprisonment and Fines
  - Destruction and disposal

Hon. Judge Francis Tuiyott

**11:15 – 12:15    Evidence and Remedies: Break out discussion in groups**

- 12:15 – 13:00    Topic 10: IP Case Management Techniques**
- Benefits of early judicial case management
  - Case management hearings
  - Dealing with technical evidence
  - Concurrent evidence

Hon. Deputy Judge Daniel Alexander KC

**13:00 – 14:30** Lunch

**14:30 – 15:00** **Topic 11: Perspective from the United Kingdom on Fast Track Procedures for IP Disputes**

- Features of the simplified procedures
- IP disputes to which the simplified procedure applies

Hon. Deputy Judge Daniel Alexander KC

**15:00 – 15:15** Coffee Break

**15:15 – 16:30** **Roundtable discussion – Opportunities and challenges in strengthening the judicial administration of IP disputes in the United Republic of Tanzania**

Moderators: Ms. Inés Fernández Ulate  
Hon. Deputy Registrar Upendo L. Ngitiri

Panelists: Hon. Deputy Judge Daniel Alexander KC  
Hon. Judge Francis Tuiyott  
Hon. Justice Zahra Maruma, High Court Mediation Centre

**16:30 – 17:00** **Closing Ceremony**

Hon. Mustapher M.Siyani, Principal Judge, High Court of Tanzania

Ms. Altaye Tedla Desta, Head, IP eLearning Section, WIPO Academy

Ms. Inés Fernández Ulate

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