GLOBALIZATION, SOVEREIGNTY AND ETHIOPIA IN THE AGE OF IP CREATIVE JURISPRUDENCE

Samuel Samiai Andrews*

Abstract

Intellectual property (IP), trade, national language (lingua franca), sports and other socio-cultural interventions could be an agency for economic and national unity. This short communication analyses the intersection of contemporary IP international regimes and socio-economic development of a developing economy, using Ethiopia as a case study. The research further analyses the intersection of IP systems of laws and other socio-economic concepts like globalization, human rights, and legal education. Human rights and intellectual property have become a current subject of legal scholarship as evidenced in the recent Marrakesh Treaty signed by more than eighty countries. Recently, Ethiopia entered a multilateral agreement to participate in an e-commerce platform. The implication for Ethiopians could range from exposures to digital creative jurisprudence to full participation in the creative culture of the networked digital era. However, Ethiopia currently does not belong to any major Internet Treaty or intellectual property (IP) Treaty, and this paper seeks to explore the implications for its economic and developmental innovation and creativity policies. Multilateral economic and investment Treaties in this millennium represent manifestations of the impacts of globalization. Sovereign and political rights proponents have raised concerns about the derogation of political and economic capacities of nation-states because of globalization. The protagonists of national sovereignty and constitutional order demand the renegotiation of most of the international socio-economic Treaties. This paper will suggest ways of allaying the suspicions of sovereign dilution, which may be part of raison d'etre for the skepticism towards international economic and developmental Treaty regimes. As a starting point Ethiopia should use the template of its human rights Treaty recognition to sign or accede to international IP Treaties.

Keywords: Globalization, Sovereignty, Intellectual Property, Geographical Indications, International Law

INTRODUCTION

Ethiopia’s overarching sovereign protective shield discourages the recognition of international political and economic regimes.1 Ethiopia has not recognized nor signed major intellectual

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property Treaties. Apart from few human rights Treaties like the African Charter on Human and Peoples’ Rights, Ethiopia remains non-receptacle to multilateralism. This paper critically analyzes and explores the theoretical background of Ethiopia’s realities and the significance of international IP treaty jurisprudence for its national socio-economic development.

Multilateral economic and investment Treaties in this millennium represent a feature of globalization. Recently, sovereign political rights proponents have raised concerns about the derogation of political and economic capacities of nation states because of globalization. The protagonists of national sovereignty and Constitutional Order demand the renegotiations of most of the international Socio-economic Treaties. African economies are in the forefront of the demand for the renegotiation of international intellectual property regimes and policies to address the peculiar issues relating to the creative jurisprudence of their people. However, Ethiopia has an historical skepticism in recognition of international Treaty regimes.

The work analyzes the significance of international IP treaty jurisprudence for Ethiopia’s national socio-economic development in three parts. Part One includes the introduction and a brief historical background on the intervention of international law and technology in protection of creativity. It further explores the digital era of rapid law reforms, innovative economic growth, and the theoretical background of Ethiopia’s realities. Part Two critically examines Ethiopia’s current jurisprudential creative regimes in the digital era. Part Three analyzes the role and potentialities of the Ethiopian Law Schools in promoting and enhancing the national creative policies and investment opportunities.

1 ALBERTO SBACCHI, ITALIAN COLONIALISM IN ETHIOPIA 1936-1940 (1980); See also Irma Taddia, Ethiopian Sovereign Material and Colonial Rule in the Nineteenth Century, The Letter of Menilek (1899) by Blatta Gabre-Egziabher, 35 J. AFR. HIST. 493-516 (1994).
4 Id.
Finally, this short piece suggests ways of allaying the suspicions of *sovereign dilution*, which may be part of Ethiopia’s non-recognition of international Treaty regimes. Perhaps, as a starting point Ethiopia should use the template of its human rights Treaty recognition to sign or accede to international IP Treaties like the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who are blind Visually Impaired or Otherwise Print Disabled (Marrakesh Treaty), a Treaty that intersects with human rights.\(^7\) The Marrakesh Treaty came into force on September 30, 2016, while member nations signed it June 27, 2013.

