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**SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)**

In accordance with Regulation 24(c) of the National Standards Bodies Regulations of 28 March 1998, the Standards Generating Body (SGB) for

**Marketing**

registered by Organising Field 03 – Business, Commerce and Management, publishes the following Qualification and Unit Standards for public comment.

This notice contains the titles, fields, sub-fields, NQF levels, credits, and purpose of the Qualification and Unit Standards. The full Qualification and Unit Standards can be accessed via the SAQA web-site at [www.saqqa.org.za](http://www.saqqa.org.za). Copies may also be obtained from the Directorate of Standards Setting and Development at the SAQA offices, SAQA House, 1067 Arcadia Street, Hatfield, Pretoria.

Comment on the Qualification and Unit Standards should reach SAQA at the address below and **no later 3 December 2007**. All correspondence should be marked **Standards Setting – Marketing** and addressed to

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## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**QUALIFICATION:*****National Certificate: Intellectual Property Administration***

<b>SAQA QUAL ID</b>		<b>QUALIFICATION TITLE</b>	
59387		National Certificate: Intellectual Property Administration	
<b>ORIGINATOR</b>		<b>PROVIDER</b>	
SGB Marketing			
<b>QUALIFICATION TYPE</b>	<b>FIELD</b>	<b>SUBFIELD</b>	
National Certificate	3 - Business, Commerce and Management Studies	Marketing	
<b>ABET BAND</b>	<b>MINIMUM CREDITS</b>	<b>NQF LEVEL</b>	<b>QUAL CLASS</b>
Undefined	122	Level 5	Regular-Unit Stds Based

**PURPOSE AND RATIONALE OF THE QUALIFICATION****Purpose:**

This qualification requires that learners are able to administer intellectual property created in the media, advertising, publishing, culture, heritage, arts or other creative sectors, to ensure that it is exploited, protected and/or secured. Qualified learners are able to ensure the protection of their intellectual property rights, and can advise others regarding tactics for the protection and exploitation of intellectual property.

Improved protection and exploitation of intellectual property ensures that conflict is prevented as far as possible, and that the creators of intellectual property derive rightful benefits. Protection of intellectual property at community level and the protection of culture ensure social transformation at all levels of society. The social and economic legacy resulting from the protection of intellectual property positively affects future generations. Finally, the promotion of innovation and entrepreneurship ensures economic transformation through business growth.

The qualification provides learners who have gained relevant experience in intellectual property administration with access to, and mobility and progression within various learning (e.g. access to Higher Education) and career paths (e.g. legal studies) by recognising the competence they have already achieved. The qualification also sets the minimum standard for education and training that is required to administer intellectual property according to best practice standards and legal requirements. Especially with regards to the creators of intellectual property, the qualification will contribute significantly to the creators' personal development through empowerment, which, in turn, impacts on social and economic development of national intellectual property rights.

Qualified learners are capable of:

- Negotiating intellectual property rights for own media, advertising, publishing, cultural, heritage, arts or other creative intellectual property.
- Disseminating information regarding intellectual property rights and requirements to relevant media, advertising, publishing, culture, heritage, arts or other creative sector stakeholders.
- Collating information regarding existing media, advertising, publishing, cultural, heritage, arts or other creative intellectual property.
- Recommending tactics to secure media, advertising, publishing, cultural, heritage, arts or other creative intellectual property.
- Administering intellectual property processes within allowable scope of practice.

- Referring media, advertising, publishing, cultural, heritage, arts or other creative sector stakeholders for advice regarding intellectual property outside allowable scope of practice.

