



# GEORGIA'S INTELLECTUAL PROPERTY RIGHTS (IPR) ENVIRONMENT

THE NEED FOR ASSET IDENTIFICATION AND REVENUE  
GENERATION

REPORT

Monday, May 09, 2011

This publication was produced for review by the United States Agency for International Development. It was prepared by Deloitte Consulting LLP.

# **GEORGIA'S INTELLECTUAL PROPERTY RIGHTS (IPR) ENVIRONMENT**

THE NEED FOR ASSET IDENTIFICATION AND REVENUE  
GENERATION

REPORT

FINAL

USAID ECONOMIC PROSPERITY INITIATIVE (EPI)

CONTRACT NUMBER: AID-114-C-10-00004

DELOITTE CONSULTING LLP

USAID/CAUCASUS

DISCLAIMER:

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

# DATA

Name of Component: *Business Enabling Environment*

Author(s): *Timothy Trainer*

Practice Area: *Intellectual Property Rights*

Key Words: Awareness, Copyright, Counterfeit, Designs, Education, E-filing, Enforcement, Geographical Indications, Intellectual property rights, Media, Patent, Pirate, Sakpatenti, Trademark

# ABSTRACT

This report on Georgia's IPR environment concludes that the overall level of IPR awareness is perceived to be very low among Georgia's business, legal and government sectors. All sectors are in need of significant assistance to raise awareness. In addition, meetings with representatives of Georgian businesses, entertainment industry, the legal community, higher education, and government agencies provide a picture of very low awareness among the general population, which contributes to a domestic market that creates an obstacle to promoting IPR as a tool for business and economic growth. Based on these findings, it is recommended that the EPI project undertake a variety of activities aimed at raising awareness among the general public about IPR, educating businesses about the role of IPR as a tool for promoting business assets to generate revenues, assisting Georgia's IPR agency, Sakpatenti, to become the government's primary promoter of IPR, and strengthening government institutions that are critical to the protection and enforcement of IPR assets that are commercially used for business and economic development.

# ABBREVIATIONS

APCR	Association of Pharmaceutical Companies Representatives
BAG	Business Association of Georgia
EPI	Economic Prosperity Initiative
EPO	European Patent Office
GSMEA	Georgia Small & Medium Enterprises Association
IPR	Intellectual Property Rights
IT	Information Technology
JILEP	Judicial Independence & Legal Empowerment Project
MNC	Multi-National Companies
SOP	Standard Operating Procedures
TRIPS	Agreement on Trade Related Aspects of Intellectual Property Rights
USAID	US Agency for International Development
WTO	World Trade Organization

# CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>1</b>
<b>1.GENERAL IPR ENVIRONMENT.....</b>	<b>3</b>
<b>2.RELEVANT GOVERNMENT INSTITUTIONS/ FUNCTIONS .....</b>	<b>4</b>
<b>3. RELEVANT NON-GOVERNMENT GROUPS .....</b>	<b>6</b>
<b>4. EPI ACTIVITIES: GOVERNMENT INSTITUTIONS.....</b>	<b>8</b>
<b>5. EPI ACTIVITIES: NON-GOVERNMENT INSTITUTIONS.....</b>	<b>12</b>
<b>ANNEX A .....</b>	<b>14</b>
<b>ANNEX B .....</b>	<b>15</b>
<b>ANNEX C .....</b>	<b>19</b>

# EXECUTIVE SUMMARY

The intellectual property rights (IPR) “system” involves creative individuals and entities, government agencies and the specific laws that provide the detailed framework for the acquisition and protection of patents, industrial designs, trademarks, geographical indications, copyrights and related rights, integrated circuit layout designs and undisclosed information/trade secrets.

## GOVERNMENT ENTITIES

Sakpatenti, Georgia’s Intellectual Property agency that is responsible for accepting applications, examining applications and deciding whether to grant legal recognition of the different types of IPR applied for, has some, but not all, the necessary internal mechanisms to be an effective intellectual property office. Internally, it does not have **manuals for standard operating procedures** for the various tasks it must undertake. In addition, it does not have a **trademark examiners manual** that would ensure greater uniformity for the examination, review and decision making for trademark applications.

Sakpatenti, as the primary IPR agency of the Georgian Government, lacks the training and skills to be an active source for **IPR outreach** (awareness and education for the business sector and other relevant government agencies). In order for Georgia’s businesses to take greater advantage of the IPR system, Sakpatenti should receive **training** that improves its ability to explain its functions and the functions of other relevant agencies such as customs. In addition, Sakpatenti should be able to effectively communicate the importance of IPR as a tool for business and economic development.

Government entities such as customs, police and prosecutors have very little understanding of the role of IPR in economic development. As a result, the enforcement entities of the government cannot appreciate the importance of IPR and why protecting owners and enforcing the law has any economic importance to the country. While the laws make violations of IPR subject to civil and criminal penalties, the lack of interest in enforcement of the laws is, in part, a lack of awareness and understanding of why these laws should be enforcement.

In addition to the perception that enforcement agencies are unaware of IPR, the judiciary is also viewed as uneducated about IPR and, to the extent any judges have IPR experience, it is inadequate to result in meaningful protection of IPR through judicial proceedings. Thus, the combined effect of low IPR awareness by enforcement authorities and judges is a lack of confidence in the IPR system by the few businesses that take steps to protect their IPR.

## BUSINESS SECTOR

The business sector lacks sufficient IPR awareness to take full advantage of the IPR system. The lack of awareness includes both inadequate knowledge about the general legal structure that different technical, creative, and commercial activities can be protected by different IPR laws. In addition, the lack of awareness is related to the fact that there is little to no explanation provided about how the acquisition of IPR results in commercial activities that can generate revenues for a business as a tool for economic growth.