### 1. SOVEREIGNTY, GLOBALIZATION AND ETHIOPIA

National political systems have consequential impacts on the socio-economic growth of nation-states.\(^9\) Participatory democracies have spurred economic growth and raised the internal entrepreneurial spirit of peoples under their political system.\(^10\) In most representative democracies the platform of the governed to express themselves and exercise fundamental freedoms like free speech and right to association encourages inventiveness and creativity.\(^11\) In return the governed engages the political class to protect their creativity while balancing innovative objectives for societal goods.\(^12\) Ethiopia has gone through phases of political systems

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\(^7\) The fear of eroding the political and economic rights of a nation-state.
\(^8\) Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (Marrakesh Treaty); https://wipolex.wipo.int/en/treaties/textdetails/13169 (Apr. 26, 2020); On March 13, 2020, Ethiopia ratified the Marrakesh Treaty.
and currently it is experiencing participatory democracy, which comes with expansion of entrepreneurial economic space for its people. The recent opposition against globalization may not be new in Ethiopia’s geo-political experience. Ethiopia historically resisted and defeated the forces of colonial governance and subjugation.

A. Globalization Muddled Sovereignty

The beginning of the twentieth century witnessed the conscious interaction of trade and political activities among global nation states, which culminated in accessions by these countries to international Treaties with reciprocal binding effects on themselves of monumental influence in global affairs. A nation’s sovereignty represents its pride and political authority to determine the affairs of the people within the political geographical borders. Sovereignty also impels people’s self-determination and ‘self-definition.’ Recent, global events like Brexit, anti-immigration sentiments and the rise of political nationalism are the fallout from the exercise of national sovereignty as opposed to globalization. This paper draws a connection between Ethiopian’s slow approach to accession to IP Treaties and the anti-globalization sentiments in addition to guarding its sovereignty.

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14 Sbacchi, supra note 1.
Ethiopia has not recognized nor signed major intellectual property Treaties. Apart from human rights Treaties like the African Charter on Human and Peoples’, Ethiopia is reluctant to adopt socio-economic multilateralism. However, in the last half of the past decade, Ethiopia engaged the global IP community in political, social and legal alliance. The results of those engagements have not yielded substantial IP law reforms.

Towards the end of the last decade, the creative and inventive spaces globally expanded with enhanced regimes. Intellectual property interfaced with food production, traditional cultures, and humanitarian-human rights with deliberate visibility. Attracting foreign direct investment in technology, and creative based industries, which Ethiopia needs to expand its income-revenue base, requires a privatized and local content entrepreneurial economy. Ethiopia should liberalize its economy with an enhanced intellectual property rights’ regime for investors and creators. Ethiopia stands to benefit on scale economically in enhancing its legal regimes for innovative rights, international trade and investments.

Investment in technology comes with the beneficial interest of IP ownership rights bundle (patent, copyright, trademark and similar regimes). The multiplier industrial benefits include downstream and upstream investment in telecommunications, digital and cyberspace commerce,

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22 Okediji, supra note 2; supra note 5.
25 Id.
26 Id.
27 Id.
digital and mobile banking. For example, new business platforms in the mould of the ride-share enterprise, “Ride”, would expand the employment base of Ethiopia. Internet availability and accessibility in Ethiopia is currently unsatisfactory but a liberalized, democratized and private entrepreneurial approach to this progressive industry would increase innovative and creative capacity of industrial innovators.

The Africa Continental Free Trade Area Agreement (AfCFTA), opens up a multiplier front for Ethiopian IP rights and creates an opportunity to increase regional trade in IP related products while diversifying the national economy. Therefore, Ethiopia should engage the rest of the Treaty member-nations from the earliest stages in negotiating Phase II of AfCFTA, which includes the leveraging of IP rights of members for national economic growth.