#### Rationale:

The media, advertising, publishing, culture, heritage, arts and other creative sectors in South Africa need to protect and exploit intellectual property created within these sectors. However, these sectors are experiencing various challenges in this regard:

- Unless intellectual property and its use are properly managed, rights to original creations or cultural heritage may inadvertently be violated or lost. Thus, the exploitation, protection and registration of intellectual property (e.g. text, images, names, artefacts, indigenous knowledge, etc.) as well as best practice standards should be developed and promoted.
- Marketers, advertisers and designers are dealing with intellectual property rights, and are required to use intellectual property legally and according to best practice standards; they must identify intellectual property and attend to its classification, ownership, protection and registrations. They must be able to manage, license, exploit for commercial gain or otherwise, buy and sell, sponsor, outsource, franchise, etc. as they create and potentially own intellectual property, e.g. trade marks as components of brands, advertising slogans, fashion labels etc.; literary, musical or artistic works (books, lyrics and music, still visual art), sound recordings cinematography, unique combinations of materials, texture, inventions, software (object code or source code), etc. They increasingly face challenges regarding the violation (infringement, counterfeiting, piracy, etc.), passing off, false attribution (plagiarism, violation of moral rights), deception or confusion of consumers' intellectual property, and ambush marketing. They also need to know about constitutional rights, such as freedom of expression and rights of others (e.g. personality rights, privacy, the right not to be defamed, the right to one's image etc).
- In the music sector, creating and owning intellectual property (e.g. recordings and musical works, trademarks, art work, public performances, etc.), and using it legally and according to best practice standards, are imperative; challenges include adaptation, royalty calculation, synchronisation, licensing and blanket licensing, piracy, counterfeiting, publishing, transcriptions, new forms of exploitation, international cross-border exploitation etc.
- The performing arts face challenges regarding unauthorised reproduction, staging existing work and licensing, collective work, adaptations, freedom of expression, etc.; intellectual property may manifest as lighting, sound, music, scripts, choreography, performers' rights, performances, names (e.g. group names, stage names, production names, etc.), sets and stage, make-up, props and special effects, wardrobe, editing, etc.
- Visual artists and photographers have to protect and be persistently identified with their intellectual property. Their challenges include digitisation, digital world-wide exploitation of their works, privacy rights, moral rights, originality, authenticity, archiving, exhibiting, ownership, reproduction, distribution, marketing, etc.; Intellectual property may subsist in images, prints, sculptures and installations, drawings, paintings, photographs, etc.
- Audio-visual media production requires competence regarding, for example, outsourcing, and is facing challenges related to censorship and classification of material (e.g. films and publications act) moral rights, unauthorised reproduction, staging existing work and licensing, collective work, adaptations, freedom of expression, etc.; intellectual property manifests as film, lighting, sound, music, scripts, performers, performance rights, names, sets and stage, make-up, props and special effects, wardrobe, editing, stage drawings, versioning (one property will be exploited in over 7 different formats and edits) etc.
- The publishing sector has to create, commission the creation and manage intellectual property (e.g. manuscripts, layout, illustrations, photographs, book covers and design, names) ownership

and rights within the context of and with challenges relating to international rights (e.g. territory licenses), translations, re-prints, software piracy, blanket licensing, collective rights, plagiarism, technological advances, multi-media publishing, electronic publishing (including web publishing), fair dealing, availability of scholarly material, etc.; challenges include censorship, ethical behaviour of sourcing information, etc.

In addition to the above sector challenges, technological and information conversion and digitisation pose their own intellectual property protection, licensing challenges relating to especially standards (i.e. electronic and description standards), copyright, collective rights, royalties, ownership of materials (e.g. historic content), subscriptions, etc. Also, in the legal services sector, learning about intellectual property management usually takes place during employment only, specific training is scarce, and competence is seldom nationally recognised.

Intellectual property is frequently lost or underutilised because of poor management of property rights and poor workflow. Particularly in the digital age, proper processes and swift turnaround becomes central to successful intellectual property management. This qualification is required to improve the level of competence of those persons who create and disseminate intellectual property to ensure that it is administered correctly, and to ensure inclusivity not only relating to tangible outputs intellectual property, such as goods, but also other manifestations of intellectual property, such as brands.

Outside the legal profession, there is no standardised specialisation for intellectual property administration and management competence, and learning takes place in isolation within organisations, focusing on clerical competence and in-house training for the use of information technology systems used for intellectual property management and administration. With current and developing legislation regarding access to information and intellectual property, much administration is required, which does not require involvement of lawyers. The demand for intellectual property management advice is currently greater than the supply, requiring consultation and litigation competence. Also, legal experts have a social responsibility to invest in society by providing information for public consumption. However, information regarding intellectual property management remains inaccessible and demystification is needed. This qualification is required to address the need for competence that is not at the specialised level of lawyers, and to improve access to information and intellectual property protection. A balance should be achieved between social and commercial objectives.