The lack of understanding the potential benefits of IPR results in an inability to fully and commercially exploit assets for medium and long term business growth, which in turn can deprive the national economy of the full benefits of IPR's role in economic development.

# 1. GENERAL IPR ENVIRONMENT

During the period February 4 to 24, meetings were held with representatives of government agencies, businesses and business associations, law firms, the entertainment industry, and higher education (see list in Annex A). There were two universal comments that described the current IPR situation in Georgia. First, there is a near complete lack of awareness as to what IPR is and this has the direct effect of insufficient knowledge of how to identify potential business assets that could benefit from IPR protection in order to encourage business growth and contribute to economic development.

The second universal comment is the absence of any effective protection and enforcement of IPR in Georgia. Although several lawyers expressed general satisfaction with the existing legal framework, which could be improved with additional changes, the criticism by the legal community representatives was aimed at inadequate protections and enforcement. The general lack of protection and enforcement addresses the full range of the enforcement system that begins with the lack of law enforcement and customs capability and the inadequacies of the judiciary and the court system due to lack of awareness and training.

The IPR system, from the beginning point of the potential “owner” to those entrusted with ensuring that owners can avail themselves of government institutions that can provide protection, is not functioning at a level that would instill confidence and encourage businesses to fully invest in the economic system.

# 2.RELEVANT GOVERNMENT INSTITUTIONS/ FUNCTIONS

## 2.1 SAKPATENTI

Sakpatenti, the national intellectual property office, has the greatest concentration of IPR knowledge in the country. As the government institution responsible for processing applications for IPR (patents, trademarks, industrial designs, geographical indications, etc.) and providing a depository for copyrighted works voluntarily submitted, the size of the professional staff and their required knowledge to fulfill the agency's mission makes Sakpatenti the most IPR "competent" within the government.

While Sakpatenti has the largest IPR-competent professional staff in and out of the government, context is critical to understand what limitations likely exist, which are likely to mirror similar limitations in national IPR offices in most developed countries. First, Sakpatenti's mission imposes on its professional staff concentrated IPR knowledge based upon specific tasks and functions. Because of the different IPR laws and the different legal criteria that exist to claim rights in the different forms of IPR, Sakpatenti staff, while having general knowledge about IPR, will have detailed knowledge about the form(s) of IPR they work with daily in reviewing and processing applications for specific forms of IPR. For example, a patent examiner should be much more aware of the intricacies of the patent law, patent application procedures, and patent application review procedures than the details related to trademarks and vice versa.

Second, Sakpatenti staff is involved in the application operation, not the enforcement of the rights granted. Thus, Sakpatenti staff has no need to understand the details of the actual enforcement system. Staff are likely to be well versed in applying the relevant IPR law and regulations as they relate to the application and application review process, but not very knowledgeable regarding the functions of other government agencies that are responsible for enforcement of the rights when exercised in the market place.

Third, except for the limited professional staff involved in possible challenges to decisions on applications, Sakpatenti staff are generally removed from other aspects of the overall IPR system, including the judiciary (except in cases when staff may appear as expert witnesses).

## 2.2 JUDICIARY

There was no opportunity to conduct any direct meetings with officials involved in judicial training or education. Representatives of the legal community, however, expressed their views on a nearly complete lack of IPR knowledge and awareness among the judiciary based on limited cases. The legal community has a very low regard of the current state of IPR skills, generally, among the judiciary. In addition, the current situation with complex patent issues raises serious questions regarding the ability of the judiciary to reach independent decisions due to significant dependence upon expert testimony by Sakpatenti staff. The pharmaceutical community believes that the lack of judicial skill in patent cases subjects practically all pharmaceutical patents cases to the views of Sakpatenti.

Based on the state of judicial IPR knowledge, the legal community and the IPR owning community have little or no confidence in the judiciary.

## **2.3 CUSTOMS**

IPR owners have the possibility of registering their rights with Customs for purposes of border enforcement. Despite the existence of the Customs database, Customs has roughly 130 registrations, predominantly trademarks. Two staff members are assigned to processing any requests to register and to handle any opposition to register. The Head of the International Bureau indicated the lack of overall IPR awareness among Customs officers, lack of awareness by IPR owners regarding the ability to register with Customs and lack of training. Customs does not have an internal IPR training capacity, which will limit its ability to provide effective enforcement to those IPR owners choosing to register. Thus, the overall situation calls into question the ability of Customs to provide effective enforcement to the few companies that have registered and are in the Customs database in the absence of any ongoing program of IPR training and education.

## **2.4 POLICE/PROSECUTORS**

The role of police and prosecutors is limited by the lack of actions pursued by the IPR owners. Although no meetings were held with law enforcement or prosecutors, IPR owners and the legal community reflected on the lack of IPR enforcement in the market by the prevalence of counterfeit and pirate products both in hard goods and on the internet. Generally, neither law enforcement nor prosecutors will have any effect absent increased interaction between the business community and the enforcement authorities. The comments by representatives of the legal community regarding the lack of IPR awareness in the country applies to law enforcement and prosecutors.

# 3. RELEVANT NON-GOVERNMENT GROUPS

## 3.1 BUSINESSES/BUSINESS GROUPS

The level of IPR awareness among individual businesses and business groups is generally low. The representatives of multi-national companies (MNC) are aware of IPR and some were sure that their companies had registered in Georgia, but local MNC representatives were not universally knowledgeable about their companies' IPR situation. In addition, MNC representatives are not uniformly monitoring the level of IPR violations affecting their companies and do not have the level of IPR awareness of Georgia's legislative and enforcement framework as might be expected of MNCs. The Association of Pharmaceutical Companies Representatives (APCR), which is made up of foreign companies, had a high level of awareness and has legal counsel to protect their patents and, as a group, exhibited a high level of awareness and is an exception.