B. Is Ethiopia on the Networked and Creativity Path?

The Internet Treaties, which represents the technologically enhanced regimes for creative activities of the early part of last decade, radicalized, liberalized and democratized economic productive ventures across the globe. Ethiopia attempted to adapt its intellectual property regimes in 2014 to accommodate the digital productive renaissance. However, this paper concludes that these efforts fell short of the leap Ethiopia needed to spur its innovation growth. For example, the concept of Patent of Introduction, a doctrine under the Ethiopian Patent law, which allows the working of foreign patented inventions and designs, seems to permit the

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28 Brookings, supra note 24.
29 Id.
31 Songwe, supra note 24.
33 Copyright and Neighboring Rights Protection (Amendment) Proclamation No. (872/2014) (Ethiopia) (attempting to reform Copyright and Neighboring Rights Protection Proclamation No. 410/2004, Ethiopia, the main law that set out to protect copyright and similar creative works).
Unauthorized infringement of patented works.\textsuperscript{34} Perhaps, a robust compulsory license scheme, which Ethiopian law recognizes could have been a more preferred or investment friendly approach.\textsuperscript{35} This Section will focus on three principal international Treaties that implicate the socio-economic and innovative legal regimes of this millennium.

The World Intellectual Property Organization Copyright Treaty (WCT) has become an effective tool to protect creativity in cyberspace and the Internet ecosystem.\textsuperscript{36} The Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled (The Marrakesh Treaty) grants Ethiopia the added advantage of continuing its existing efforts to empower the visually impaired and sight challenged citizens in the innovation realms.\textsuperscript{37} The Geneva Act of the Lisbon Agreement (Geneva Act) (2015) and the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Lisbon Agreement) (1958).\textsuperscript{38} Legal scholars refer to The Geneva Act and the Lisbon Agreement most times as the \textit{Lisbon System}.\textsuperscript{39}

The Lisbon system impels an agrarian economy like Ethiopia to maximize its natural food and non-food resources.\textsuperscript{40} Ethiopia is abundantly rich in unique honey, Teff, cotton, coffee, and cut-flower.\textsuperscript{41} A proper organized and executed geographical indications (GI) regime would

\textsuperscript{34} A Proclamation Concerning Inventions, Minor Inventions, and Industrial Designs No. 123/1995, § 5 (18), (Ethiopia).
\textsuperscript{35} \textit{Id.} § 7.
\textsuperscript{36} Ruth L. Okediji, \textit{The Regulation of Creativity Under the WIPO Internet Treaties}, 77 \textit{Fordham L. Rev.} 2379 (2009).
\textsuperscript{39} \textit{Id.}
\textsuperscript{40} \textit{Id.}
maximize the economic and legal outcomes from these food products.\textsuperscript{42} The value and economic leverage attached to the place of origin of a product, whether food or non-food is a contemporary global IP rights maximization scheme.\textsuperscript{43} The Lisbon system offers a near global (international) legal protection for origin-based products.\textsuperscript{44} The appellation Treaties form part of the Internet and Internet-Plus Treaty regime of the last few decades and an effective tool for developing countries like Ethiopia to leverage the embedded opportunities they avail for impelling its socio-economic index.\textsuperscript{45}

2. ETHIOPIAN INNOVATION AND CREATIVITY REGIMES

A. The Impact of WCT on Creativity

In 1998, through the influence of the World Intellectual Property Organization (WIPO) Copyright Treaty (WCT), the United States adopted digital copyright regimes into its copyright legislation.\textsuperscript{46} The United States added the Digital Millennium Copyright Act (DMCA) as part of the copyright law due to the changing legal landscape.\textsuperscript{47} The WIPO’s international push through treaties and consultations with member-states has influenced changes in national copyright laws to reflect the economic realities of the digital era.\textsuperscript{48} Ethiopia’s IP laws have not fully recognized the evolving and established practices of the contemporary digital and cyberspace socio-legal construct. The current scenario puts indigenous and foreign creators within Ethiopian space at a disadvantage economically and socially.

\textsuperscript{42} Justin Hughes, \textit{The Limited Promise of Geographical Indications for Farmers in Developing Countries} in \textit{Geographical Indications at the Crossroads of Trade, Development, and Culture-Focus on Asia-Pacific} 66-86 (IRENE CALBOLI & WEE LOON NG-LOY, EDS., CAMBRIDGE UNIVERSITY PRESS, 2017).


\textsuperscript{44} Id.

\textsuperscript{45} Songwe, \textit{supra} note 24.


\textsuperscript{47} Id.

The international creative communities led by the United Nations initiated several treaties to regulate the use and compensation systems of cultural materials. The UNESCO and WIPO are in the process of adopting a legal regime that is globally acceptable for protecting cultural proprietary rights of indigenous people and traditional societies. However, the efforts of these organizations have been dragging out for more than two decades. The current international IP regime has been in existence for more than three hundred years.