Trends impacting on intellectual property administration include the following:

- At the beginning of the 21st century, in the middle of information age, not only traditionally recognised factors of production, such as raw material, capital and labour, but increasingly intellectual property, intangible capital and a diversity of cultural resources require proper recognition. They are the determinants of future success of any nation or region. Consequently, it is pivotal for any country to develop a national intellectual property strategy, including education and training that fits the country's aims and allows it to become a strong player in the knowledge economy.
- A further feature of our times is the increased interdependence of far distant nations and regions, sometimes referred to as "globalization". Thus, terms of international trade, competitive positioning, an attractive environment for "knowledge industries" and "knowledge workers", as well as a region's perceived attractiveness for foreign direct investment impact on virtually any domestic policy setting. This is especially true for rules on intellectual property and intangible capital, essential components of the architecture of markets and the ability to foster a knowledge economy.
- The increasing role of intellectual property in customer relationship management in terms of economically harnessing value from these relationships.
- The dynamic nature of intellectual property and the fast pace of changes.
- More people are working as independent generators of intellectual property.
- Reworking of intellectual property is increasing.

- Internationally, there is an increasing awareness of the intrinsic value and value context of intellectual property.
- International conventions are creating wider standards, records, etc.
- Technological convergence trends are increasing the channels and formats of information delivery, resulting in digital rights management and ownership issues.
- Interdisciplinary communication is increasing.
- Government's understanding of intellectual property's central role to foster a dynamic national culture, improve education and generate a national asset base as a common economic good, with the possible result of intellectual property improved revenue collection.
- Legal frameworks are lagging behind technology advances and self and/or market-regulation is increasing.
- Open access technology is impacting on the way that information is shared.
- The digital reproduction of all products seems inevitable.
- New national policies are required to regulate, or guide the use of and paying for intellectual property (e.g. copyright policies) that can be cascaded to other levels of corporate and civil society.

Target learners are from any field where intellectual property is created or managed. Many learners will also require recognition of prior learning (RPL) against this qualification for the competence that they have achieved in their workplace. The qualification is aimed primarily at learners who would consult, give support and advice, and educate others regarding intellectual property administration. They would be required to identify intellectual property requirements, that is, develop the plans of action to consider measures to protect and exploit intellectual property. Part of this process is also to identify potential conflicts to prevent, for example, filing incorrectly, and identifying when to refer to, for example, lawyers and attorneys. A secondary target group consists of people who create intellectual property, and who mostly need only part of the competence required for achieving this qualification. For example, authors, illustrators, composers, photographers, script writers, artists, performers and musicians, media, advertising, publishing, culture, heritage, arts and other creative practitioners must be able to recognise intellectual property requirements, realise when to seek help, and know where to find advice, in order to protect their rights and secure their intellectual property.

Qualified learners may find employment in the legal, media, advertising, publishing, culture, heritage, arts and other creative fields (e.g. craft, design, music, performing arts, visual arts, audio-visual media production such as film, television, live events, radio, multimedia, etc.), and employers may include legal clinics; business start-up advisory services; legal firms/practices (e.g. trademark paralegals, trademark managers, or trademark administrators); heritage sites; advertising agencies (e.g. strategists); Government departments (e.g. legal advisors; officials in the trademarks, copyright, patents, and design offices; cultural and heritage practitioners in the Department of Arts and Culture; researchers and information officers; librarians, researchers, and archivists working in state libraries; etc.). Other employment opportunities include the broadcasting and science and technology sectors, and self employment giving legal advice and support.

Typical learners who would enter programmes leading to this qualification will generally have achieved a Further Education and Training Certificate. Once they have achieved this qualification, learners can progress within a legal studies learning pathway, for example, a law degree, or may choose to pursue a first degree in their area of practice, for example, heritage, visual art, marketing, advertising, publishing, performing arts, etc. The competencies required to qualify are also transferable to other fields such as education, training and development, and business management.