AMCHAM identified a high level of IPR awareness among the information technology (IT) industry because of the high level of pirated software used in Georgia. Thus, the IT industry is sensitive to the IPR issue, but the view is that the IPR system does not work because the system does not deliver adequate protection and enforcement of IPR. Beyond the IT sector, the level of IPR awareness seems to decrease significantly.

Representatives of domestic businesses, including the Business Association of Georgia (BAG) and the Georgian Small and Medium Enterprises Association (GSMEA), conceded that domestic businesses have a very low level of IPR awareness. Neither BAG nor GSMEA have any active program to promote IPR among the respective members. To the extent that there has been any engagement with Sakpatenti, that exchange has been to provide information about the law, but not in explaining the potential benefits of investing in IPR as a tool for revenue generation. Member companies, who are likely to be reliant upon trademarks, industrial designs and patents, are not receiving any education about how their activities to create products or services could be legally protected so that they could further develop these assets to generate income. The lack of linking their business activities to IPR means that they are likely to be foregoing significant business arrangements that could generate direct income from licensing the use of their patents, designs and trademarks.

## 3.2 ENTERTAINMENT INDUSTRY (FILM/MUSIC)

The representatives of this sector who were available to meet had, as a group, the highest level of IPR awareness because of their "victim" status as content creators and owners who have suffered from massive copyright infringement. Representatives of these two entertainment sectors project two opposing positions: one of desperation as nothing has stopped the infringers from taking their products and depriving the creators and producers of income and one of hope as they continue to create new content, search for new business models and engage in efforts that may lead to protection of their works.

## 3.3 LEGAL COMMUNITY

There are members of the Tbilisi legal community who are familiar with IPR. The level of actual IPR legal practice is limited in view of the limited number of domestic companies that have sought to apply for patents, trademarks, designs, etc. At least one firm employs former Sakpatenti staff who have, compared to others, an advanced understanding of the IPR legal

framework. In addition, patent counsel for members of APCR was able to discuss pharmaceutical patent issues with relative ease. Other members of the legal community explained their work with Customs and Sakpatenti. Generally, several lawyers and a board member of the Georgia Bar Association indicated that more legal training is necessary in order for the legal community to provide quality representation for IPR owners. Based on these meetings, the legal community is in great need of “continuing legal education” in the IPR area. In view of the inadequate numbers of IPR trained lawyers, this has a detrimental impact on the business community because it is not receiving advice about how assets may be protected by IPR and, to the extent some businesses have acquired legal rights, there are an inadequate number of lawyers to help seek protection of rights that are being violated.

### **3.4 EDUCATIONAL INSTITUTIONS**

Critical to sustaining economic development is the preparation of the next generation of potential business owners and business executives in existing companies. Despite limited opportunity to explore this area, the opportunity to meet with the President of the Georgian-American University provided some insight into current business curricula and whether IPR is raised in current course work. Learning that IPR is not a component in the business curricula, the absence of an IPR component deprives educational institutions of the opportunity to sensitize students to the potential value of a different type of asset. Students at the university level, who are one step removed from the work force, should be targeted for some level of IPR education in view of the fact that every business, regardless of product or service, has the potential to be an IPR creator/owner.

Legal education is a natural area for IPR courses. Multiple courses could be made available from the basic to very specialized and narrowly focused courses. In view of the growing complexity of IPR legal practice, educational institutions will have to consider the number of courses to offer and resources available to provide a solid foundation for IPR legal education.

# 4. EPI ACTIVITIES: GOVERNMENT INSTITUTIONS

## 4.1 SAKPATENTI

Sakpatenti has requested three specific activities to support its core mission.

### 1. Standard Operating Procedures (SOP):

Sakpatenti acknowledges that it does not have a SOP for the agency. During initial meetings Sakpatenti officials inquired about the ability of EPI to assist in developing an agency SOP for future guidance and to have procedures available in order to avoid possible disruption that could arise because of personnel changes. A detailed SOP is likely to be needed to be in line with the different tasks involved with the different “departments”. Based on recent discussion with the Deloitte consultant who will examine the IT needs, the SOP would be drafted in line with identifying the detailed and various tasks involved in creating the e-filing system or the SOP activity would require the type of assessment that would take place to understand the IT needs to develop an e-filing system for the different forms of IPR.

### 2. Trademark Examiners Manual

Sakpatenti has no manual to assist trademark examiners (the European Patent Office-EPO- is assisting in developing a patent examiners manual). Sakpatenti has asked if EPI can provide expert assistance in writing and creating trademark examiners manual. The manual would provide substantive support to trademark examiners reviewing trademark applications and assist in making decisions whether applications are properly prepared and whether applicants should be granted a trademark. The preparation of a manual can be accomplished by having two or three dedicated Sakpatenti staff draft with the guidance of a consultant who would get the drafting started and monitor the writing of the manual over a six-month period. This would allow the activity to be ongoing, but not require a consultant to be present full-time on-site. This would likely require a 10 to 12 week commitment on the part of a consultant. In addition, in view of the many trademark examiners’ manuals available, the key is to adapt existing manuals to the needs of Sakpatenti.

### 3.e-Filing capability

Sakpatenti has requested EPI assistance to adopt and implement an e-filing system that would permit applicants to submit applications electronically. The system should allow for electronic filing, electronic amendments, payments, and the other features now available to national IPR offices in developed countries.