In 1886, the industrialized and developed nations signed the first major and effective global IP treaty, the Berne Convention. The Berne Convention established the legal platforms for transnational and international copyright protection and enforcement. In 1952, the Universal Copyright Convention attempted to address the perceived shortcomings of Berne Convention but failed. However, economic, and technological modes of production and creation have evolved beyond the 1886 era in the contemporary twenty-first century.

The technological mode of economic productions influenced the changes in copyright regimes from the late 1990s with the WCT. The Internet treaties of the late 1990s and the early

50 Arewa, supra note 49.
53 After Berne Convention the international intellectual property regime introduced various treaties to adapt to the changing technological challenges implicating copyrights and other creative rights. For example, the WIPO Performance and Phonograms Treaty (1996) and the Rome Convention for the Protection of Performers, Producers of Phonograms, and Broadcasting Organizations (Rome Convention) (1961), which is not an Internet Treaty but deals with changes in creativity ecosystems belong to the category of relevant international IP regimes.
54 See Beijing Treaty on Audiovisual Performances, 51 ILM 1214(2012), Art. 2 (defining performers broadly to include any persons who perform literary or artistic works, including expressions of folklore and audiovisual fixation as any transmission of moving images through a device with or without sound); See also Beijing Treaty on
2000s, which includes the recent Beijing Audiovisual Treaty and Marrakesh Treaty responded to emerging technological innovations as regards the application of copyright laws.\textsuperscript{55} However, the various international treaties do not recognize nor enforce effectively traditional intangible creations, cultures, and folklore.\textsuperscript{56} In the era of digital innovations and cultural intangible expressions, current international treaties have done little to effectively protect traditional and indigenous proprietary rights in the ‘old’ and ‘new’ spaces.\textsuperscript{57}

**B. The Ethiopian Digital IP Era Template**

Most of the developed nations reformed their IP laws to reflect the acceded IP Treaties of the late 1990s.\textsuperscript{58} The United States Congress, for example, enacted the DMCA as part of the United States’ laws.\textsuperscript{59} The WCT heralded the recognition of technological intersections and creativity.\textsuperscript{60} The WCT introduced a new legal order different from the traditional copyright methods and focused on forbidding unauthorized reproduction of literary creative and non-literary works enabled by technology.\textsuperscript{61} The advent of the Internet and technological innovations in the late 1980s gave birth to a digital economy.\textsuperscript{62} Legal scholars coined the term “digital copyright” to capture the connection between the emerging economy and the methods of creating copyrighted works for new platforms.\textsuperscript{63}

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\textsuperscript{55} Mihály Ficsor, The WIPO “Internet Treaties.” The United States as the Main Source of Obstruction- As Seen by an Anti-Revolutionary Central European, 6 JOHN MARSHALL REV. INTELL. PROP. L. 17 (2006).
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\textsuperscript{60} Id.
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\textsuperscript{62} TARLETON GILLESPIE, WIRED SHUT: COPYRIGHT AND THE SHAPE OF DIGITAL CULTURE 8-9 (2007).
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\textsuperscript{63} See JESSICA LITMAN, DIGITAL COPYRIGHT 11, 166-86 (2006).
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In Africa, policy makers and the political class have apathetically ignored the creative industries because of either political philosophies or cultural mores.\textsuperscript{64} African creative industries include fashion, film, folk-lore, traditional culture expressions, sculpture, music, literature, literary works, drama, animation, and celebrity branding.\textsuperscript{65} However, the African policy makers have not robustly developed the legal regimes and infrastructure to boost these creative industries.\textsuperscript{66} Innovators on new platforms like the Internet and software programs-driven ecosystems began to rely on digital copyright regimes to protect their creativity such as Technical Protection Measures (TPM), Digital Rights Management (DRM), and takedown and put back processes, which have become significant components of copyright law.\textsuperscript{67}