When intellectual property is administered effectively, conflict is prevented and boundaries are set for the rights related to and use of intellectual property. Benefits to society and the economy will result from improved management of intellectual property and resources by means of:

- Safeguarding intellectual property.
- Increased international status, resulting in increased investment.
- Protecting innovations.
- Promoting innovation and entrepreneurship.

### **RECOGNIZE PREVIOUS LEARNING?**

Y

### **LEARNING ASSUMED IN PLACE**

The qualification was designed based on the assumption that the following competencies have already been achieved:

- Language and communication competence at NQF Level 4.
- Computer literacy at NQF Level 3.

### **Recognition of Prior Learning (RPL):**

This qualification can be achieved wholly, or in part, through recognition of prior learning. Evidence can be presented in a variety of forms, including previous international or local qualifications, reports, testimonials, mentoring, functions performed, portfolios, work records and performance records. As such, evidence should be judged according to the general principles of assessment described in the notes to assessors below. Learners who have met the requirements of any Unit Standard that forms part of this qualification may apply for recognition of prior learning to the relevant Education and Training Quality Assurance body (ETQA). The applicant must be assessed against the specific outcomes and with the assessment criteria for the relevant Unit Standards. A qualification will be awarded should a learner demonstrate that the exit level outcomes of the qualification have been attained.

### **Access to the Qualification:**

- Access to the qualification is open.

### **QUALIFICATION RULES**

All Fundamental component (14 credits) and Core component (98 credits) unit standards are compulsory. For the elective component, learners are required to achieve at least 10 of the available 80 credits.

### **EXIT LEVEL OUTCOMES**

1. Negotiate intellectual property rights for own media, advertising, publishing, cultural, heritage, arts and other creative intellectual property.
  - Range: Negotiation is limited to own intellectual property.
2. Disseminate information regarding intellectual property rights and requirements to relevant media, advertising, publishing, culture, heritage, arts and other creative sector stakeholders.
  - Range: Stakeholders can include members of the public, creators of intellectual property, and users of intellectual property.
3. Collate information regarding existing media, advertising, publishing, cultural, heritage, arts and other creative intellectual property.
4. Recommend tactics to secure media, advertising, publishing, cultural, heritage, arts and other creative intellectual property.
  - Range: Recommendations can relate to own and/or others' intellectual property.
5. Administer intellectual property processes within defined scope of practice.

6. Refer media, advertising, publishing, cultural, heritage, arts or other creative sector stakeholders for advice regarding intellectual property outside allowable scope of practice.

### **ASSOCIATED ASSESSMENT CRITERIA**

#### **Associated Assessment Criteria for Exit Level Outcome 1:**

- Rights relating to intellectual property relevant for specific contexts/examples are identified.
- Own terms are defined in terms of inclusions, exclusions, intention, viability, and sustainability, and are mutually beneficial.
  - Range: Intention can include, for example, commercial gain.
- Valid agreements are made with all relevant persons before taking action or commencing work.
  - Range: Validity means reasonable and fair.

#### **Associated Assessment Criteria for Exit Level Outcome 2:**

- Information is disseminated that is relevant for specified information needs and requests and the information is complete and current.
- Information is relevant for the identified scope of intellectual property involved in specific contexts and clarifies what the required responses/actions should be.
- Terminology used is familiar to specific stakeholders.

#### **Associated Assessment Criteria for Exit Level Outcome 3:**

- A variety of sources of information is accessed verified for authenticity and credibility.
- The nature and scope (amount) of intellectual property information that is collated is relevant for and covers the specified area of practice.
- Classification/categorisation of information adheres to given systems for organising information, and all sources are acknowledged.
- Information is presented that addresses all specified information needs, and presentation techniques and formats are relevant for specific contexts.

#### **Associated Assessment Criteria for Exit Level Outcome 4:**

- All aspects are identified that have to be referred to other relevant/appropriate authorities and/or service providers.
- Tactics are recommended that ensure that potential conflicts are addressed and that intellectual property value is maximised.
- Tactics are tested for feasibility in terms of given budget, identified risks, and implications of course of action, and include various options.