Sakpatenti, having the largest concentration of IPR specialists, should be enlisted to provide active support to any IPR awareness campaign.

### 1.Sakpatenti: Identifying IPR “Trainers”

Sakpatenti should identify candidates to be IPR Trainers so that they can participate in an EPI “IPR Trainers” program. The EPI “IPR Trainers” program will expand on Sakpatenti staff’s existing IPR knowledge so that they can deliver IPR awareness programs that address issues beyond the substance of the laws. Sakpatenti staff should be able to:

- Provide general overviews about basic areas of IPR (e.g., patent, trademark, copyright, designs, geographical indications);

- Explain the link between creativity, product/service commercial exploitation and IPR;
- Describe the potential business and economic benefits of IPR and their contribution to development; and
- Discuss the general IPR enforcement structure and its role in protecting investment and encouraging others to invest.

## 2.Sakpatenti's IPR Trainers: Self-Sustaining

Upon creating a core group of IPR Trainers, Sakpatenti should adopt a program that is self-sustaining. The IPR Trainers would be responsible for:

- Monitoring new developments in law and related IPR areas to incorporate into training materials; and
- Identifying, with Sakpatenti management approval, staff to join the IPR Trainers
- Communicating with other relevant government agencies regarding IPR protection and enforcement.

## 3.Sakpatenti: IPR Awareness-Target Audience

From a Government perspective Sakpatenti should take the lead in delivering IPR Awareness programs. EPI would assist Sakpatenti in customizing content for different audiences. In view of the low level of IPR awareness, EPI/Sakpatenti would target all conceivable audiences in and out of government.

- Government agencies:
  - Customs—offering periodic IPR awareness sessions that focus on the different types of IPR that may be protected at the border; explain the underlying legal rights by showing the registration certificates and what information is provided in such documents, show samples of registered marks; explain basic differences between trademarks, copyrights, etc.;
  - Police—identify which forms of IPR are subject to criminal penalties; cover content otherwise similar to customs training, examples of what constitutes infringement of the forms of IPR that are subject to criminal penalties;
  - Prosecutors—based on their scope of legal authority the training should be a combination of the material covered in customs and police training. Training with regard to the collection of evidence should be aimed at the specifics for IPR related cases;
  - Judiciary—comprehensive sessions on IPR laws with an emphasis on the standards for obtaining the rights, legal standards for establishing infringement in civil and criminal cases as legal thresholds may differ; and
  - Other Government Agencies—officials from other government agencies involved in economic development should be targeted for presentations of the type delivered to the business sector so that these officials have an appreciation for the links between business activity and wealth generation via the use of IPR.
- Non-Government:

- Business/Business Groups/Entertainment Industry—EPI/Sakpatenti would focus on the economic benefits of IPR and provide a general presentation that links creativity to product manufacture or service delivery to identifying the assets to be covered by IPR and the use of the IPR in commerce to generate revenues (ultimately contributing to economic development);
- Legal Community—EPI/Sakpatenti presentation that emphasizes the registrability of different forms of IPR and the regulatory procedures regarding acceptance, review and issuance of IPR; and
- Educational Institutions—the content should be similar to the content for businesses by focusing on the potential economic benefits arising from creativity and the resulting introduction of goods and services into the market to generate revenue, i.e., wealth.

#### 4.Sakpatenti/EPI: General IPR Awareness

Based upon the comments of the business/entertainment sectors, the legal community, education sector and government representatives, the awareness campaign will need the significant support of the Georgian government and substantial resources from EPI. While Sakpatenti may have some staff who may be able to contribute generally by addressing IPR legal substance, Sakpatenti does not have the capability, at this time, to provide the type of broad-based campaign necessary to raise awareness among the population at-large, which requires a creative non-legal approach that simplifies the IPR message, inspires people to create, and encourages ambitious people to pursue aspirations with the belief that their efforts can be rewarded.

In order to appeal to the largest swath of the general public, EPI needs a program that utilizes media to the broadest extent possible, including the internet and to complement the media effort with live seminars, conferences, and workshops. In reflecting on a recent campaign addressing climate change, it is worthy to note that the issue was helped by a series of presentations by a cadre of people who were trained in delivering the message. The IPR awareness program is likely to be no different. EPI can train Sakpatenti staff to be the foot soldiers for the IPR awareness program and extend outward from that core group.

## 4.2 JUDICIARY

The need for an effective judiciary to hear and resolve IPR related legal disputes was identified often by the private sector. Based on the meeting with a representative for the JILEP, EPI has an opportunity to coordinate with JILEP to outline a proposed judicial IPR training program. The program would include components for each form of IPR given that all forms of IPR must be subject to civil judicial enforcement proceedings in accordance with the WTO's Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). In addition, because of the procedural requirements related to Customs IPR cases, parties must be able to rely upon court action for the initiation of proceedings on the merits. Finally, TRIPS imposes a requirement that certain forms of IPR be subject to criminal penalties, which would dictate criminal court proceedings.

The basic international requirements impose significant responsibilities on the judiciary to hear IPR cases. In view of the current deficiencies, EPI/JILEP could consider an extensive case study approach in the various forms of IPR.

## 4.3 CUSTOMS

EPI could provide basic border measures training that examines existing procedures and identifies any unnecessary steps for purposes of registering IPRs with Customs. In addition, EPI could help develop a basic Customs “to do” checklist for its field officers. The “to do” checklist would be combined with IPR training sessions and go beyond the Sakpatenti training because the basic IPR law training would need to be placed in the context of Customs activities. Simple case scenarios could be the training exercises that require Customs officers to apply risk analysis to shipments and the types of goods presented for entry into the national market. Through the training, Customs officers would become familiar with Customs procedures applicable to IPR cases and the necessity for identifying IPR owners and contacting parties as well as other basic procedural requirements in IPR cases, e.g., engaging the importers/distributors and coordinating with other Customs offices.