C. The Marrakesh Treaty

Ethiopia, like most developing African countries, experiences severe visual disabilities among its population.\textsuperscript{68} Ethiopia is actively pursuing the enhancement of educational and fulfillment of capacities for its disabled community.\textsuperscript{69} At the University of Gondar, Ethiopia has a deliberate program in its curriculum for visually disabled students.\textsuperscript{70} However, visually disabled creators and Internet challenged or otherwise print disabled persons still face the challenges of competing on an equal playing field within the cyberspace platforms for accelerating their creative and innovative potentials. The Marrakesh Treaty has opened the Internet and other cyberspace

\begin{footnotesize}
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\item Id.
\item Id.
\item Id.
\item Heather M. Aldersey et al, \textit{The University of Gondar, Queen’s University and MasterCard Foundation Scholars Program: A Partnership for Disability-Inclusive Higher Education in Ethiopia}, 12 GATEWAY INT’L COMMUNITY RCH & ENGAGEMENT 1 (2019).
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platforms for the disabled to take advantage of the innovative opportunities in cyberspace with fewer restrictions on proprietary laws.\textsuperscript{71}

D. The Lisbon Systems and Ethiopia’s Geographical Indications (GI)

Ethiopia has abundant agricultural and natural resources unique to its land.\textsuperscript{72} Terroir, a concept in GI law fundamentally drives the contours of right owners.\textsuperscript{73} Ethiopian coffee, honey, Teff-Injera, Rose, and Cotton are few of the unique products peculiar to the region and are naturally in abundance.\textsuperscript{74} Ethiopia should take advantage of these rich natural food resources with an effective appellation and legal regime.\textsuperscript{75} Ethiopia could scale up its productive capacity and diversify its revenue intake, while protecting the rights of its people through a combination of indigenous and contemporary laws.\textsuperscript{76}


\textsuperscript{72} See Justin Hughes, Champagne, Feta, and Bourbon: The Spirited Debate about Geographical Indications, 58 HASTINGS L. J. 299, 301 (2006); See also Alessandro Stanziani, Wine Reputation And Quality Controls: The Origin Of The AOCS in 19th Century France, 18 EUROPEAN J.L.& ECON. 149 (2004).

\textsuperscript{73} Hughes, supra note 72 at 61-62.


Legal scholars have resisted further enhancement of IP regimes on creative and resourceful products. However, the current socio-economic realities of global productive forces show contrary positions. The European Union is in the frontline of using GIs to protect its food and non-food products. Ethiopia already recognizes international Treaty rule in its IP regime. Therefore, all it requires is a deliberate effort to raise subject matter experts in this field to allay its misgivings or fears about multilateral legal engagements.

3. ROLE OF ETHIOPIAN LAW SCHOOLS

A. Digital Technology and Creative Legal Education

Law schools traditionally teach human legal-issue spotting and analysis as a precursor to effective problem solving and client services. Law schools generally train lawyers to excel in legal writing, doctrines and advocacy skills. However, technology has changed the human angle of legal analysis and issues spotting. With artificial intelligence, wrap agreements, machine reading and smart-contracts, software-programs are gradually replacing humans in


78 World Intellectual Property Review, The EU Council To Extend GI Protection, (Apr. 27, 2020), https://www.worldipreview.com/news/eu-council-to-extend-gi-protection-17796?worldsource=world+IP+Review&world_campaign=4d3f6a81-WIPR_Digital_Newsletter_02112018_COPY_01&world_medium=Email&world_term=0_d76dc6c014d3f6a81-27534989&fbclid=Iwar3hzx3daotif5ghzhtsq9ekxqmtckiuup4fukynxx7i0rb1bzic_Uuy (April 11, 2019); In most European Union law jurisdiction, GI has become a distinct regime for legal protection. #.

79 Id.

80 See Copyright Proclamation (2004), (Ethiopia), § 3 (16).


83 Roberts, supra note 81.
testing the integrity of legal analysis. Therefore, law students and existing legal practitioners need to comprehend the workings of the digital ecosystem.

The legal outcomes of the application of technological measures on transactional experience of parties will become relevant to creative rights. For example, calculating performers’ rights, royalties, and locating performers in digital platforms goes beyond the abilities of members of a copyright management organization to monitor rights users and performance patterns.

Generally, law school curriculums emphasize legal procedure and doctrine of precedence, which iteratively rely on traditional law teaching pedagogy. However, technology has disrupted downstream end-usage of legal services. The rapid evolution of legal services beyond the pace of theories and doctrinal formulations demands a rethink of methods of training an African IP lawyer. Therefore, law schools should equip digital era African lawyers with ‘out-of-the-box’ thinking to measure with the disruptiveness of technology.