#### **Associated Assessment Criteria for Exit Level Outcome 5:**

- Technology and systems used are assessed for fitness for specific purposes and processes.
- Intellectual property processes are administered according to given legal, process, time frame and budget requirements.
- Intellectual property portfolios are audited, expanded, and valued according to specified organisation procedures, and gaps and infringements are communicated to all relevant persons.
- Administration information is recorded and archived as specified.

#### **Associated Assessment Criteria for Exit Level Outcome 6:**

- Referrals are checked for compliance with receiving parties' referral information and operational requirements as agreed prior to referral.
- Instructions given to receiving parties regarding next steps to follow are clarified where necessary.



- Communications for referral support the establishment, maintenance and/or continuity of relationships with referral service providers in a way that contributes to the quality of service delivered.
- Referrals are made according to agreed ethical and professional requirements.

#### Integrated Assessment:

The assessment criteria in the unit standards are performance-based, assessing applied competence, rather than only underpinning knowledge, or only skills. The critical cross-field outcomes are also achieved in the unit standards. In addition to the competence assessed to achieve the unit standards, learners must demonstrate that they can achieve the outcomes in an integrated manner, dealing effectively with different and random demands related to occupational and learning contexts, to qualify, and assessment approaches used should be appropriate for assessing applied competence. Integrated assessment is meaningful if there are clear relationships between the purpose statement, exit level outcomes and integrated assessment of this qualification.

Learners who qualify must be able to integrate concepts, ideas and behaviours across unit standards to achieve the purpose of the qualification. Evidence (as specified in the associated assessment criteria) is required that the learner is able to achieve the exit level outcomes of the qualification as a whole and in an integrated way, and thus its purpose, at the time of the award of the qualification.

Evidence of integration may be presented by learners when being assessed against the unit standards, and separate assessment for integration may not be necessary. Workplace experience can be recognised when assessing towards this qualification. Integrated assessment should include observable performance as well as the quality of thinking behind such performance. Formative assessment can be employed during learning towards the unit standards and during integration to achieve exit level outcomes, to ensure that integration takes place when summative assessment is employed.

#### **INTERNATIONAL COMPARABILITY**

In 2002, the Commission on Intellectual Property Rights published a much discussed report on "Integrating Intellectual Property Rights and Development Policy. The report referred to a "paucity of literature which identifies 'best practice' for IP-related technical assistance." (p.168). Unfortunately, this continues to be the case, and internationally agreed guidelines still do not exist, even though, according to the authors of the aforementioned report, "Large numbers of people, from a variety of professional backgrounds, have received general and specialised training in IP subjects" (p.168). Nonetheless, "the study of intellectual property has grown in to a distinct academic discipline, most notably in law schools from higher education institutions in developed countries such as the UK, Germany, USA and Canada" (<http://www.ip-institute.org.uk/>).

The majority of programmes in the area of intellectual property are aimed at graduates (e.g. lawyers and engineers), especially in the autonomous law schools found in the United States and Canada. However, there are qualification programmes and short courses offered at a level equivalent to the level of this South African qualification, provided "within the mainstream educational system from university level and/or in non-degree conferring vocational training institutions". This is the case, for example, in the United Kingdom and most of Europe. In addition, legal colleges offer so-called vocational training similar to continuing education in the South African professional context (<http://www.ip-institute.org.uk/>).

For the purpose of this international comparison, published materials regarding education and training were obtained using a methodology similar to that of snowball sampling: information about and from international organisations that operate in the area of intellectual property administration and management (e.g. the World Intellectual Property Organisation - WIPO) was used to identify countries that are actively involved in research and education about intellectual



property. Therefore, comparisons were made with relevant learning programmes offered in the following countries:

- Algeria.
- Australia.
- Bahrain.
- Belgium.
- Botswana.
- Cameroon.
- Canada.
- Egypt.
- Finland.
- France.
- Gambia.
- Ghana.
- Hungary.
- Iraq.
- Israel.
- Japan.
- Jordan.
- Kenya.
- Kuwait.
- Lebanon.
- Lesotho.
- Libya.
- Malawi.
- Morocco.
- Mozambique.
- Namibia.
- Norway.
- Oman.
- Palestine.
- Poland.
- Portugal.
- Qatar.
- Saudi Arabia.
- Sierra Leone.
- Singapore.
- Somalia.
- Sudan.
- Swaziland.
- Switzerland.
- Syria.
- Tanzania.
- Thailand.
- Tunisia.
- Turkey.
- Uganda.
- United Arab Emirates.
- United Kingdom.
- United States of America.
- Yemen.
- Zambia.
- Zimbabwe.