The Customs IPR training program would also include a component that would seek to train-the-trainers as the goal of Sakpatenti’s activities would be to increase the volume of IPRs at Sakpatenti and the Customs database. Thus, if the IPR awareness campaign generates greater interest in basic IPR registrations, there should be an increased demand for protection and enforcement.

#### **4.5 POLICE/PROSECUTORS**

The EPI/Sakpatenti effort at IPR awareness to raise the level of basic IPR registrations is likely to have the negative effect of increased IPR disputes. Among the increased number of disputes, some will be criminal activities to steal IPR assets. In turn, this requires some level of training to prepare law enforcement and prosecutors to investigate IPR crimes. While the basic investigative techniques used in other criminal areas are transferrable and applicable to IPR cases, IPR cases do have unique features due to the increasing use of technology to steal IPR assets. Therefore, EPI could consider a separate assessment of police IPR investigative needs, especially those related to internet-based IPR crimes. In addition, the increased activity of branded goods offered online dictates that online investigations and the prosecution of such cases are not limited to copyright, but also include significant activity that implicates criminal trademark violations.

# 5. EPI ACTIVITIES: NON-GOVERNMENT INSTITUTIONS

## 5.1 BUSINESS/ENTERTAINMENT INDUSTRY ASSOCIATIONS

EPI needs to work with private sector groups separately to develop a basic education program that raises awareness among the private sector. Associations may need to have a more aggressive IPR awareness program than Sakpatenti can provide. Moreover, EPI's goal would be to provide the type of assistance that helps the business sector create customized IPR programs that can be self-sustaining. The business groups cannot rely fully on Sakpatenti in view of Sakpatenti's core mission.

EPI can take the basic IPR “benefits” messaging and help the business sector develop this message for the various associations that exist. The EPI role may be limited in view of the program that EPI will help create with Sakpatenti. The importance of the business sector's own IPR awareness raising program is a key to reaching economic objectives because this is the sector that must be creative in order to feed the IPR system and to generate economic development and contribute to government revenues. Thus, the IPR awareness campaign must include a private sector self-sustaining component.

EPI should enlist those who have a vested interest in promoting IPR Awareness and having those in the entertainment sector contribute time, equipment, facilities and their talent and names to create the awareness message. These efforts should be in combination with the awareness program that is developed in cooperation with Sakpatenti.

## 5.2 LEGAL COMMUNITY/LEGAL EDUCATION

EPI may be able to draw upon the current legal community and the few experienced practitioners to develop curricula regarding IPR laws and the various practice areas. The Georgia Bar Association could be a prime vehicle for the creation of an IPR curriculum as part of a “continuing legal education” series to raise IPR awareness and to improve IPR legal skills. In the event that the IPR awareness program creates a desire among businesses to apply for patents, trademarks, designs, etc., there will be demand for legal counsel both at the application phase and later as more conflicts and disputes arise. At present, it is estimated that out of 3,500 bar members, fewer than 100 have undertaken an IPR case. Thus, EPI could assist the bar in creating a core curriculum on IPR. Each form of IPR can be a separate subject area given that each form of IPR has its own law. In addition, the international application system for patents and trademarks can be additional courses. Given the complex nature of IPR on the internet, there would be the potential for multiple courses. The other area is a general IPR enforcement course. The various IPR issues could justify ten or more courses either in legal education in formal university settings or as a full series in IPR courses as part of continuing legal education.

With regard to adopting IPR courses in the Law Faculties of universities, this would contribute to the long term preparation of future judges to the extent that more IPR courses become part of the Law Faculty curriculum.

## 5.3 PRIVATE/PUBLIC HIGHER EDUCATION

EPI could coordinate efforts with faculty to develop basic IPR components to be part of existing courses. Future business managers studying business should be acquainted with basic IPR concepts and how assets may be exploited. Science and engineering students should be exposed to the issue of patenting their “inventions” of new compositions or other technical solutions to everyday problems. IPR is not limited to any particular course of study, but is relevant to all courses of study. Therefore, EPI could provide a “basic” component that assists faculty in addressing IPR simply and with broad application without regard to a particular course of study.

# ANNEX A

## MEETINGS/ACTIVITIES

Sakpatenti (3 meetings)

Microsoft

Ministry of Finance/Revenue Service-Customs

Judicial Independence & Legal Empowerment Project

Independent Film Project

Association of Film Development and Protection

Mikadze, Gegetchkori, Taktakishvili Law Firm

Georgia Bar Association Board Member

Mgaloblishvili Kipiani Dzidziguri Law Firm

Business Association of Georgia

Samsung (Regional Representative)

Hewlett-Packard

Film Director: Giorgi Ovashvili

Bravo Records/TBC

Composer: Mr. Gia Macharashvili

Composer: Ms. Matsatso Sebiskveradze

U.S. Embassy (Econ Section/Public Affairs)

AMCHAM

Eristav Law Group

Association of Pharmaceutical Companies Representatives

Georgian-American University

Georgia Small & Medium Enterprises Association

USPTO-CLDP-Teleconference (e-Filing)

ACTIVITIES:

Day-long workshop delivered to Sakpatenti regarding US judicial decision in IPR Cases