A conscious program to connect research, technology, and development (RT&D) institutional hubs with African law schools’ IP curriculums along with experiential and real-life training, would prepare future and present lawyers for modern legal challenges in contemporary creative industries. Early exposure for law students and qualified lawyers to practical and hands-on experience in transactional IP practice could start with setting up compulsory clinical IP programs in African law schools.

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84 Id.
85 Fenwick, supra note 82.
89 Peggy Maisel, Expanding and Sustaining Clinical Legal Education in Developing Countries: What We Learn from South Africa, 30 FORDHAM INTL L. J. 374 (2014).
90 Id.
91 Id.
Another method would be to encourage law students to focus on technology as it relates to legal service outcomes. Intensifying the placement of African law students to intern or extern in law firms and legal departments of corporations with active IP practice reduces abstracts associated with doctrinaires.92 Contemporary investors look out for value differentiators like the security or multiplier benefits of their tangible and intangible proprietary rights.93 Therefore, African IP subject matter experts would add value in conceptualizing new digital copyright and IP laws to create necessary investor friendly regimes within their local area of legal practice. The Ethiopian law schools could creatively develop curriculum that intersects between law, analytics, and financial technology.

B. Ethiopian IP Teachers and Practical Developments

Achieving an effective and efficient outcome in IP legal education in the digital era would require more than aspirational and philosophical themes.94 IP teachers’ pedagogical approach of the pre-digital era, of mostly tutorials and doctrinaire disconnects with the rapidly evolving creative economy95 Therefore, Ethiopian IP teachers would need a growth mind-set in instructional and teaching themes.96 Law school IP instructors in Ethiopia should adapt their teaching to evolving economic production themes. African law schools should prioritize the training of lawyers as investment-support professionals to guide investors in making decisions about investing in the creative industries from an IP perspective.97 IP curriculum in Ethiopian

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93 Andrew Summer, Foreign Direct Investment in Developing Countries: Have We Reached a Policy "Tipping Point"? 29 Third World Q 239 (2008); See also Anup Tikku, Indian Inflow: The Interplay of Foreign Investment and Intellectual Property, 19 Third World Quarterly 87 (1998).
94 Maisel, supra note 89.
95 CAROL S DWEECK, MINDSET: THE NEW PSYCHOLOGY OF SUCCESS 1 (RANDOM HOUSE, NEW YORK, 2016).
96 Id.
law schools should de-emphasize the focus on litigation and lawsuits as remedies for transactional IP disputes.\(^98\) African financial institutions rarely and sparsely recognize IP rights as tangible valuable assets for credit valuation and project financing.\(^99\) Ethiopia IP faculties in collaboration with other professionals like statisticians and computer scientists should create awareness on the tangibility of IP values with targeted interrelated subjects. Ethiopian creators should focus on creating new and beneficial works, while obtaining relevant legal advice at the outset from skilled lawyers with relevant IP-based knowledge.\(^100\) Emerging Ethiopian creators lack the financial means to pursue lawsuits. Creators should therefore focus on creating new and beneficial works, while obtaining relevant legal advice at the outset of their creative processes from skilled lawyers with relevant IP-based knowledge.\(^101\) With a less litigious space, creators would harness the IP system for their private economic growth and users of innovations would access works of creativity, legally and unencumbered.\(^102\)

C. Examples of Ethiopian Universities

Ethiopian law schools have an important role to play in the renaissance in technological and creativity growth.\(^103\) Few Universities have existing specialized technological centers, which a conscious synergy with the law schools would produce a protected and confidence-building phenomenon in national policies.\(^104\) More Ethiopian law schools should adopt the model of Bahir Dar and Addis Ababa Universities (discussed below) but with a robust interface with the IP law faculties.

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\(^{100}\) Dlamini, *supra* note 97; McQuoid-Mason, *supra* note 98.