It should be noted that the United States of America also consider South Africa and the nations that constitute the Association of Southeast Asia Nations (ASEAN - Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam) to be in need of improved enforcement of intellectual property rights protection. Because the ASEAN members are actively involved in rectifying the situation in their countries, examples from these countries were included in the comparison. The following countries were specifically excluded because of either inadequate protection of intellectual property rights, or inadequate enforcement of intellectual property rights protection, resulting in pirate markets, pirated goods and counterfeit goods: Brazil, China, Pakistan, Nigeria, Korea, Malaysia, Panama, Colombia, India, Paraguay, Ukraine, Indonesia, and Russia.

The WIPO Worldwide Academy was established in Geneva in 1998. It offers a number of courses and seminars as part of, amongst others, a professional development programme for the area of intellectual property. Distance learning courses include the following, at an equivalent level, compared with this South African qualification:

**WIPO Course:**

- The fundamental aspects of intellectual property.

**South African qualification:**

- Essential embedded knowledge across all Fundamental and Core component unit standards, and one Elective component unit standard.

**WIPO Course:**

- Main areas of intellectual property: Copyright, related rights, patents, trademarks, geographical indications, industrial design, plant breeders' rights, unfair competition and international registration systems.

**South African qualification:**

- Essential embedded knowledge in all Fundamental and Core unit standards; Geographical indications, plant breeders' rights, and unfair competition are not mentioned specifically, but also not excluded.

**WIPO Course:**

- Copyright and Related Rights: Basic principles of international Copyright Law, international treaties, and recent developments and trends in the area of international copyright; the role of WIPO in the worldwide protection of copyright.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard, although WIPO is not mentioned by name.

The above courses are approximately 153 notional hours. This is considerably less than the South African qualification, but equivalent in terms of the content addressed. The same is true for the WIPO two-week Summer School on Intellectual Property in Geneva, Switzerland. The summer school programme components compare as follows with this South African qualification's components:

**WIPO Summer School on Intellectual Property:**

- WIPO and its role in the promotion and protection of intellectual property.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard, although WIPO is not mentioned by name.

Intellectual property in the global context.

**WIPO Course:**

- Copyright and related rights.

**South African qualification:**

- Core.

**WIPO Course:**

- International protection of copyright and related rights.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards.

**WIPO Course:**

- Copyright protection in the digital environment: Issues and challenges.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard.

**WIPO Course:**

- Patents.

**South African qualification:**

- Core.

**WIPO Course:**

- International patent system.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard.

**WIPO Course:**

- Patent cooperation treaty (PCT).

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard although not mentioned by name.

**WIPO Course:**

- Selected case studies on patents.

**South African qualification:**

- Fundamental and Core.

**WIPO Course:**

- Trademarks.

**South African qualification:**

- Fundamental and Core.

**WIPO Course:**

- Geographical indications.

**South African qualification:**

- Geographical indications are not mentioned specifically, other than in the explanation of intellectual property rights, but also not excluded.

**WIPO Course:**

- Industrial designs.

**South African qualification:**

- Core (generic).

**WIPO Course:**

- Madrid and the Hague systems.

**South African qualification:**

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard although not mentioned by name.

## WIPO Course:

- Collective management of copyright and related rights.

## South African qualification:

- Core.

## WIPO Course:

- Trips agreement.

## South African qualification:

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard although not mentioned by name.

## WIPO Course:

- Intellectual property and public health: Issues and challenges.

## South African qualification:

- Essential embedded knowledge in Core component unit standards, and one Elective component unit standard although not mentioned by name.

## WIPO Course:

- Intellectual property and small and medium sized enterprises (SMEs).

## South African Qualification:

- Essential embedded knowledge in Core component unit standards, and various Elective component unit standards.