Session delivered to Sakpatenti on linking business activities to IPR

# ANNEX B

## CONTACT LIST

### SAKPATENTI

1. Mr. Irakli Ghvaladze  
Chairman  
Nat'l IP Center of Georgia  
30, Rustaveli Av  
0108 Tbilisi, GEORGIA  
T 995-32-25-17-60  
[ighvaladze@sakpatenti.org.ge](mailto:ighvaladze@sakpatenti.org.ge)
2. Ms. Ekaterine Eguita  
Deputy Chairman  
Nat'l IP Center of Georgia  
30, Rustaveli Av  
0108 Tbilisi, GEORGIA  
T 995-32-25-17-61  
[e.eguita@sakpatenti.org.ge](mailto:e.eguita@sakpatenti.org.ge)
3. Ms. Khatuna Tsimakuridze  
International Affairs officer  
National IP Center of GEORGIA  
[ktsimakuridze@sakpatenti.org.ge](mailto:ktsimakuridze@sakpatenti.org.ge)
4. Mr. Zvia Matiashvili  
Head, Dept of Inventions, Design, New Varieties/Breeds  
Nat'l IP Center of Georgia  
30, Rustaveli Av  
0108 Tbilisi, GEORGIA  
T (mobile) 891-400-817  
[zmatiashvili@sakpatenti.org.ge](mailto:zmatiashvili@sakpatenti.org.ge)
5. Ms. Elene Kemashvili  
Head, Legal & Copyright Law Dept  
Nat'l IP Center of Georgia  
30, Rustaveli Av  
0108 Tbilisi, GEORGIA  
T 995-32-91-71-83  
[e.kemashvili@sakpatenti.org.ge](mailto:e.kemashvili@sakpatenti.org.ge)

### MINISTRY OF FINANCE

Mr. Samson Uridia  
Ministry of Finance, Revenue Service/Customs

### JILEP

1. Mr. George Jugeli  
Commercial Law Specialist East  
East-West Management Institute  
Judicial Independence & Legal  
Empowerment Project (JILEP)  
5 Marjanishvili Street, 3<sup>rd</sup> Flr  
Tbilisi, GEORGIA  
T 995-32-505-404  
M 995-95-697-055  
[gjugeli@ewmi-jilep.org](mailto:gjugeli@ewmi-jilep.org)
2. Herbert Bowman  
Chief of Party  
East-West Management Institute  
(JILEP)  
5 Marjanishvili Street, 3<sup>rd</sup> Flr  
Tbilisi, GEORGIA  
T 995-32-505-404  
M 995-95-922-111  
[hb Bowman@ewmi-jilep.org](mailto:hb Bowman@ewmi-jilep.org)

Head, International Bureau  
Mr. Irakli Kakabadze  
CEO & Owner of ALTA  
Director-Business Assn of Georgia (BAG)  
8 Beliashvili Street  
0159 Tbilisi, GEORGIA  
T 995-32-510111  
[i.kakabadze@alta.com.ge](mailto:i.kakabadze@alta.com.ge)  
[www.alta.ge](http://www.alta.ge)

Ms. Nino Gamrekeli  
Head: Assn of Film Development & Protection  
(Film Producer)  
37 Rustaveli Ave  
0108 Tbilisi, GEORGIA  
M 899-51-54-08  
[gamrekeli@afdp.ge](mailto:gamrekeli@afdp.ge)

Mr. Archil Gelovani  
Producer  
Independent Film Project  
10 a Akhmeteli Street  
Tbilisi, GEORGIA  
T 995-32-10-63-60  
M 899-978-888  
[archil@gelovani.ge](mailto:archil@gelovani.ge)  
[archil@ifp.ge](mailto:archil@ifp.ge)

Mr. Nikoloz Doborjginidze  
Regional Representative  
SAMSUNG  
25 Kote Abkhazi Street  
0105 Tbilisi, GEORGIA  
T 995-32-43-96-72  
M 995-77-79-92-92  
[Doborj.n@samsung.com](mailto:Doborj.n@samsung.com)

Mr. Shota Lekashvili  
IPG Manager-Georgia  
71 Vazha-Pshavela Avenue  
T 995-32-20-75-11  
M 995-71-77-70-01  
[Shota.lekashvili@hp.com.ge](mailto:Shota.lekashvili@hp.com.ge)

Mr. Giorgi Ovashili  
Film Director/Producer

David Asatiani  
Microsoft  
Georgia Country Mgr  
6 Marjanishvili Street  
0102 Tbilisi, GEORGIA  
M 995-77-711-100  
[david.asatiani@microsoft.com](mailto:david.asatiani@microsoft.com)

Mr. Koba Bobokhidze  
Senior Lawyer  
Mgaloblishvili Kipiani Dzidziguri MKD  
71 Vazha-Pshavela Ave  
4<sup>th</sup> Flr, Office 24  
0186 Tbilisi, GEORGIA  
T 995-32-553-880  
M 995-99-539-772  
[kbobokhidze@mkd.ge](mailto:kbobokhidze@mkd.ge)

Mr. Zviad Kordzadze  
Managing Partner, Kordzadze Law  
Office, Bd Mbr, Georgia Bar Assn  
29 Mitskevich Street, 3d Flr  
0194 Tbilisi, GEORGIA  
T 995-32-370-258  
M 995-77-403-744  
[zviad@kordzadzelaoffice.ge](mailto:zviad@kordzadzelaoffice.ge)

Mikadze, Gegetchkori, Taktakishvili

1. George Taktakishvili, Partner  
5 Lalioni Lane  
0101 Tbilisi, GEORGIA  
T 995-32-212-708  
M 995-95-307-755  
[mikadze@mikadze.ge](mailto:mikadze@mikadze.ge)

2. Nikoloz Gogilidze  
Associate Lawyer  
5 Lalioni Lane  
0101 Tbilisi, GEORGIA  
T 995-32-212-708  
M 995-95-384-142  
[gogilidze@mikadze.ge](mailto:gogilidze@mikadze.ge)