\(^{103}\) *Id.*

\(^{104}\) *Id.*
(1) Entrepreneurship Development and Incubation Centre (EDIC) (Ethiopia)

The School of Law of Bahir Dar University in Ethiopia in collaboration with Israel Technology Transfer Group and Shenkar University has a robust experiential learning syllabus. The Free Legal Aid Service Clinic of Bahir Dar University law school and EDIC could be another avenue of experiential learning where law students have hands-on training. Bahir Dar University recognizes the significance of the intersection of law school curriculum with technology and innovation institutions. However, this paper could not ascertain the depth of the instructional and experiential program of the law faculty in exposing its IP law students to contemporary digital IP jurisprudence. Information this research gathered from Bahir Dar University’s website, and interviews with few IP students and law faculty members of Bahir Dar University, did not indicate a deliberate interface between the curriculum and practical IP training of students.

(2) Addis Ababa University, Addis Ababa Institute of Technology (AAiT) and the Office of Research and Technology Transfer

The AAiT has a laudable objective of collaborating with Addis Ababa University faculties to commercialize and humanize technologies. However, the need to interface technology transfer and entrepreneurial programs with IP faculty and curriculum should be its focal objective, if innovation from RT&D would achieve tangible economic efficiency. AAiT currently does not have an active collaborative teaching and learning interface with Addis Ababa University Law School’s IP program. Therefore, achieving the objectives of an effective technology transfer

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106 Id.
109 Transcript of Data and Survey accessible through author of this article.
philosophy may remain aspirational because the legal regime to protect proprietary rights of transferred or created technology remains unexplored.

4. **FORWARD OUTLOOK AND RECOMMENDATION**

This paper recommends the robust teaching of traditional and digital IP subjects in a mild and non-technical format in Ethiopian tertiary institutions. Ethiopia should commence active steps to engage the creative community locally and international and enter existing IP Treaties. Ethiopia should launch a national orientation inclusive of all stakeholders to set an effective policy for innovation and commercial investment. Ethiopia should update existing IP regimes to recognize current productive economic realities. The use of local languages and special purpose vehicles (SPV) should form part of the strategic initiatives to impel public engagements in investment development. The University of Washington (UW), Seattle, in the USA has a template in entrepreneurial inventiveness and law school partnership that may be worth examining for African law schools.\textsuperscript{110} CoMotion, a corporation and a separate legal entity distinct from the University but established by the UW collaborates robustly with the University of Washington School of law in advising innovators on IP rights, protecting IP rights and licensing the rights.\textsuperscript{111} Innovators and creators should be guided from ideas formation stages to the point where it becomes tangible creation that may impact society socially and economically.\textsuperscript{112}

**CONCLUSION**

International Treaty engagement is not a new terrain for Ethiopia. In the human right subject, Ethiopia has recognized and implemented most laws. Therefore, the experience and templates adopted in these areas should guide its execution of international socio-economic jurisprudence. The Marrakesh Treaty may serve as a starting point.\textsuperscript{113} The AfCFTA ongoing phases of

\textsuperscript{110} CoMotion, (Apr. 27, 2020), https://comotion.uw.edu/
\textsuperscript{111} Id.
\textsuperscript{112} Id.
\textsuperscript{113} On March 13, 2020, Ethiopia ratified Marrakesh Treaty with Proclamation To Ratify The Marrakesh Treaty To Facilitate Access To Published Works For Persons Who Are Blind, Virtually Impaired And Print Disabled, Proclamation No. 1181/2020 pursuant to Treaty Provisions of the Federal Democratic Republic of Ethiopia Constitution. However, Ethiopia should legislate clearly how the Treaty would be organized and implemented within its ecosystem.

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agreement is a grand opportunity for Ethiopia to engage its regional partners for effective leverage of its IP rights especially in trade and investment aspects of innovation. Ethiopian law schools have a unique opportunity to allay the fears or mitigate the lethargic sentiments towards international commercial treaty regimes with a deliberate training of subject matter experts who would advise policy makers and the public.
**LEGISLATION INDEX**

Lists of Proclamations enacted from November 2017 - December 2019 (Hidar 2009 to Tahsas 2011 E.C) as available at the Ethiopian House of Peoples’ Representatives website.

Compiled by: **Abera Abebe Zegeye**

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SCHOOL OF LAW
UNIVERSITY OF GONDAR

BRIEF PROFILE
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LL.B (Regular and Extension)
LL.M in Human Rights (Regular and Extension)
LL.M in Environmental and Water Laws (Extension)

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