## WIPO Course:

- Management of intellectual property assets.

## South African qualification:

- Core.

## WIPO Course:

- Intellectual property and the promotion of innovation: the use of patent information.

## South African qualification:

- Core.

## WIPO Course:

- Selected case studies on copyright and related rights.

## South African qualification:

- Core.

## WIPO Course:

- Unfair competition.

## South African qualification:

- Essential embedded knowledge in all Fundamental and Core unit standards; Unfair competition is not mentioned specifically, but also not excluded.

## WIPO Course:

- E-commerce, domain names and alternative dispute resolutions.

## South African qualification:

- Essential embedded knowledge in all Fundamental and Core unit standards.

## WIPO Course:

- Protection of new plant varieties.

## South African qualification:

- Plant varieties protection is not mentioned specifically, but also not excluded, although this component is probably at a higher level of specialisation.

**WIPO Course:**

- The convention on biological diversity (CBD) and intellectual property.

**South African qualification:**

- Essential embedded knowledge in all Fundamental and Core unit standards.

**WIPO Course:**

- Traditional knowledge and genetic resources.

**South African qualification:**

- Essential embedded knowledge in all Fundamental and Core unit standards; genetic resources are not mentioned specifically, but also not excluded.

**WIPO Course:**

- Traditional cultural expressions of folklore: Policy issues.

**South African qualification:**

- This component is probably at a higher level of complexity than the SA qualification.

**WIPO Course:**

- Regional systems for the protection of intellectual property.

**South African qualification:**

- Essential embedded knowledge in all Fundamental and Core unit standards.

**WIPO Course:**

- Licensing and transfer of technology.

**South African qualification:**

- Core and Elective.

**WIPO Course:**

- Selected case study on trademarks.

**South African qualification:**

- Fundamental and Core.

**WIPO Course:**

- Group discussions: Use of trademarks on the internet; scope of patents; exceptions and limitations of copyright in the digital environment; well-known marks; enforcement of intellectual property rights.

**South African qualification:**

- Fundamental and Core.

The Professional Training Programme offered by WIPO is provided in a number of countries and at various levels of complexity, aimed at right owners, administrators, law enforcement officers and professionals in the field of intellectual property. The courses provide basic or specialised training in law, administration and enforcement of intellectual property rights, and the use and dissemination of industrial property documentation and information, in all fields of intellectual property. At a level equivalent compared with the South African qualification, the following comparison was made with examples of courses:

**WIPO Professional Training Programme Course:**

- WIPO/NPO Training Course on Patents:

- The purpose of the patent system.
- Introduction to the European and the Norwegian Patent System: aspects of biotechnology, software patenting, the Supplementary Protection Certificate (SPC).
- The Patent Cooperation Treaty (PCT).
- Introduction to patent examination.

- Patent search; PCT minimum documentation.
- Manual patent search, search exercises.
- Search tools using free databases, search exercises.
- Assessment of patentability, exercises on assessing novelty and inventive step.
- Implementation of a full electronic case handling: the way from paper case handling to electronic handling.

Duration: 1 week.

Country: Norway.

South African qualification: Fundamental and Core (generic), although some aspects are at a higher level of complexity than the SA qualification.

#### WIPO Professional Training Programme Course:

##### ● WIPO/OAPI Workshop on Intellectual Property:

- The importance of intellectual property for technological, economic and social development (South African qualification: Core).
- The international framework in the field of industrial property (South African Qualification: Essential embedded knowledge in all unit standards).
- OAPI and its information services in the field of patents; the protection of trademarks and other intellectual property rights on the Internet: Legal problems.
- Practical studies of the patent system, trademarks, industrial designs.
- OAPI and the revised Bangui Agreement (South African qualification: Core).
- The use of patent information for research and for improving the competition of small and medium-sized enterprises (South African qualification: Fundamental and Core).
- Acquisition and dissemination of technical and scientific information (South African qualification: Fundamental).
- Strategies for scientific and technical information search (South African qualification: Fundamental and Core).
- Access to patent information and transfer of technology (South African qualification: Fundamental and Core).
- Introduction to patent search tools (CD-ROM products, BREF, ESPACEACCESS, CASSIS, etc.), practical exercises (South African qualification: Fundamental and Core).
- International patent classification - a tool for information search (South African qualification: Fundamental and Core).
- Challenges and legal aspects of the protection of copyrights and related rights in the digital age (South African qualification: Core).
- Procedural rules for litigation, damages and interests, civil remedies and criminal sanctions: Examples of France and OHADA countries (Organisation for the Harmonization of Business Law in Africa) (South African qualification: Elective).
- Practical exercises, case studies.