Ms. Matsatso Sebiskveradze  
Composer

Mr. Mirian Kululashvili  
Legal Counsel  
TBC TV/Bravo Music  
68 Kostava Street  
Building 2  
0171 Tbilisi, GEORGIA  
T 995-32-40-93-40  
M 995-99-22-41-39  
[mirian@tbc-tv.com](mailto:mirian@tbc-tv.com)

U.S. Embassy

1. Erik Holmgren  
Political/Econ Officer  
11 George Balanchine Street  
0131 Tbilisi, GEORGIA  
T 995-32-27-76-40  
M 995-91-22-85-93  
[holmgrenej@state.gov](mailto:holmgrenej@state.gov)  
<http://georgia.usembassy.gov>
2. Ms. Nino Gagua  
Democracy/Grants Programs Coordinator  
Public Affairs Section  
11 George Balanchine Street  
0131 Tbilisi, GEORGIA  
T 995-32-277-628  
M 895-950-099  
[gaguaN@state.gov](mailto:gaguaN@state.gov)

ERISTAVI LAW GROUP

1. Mr. Kakha Kuchava, Partner  
41 Vazha Pshavela Ave  
0177 Tbilisi, GEORGIA  
T 995-32-39-44-17  
M 995-77-90-10-03  
[kkuchava@elg.ge](mailto:kkuchava@elg.ge)
2. Mr. Revaz Beridze, Partner  
41 Vazha Pshavela Ave  
0177 Tbilisi, GEORGIA  
T 995-32-39-44-17  
M 995-77-90-10-30  
[rberidze@elg.ge](mailto:rberidze@elg.ge)

Mr. Gia Macharashvili  
Composuer/Producer

AMCHAM

1. Kate Sidamonidze  
Manager  
10 Melikishvili Ave  
0179 Tbilisi, GEORGIA  
T 995-32-309-264  
M 995-99-797-477  
[k.sidamonidze@amcham.ge](mailto:k.sidamonidze@amcham.ge)
2. Michael Cowgill  
VP/Treasurer  
10 Melikishvili Ave  
0179 Tbilisi, GEORGIA  
T 995-32-226-907 (general line)  
M 995-899-987-150  
[rmichaelcowgill@yahoo.com](mailto:rmichaelcowgill@yahoo.com)  
Georgian-American Univerity  
President  
[www.gau.edu.ge](http://www.gau.edu.ge)
3. Mr. Wouter Metz  
Dir of Consulting  
UGT (IT)  
17a Chavchavadze Ave  
0179 Tbilisi, GEORGIA  
T 995-32-22-05-05  
M 995-77-40-1—88  
[Wouter.metz@ugt.ge](mailto:Wouter.metz@ugt.ge)
4. Nicole Jordania  
10 Melikishvili Ave  
0179 Tbilisi, GEORGIA  
T 995-32-226-907  
[n.jordania@amcham.ge](mailto:n.jordania@amcham.ge)

ASSN OF PHARMACEUTICAL COMPANIES  
REPRESENTATIVES IN GEORGIA

GEORGIAN SMALL & MED ENTER-  
PRISES ASSOCIATION

1. Irakli Margvelashvili  
Exec Director  
Assn of Pharma Companies Reps  
9 Mosashvili Street, 23 Apt  
0162 Tbilisi, GEORGIA  
T 995-32-226-197  
M 995-77-430-069  
[iraklim@caucasus.ned](mailto:iraklim@caucasus.ned)  
[www.apcrg.org.ge](http://www.apcrg.org.ge)
2. Ms. Irene Petriashvili  
Country Mgr  
Pfizer Luxembourg SARL  
6 D. Mirtsckhulava Street  
0179 Tbilisi, GEORGIA  
T 995-32-25-26-80/995-32-25-26-81  
[Irene.petriashvili@pfizer.com](mailto:Irene.petriashvili@pfizer.com)
3. Ms. Nino Gochitashvili, MD, Ph.D.  
Medical Director  
Hoffmann-La Roche Ltd.  
Basel, Switzerland  
6 Khetagurov Street, 5<sup>th</sup> Floor  
0102 Tbilisi, GEORGIA  
T 995-32-181-195  
M 995-99-554-999  
[Nino.gochitashvili@roche.com](mailto:Nino.gochitashvili@roche.com)
4. Dr./Mr. Shalva Gvaramadze  
Patent/Trademark Attorney  
Gvaramadze Patent Bureau  
13a Tamarashvili Str, Apt 36  
0194 Tbilisi, GEORGIA  
T 995-32-367-233  
M 995-99-975-043  
[info@gvaramadze.com](mailto:info@gvaramadze.com)  
[www.gvaramadze.com](http://www.gvaramadze.com)

1. Mr. Levan Kalandadze  
Executive Director  
19, Gamrekeli Street  
0160 Tbilisi, GEORGIA  
T 995-32-389-833  
M 995-77-416-969  
[lkalandadze@gsmea.ge](mailto:lkalandadze@gsmea.ge)  
[www.gsmea.ge](http://www.gsmea.ge)
2. Mr. Kakha Kokhraidze  
Vice President  
19, Gamrekeli Street  
0160 Tbilisi, GEORGIA  
T 995-32-389-833  
[kkokhraidze@gsmea.ge](mailto:kkokhraidze@gsmea.ge)  
[www.gsmea.ge](http://www.gsmea.ge)

# ANNEX C

## IPR TRAINING ATTENDEE LIST

February 22, 2011

### Participant list

	Name, Surname	Position	Cell phone	email	Signature
<b>Department of Trademarks and Geographical Indications</b>					
1	Gigi Mamadashvili	Expert	8 99 61 63 61	<a href="mailto:gigimamadashvili@hotmail.com">gigimamadashvili@hotmail.com</a>	
2	Natia Akhalaia	Expert	8 93 90 72 82	<a href="mailto:n.axalaia@yahoo.com">n.axalaia@yahoo.com</a>	
3	Nona Tvauri	Senior Expert	8 57 07 55 66	<a href="mailto:Nona.tvauri@gmail.com">Nona.tvauri@gmail.com</a>	
4	Tinatin Buziashvili	Senior Expert	8 92 23 10 37	<a href="mailto:lalestrall@rambler.ru">lalestrall@rambler.ru</a>	
5	Dea Chichinadze	Chief Expert	8 97 09 00 02	<a href="mailto:dea@wanex.net">dea@wanex.net</a>	
6	George Lolashvili	Specialist			
7	Giorgi Samkharadze	Intern	8 99 96 97 88		
8	Levan Kereselidze	Intern	8 77 11 88 83	<a href="mailto:Levan.kereselidze@gmail.com">Levan.kereselidze@gmail.com</a>	
9	Luka Gabunia	Intern	8 97 77 07 75	<a href="mailto:Lika.gabunia@yahoo.com">Lika.gabunia@yahoo.com</a>	
10	Teona Papashvili	Specialist	8 93 46 33 43	<a href="mailto:Papashvili.teona@gmail.com">Papashvili.teona@gmail.com</a>	
<b>Department of Inventions, Design and New Varieties and Breeds</b>					
11	Soso Jinjolava	Expert	8 79 20 23 80	<a href="mailto:jinjolava@gmail.com">jinjolava@gmail.com</a>	
12	Anastasia Khatiashvili	Expert	8 58 75 49 28	<a href="mailto:Ana_taso@rambler.ru">Ana_taso@rambler.ru</a>	
13	Tea Matiashvili	Senior Exert	8 71 96 05 08	<a href="mailto:Tea-matiashvili@rambler.ru">Tea-matiashvili@rambler.ru</a>	

14	Liana Akhobadze	Chief Expert	8 99 70 09 05	<a href="mailto:lakhobadze@sakpatenti.org.ge">lakhobadze@sakpatenti.org.ge</a>	
15	Otar Daraselia	Intern	8 79 07 02 49	<a href="mailto:odaraselia@mail.ru">odaraselia@mail.ru</a>	
16	Aleko Mosiashvili	Intern	8 93 35 93 93	<a href="mailto:aleksandre mosiashvili@yahoo.com">aleksandre mosiashvili@yahoo.com</a>	
<b>Legal and Copyright Law Department</b>					
17	Sophia Ebralidze	Specialist	8 77 19 44 19	<a href="mailto:Sopo_ebralidze@yahoo.com">Sopo_ebralidze@yahoo.com</a>	
18	Tamta Sharashenidze	Specialist	8 91 27 77 55	<a href="mailto:tamtashar@gmail.com">tamtashar@gmail.com</a>	
19	Gvantsa Duduchava	Specialist	8 99 68 85 85	<a href="mailto:G.duduchava@yahoo.com">G.duduchava@yahoo.com</a>	
20	Ketevan Kiladze	Chief Specialist	8 95 24 44 54	<a href="mailto:Kati_kiladze@yahoo.com">Kati_kiladze@yahoo.com</a>	
21	Meri Macharashvili	Chief Specialist	8 99 47 12 46	<a href="mailto:mmacharashvili@sakpatenti.org.ge">mmacharashvili@sakpatenti.org.ge</a>	
<b>International Affairs and Project Management Division</b>					
22	Khatuna Tsimakuridze	Specialist	8 55 58 58 11	<a href="mailto:ktsimakuridze@sakpatenti.org.ge">ktsimakuridze@sakpatenti.org.ge</a>	
23	Gvantsa Meunargia	Specialist	8 93 14 77 47	<a href="mailto:gvantsameunargia@sakpatenti.org.ge">gvantsameunargia@sakpatenti.org.ge</a>	
24	Ketevan Tkeshelashvili	Specialist	8 95 38 00 85	<a href="mailto:ktkeshelashvili@sakpatenti.org.ge">ktkeshelashvili@sakpatenti.org.ge</a>	
<b>Public Relations Division</b>					
25	Eka Shanidze	Head of Division	8 99 58 28 25	<a href="mailto:eshanidze@sakpatenti.org.ge">eshanidze@sakpatenti.org.ge</a>	
26	Mariam Latsabidze	Specialist	8 99 72 88 01	<a href="mailto:marikalatsabidze@gmail.com">marikalatsabidze@gmail.com</a>	
27	George Beburishvili		8 97 34 19 91	<a href="mailto:gioreen@hotmail.com">gioreen@hotmail.com</a>	
28	Irma Gikosashvili		8 99 90 36 91	<a href="mailto:igikosashvili@sakpatenti.org.ge">igikosashvili@sakpatenti.org.ge</a>	

29	Rati Japaridze		8 99 66 10 31	<a href="mailto:ratijaparidze@gmail.com">ratijaparidze@gmail.com</a>	
30	Zviad Matiashvili	Head of Patent Department	8 91 40 08 77	<a href="mailto:zmatiashvili@sakpatenti.org.ge">zmatiashvili@sakpatenti.org.ge</a>	

**USAID Economic Prosperity Initiative (EPI)  
6 Samghebro St.**

**Tbilisi, Georgia**

**Phone: +995 32 43 89 24/25/26**

**Fax: +995 32 43 89 27**