Duration: 1 week.

Country: Cameroon.

The University of Connecticut (School of Law) Certificate Program in Intellectual Property (United States of America) offers an elective first-year Intellectual Property course, over five semesters. The requirements for the Certificate are as follows, compared with this South African qualification:

#### University of Connecticut Certificate Program in Intellectual Property:

- Intellectual Property: An Introduction: legal regulation of mental products (e.g. visual and performing arts, new plant varieties, electronic databases, advertising, insulin producing bacteria, video games) - regulatory system, cases and statutes, core doctrines of intellectual property and how they are interconnected, legal change.

South African qualification:

- Core.

University of Connecticut Certificate Program in Intellectual Property:

- Clinic: intellectual property, business organisation and planning (entrepreneurship) - relevant law and lawyering skills, representing clients under the supervision of a full-time supervising attorney.

South African qualification:

- Core and Elective (partial).

University of Connecticut Certificate Program in Intellectual Property:

- Defamation, Privacy and Publicity: reputation/defamation/slander, freedom from public exposure/privacy rights, rights of publicity, commercial use of identity, the way new rights are created and sustained.

South African qualification:

- Core (partial).

University of Connecticut Certificate Program in Intellectual Property:

- Entertainment Law: legal, business and policy issues in music, film, television and sports industries - intellectual property issues in the entertainment industry; conflict of interest and other legal ethics issues; contractual rights and relations among entertainment industry workers in television, motion pictures, and recordings, including agency and management agreements; an analysis of the economic structure of the entertainment industry; basics of film and television practice including financing, production and distribution arrangements and agreements; a survey of the various unions and guilds having jurisdiction over the various personnel in the entertainment industry.

South African qualification:

- Core (generic, partial).

University of Connecticut Certificate Program in Intellectual Property:

- Intellectual Property in the European Union: past and present intellectual property policies of the Commission of the European Communities and the European Court of Justice - international exhaustion, the problem of parallel imports, European Union harmonisation efforts, Commission decisions, Court of Justice opinions, law review articles.

South African qualification:

- Core (partial).

University of Connecticut Certificate Program in Intellectual Property:

- Intellectual Property Policy: information flow: how information is created and disseminated, the legal incentives to create and protect information, and the public policy reasons for doing so.

South African qualification:

- Core (partial), although probably at a less complex level in the SA qualification.

University of Connecticut Certificate Program in Intellectual Property:

- Law and Technology: Computers and the Law: issues involving the general question of how the new technology is affecting, and is affected by, the law and the legal system.

South African qualification:

- Core (generic).

University of Connecticut Certificate Program in Intellectual Property:

- Law and Cultural Issues in Cyberspace: how the new technology is affecting, and is affected by, the law and the legal system.

South African qualification:

- Core (generic).

University of Connecticut Certificate Program in Intellectual Property:



- Supervised writing/supervised externship in intellectual property with a significant writing component.

South African qualification:

- Core.

One intellectual property seminar:

University of Connecticut Certificate Program in Intellectual Property:

- Cyberlaw, Special Topics Seminar: Theoretical and/or practical issues concerning the rise of the global information network, the interaction of legal developments and cultural change, the role of academic scholarship in public policy.

South African qualification:

- Core (partial), although probably at a less complex level in the SA qualification.

University of Connecticut Certificate Program in Intellectual Property:

- Copyright Seminar: philosophical, psychological, and economic bases of the legal protection of intellectual and artistic works - term and scope of protection, international protection, the relationship of copyright and the first amendment, the relationship of federal and state law in the protection of copyrighted material, the impact of technological change such as developments in computer technology, record piracy, and photocopying.

South African qualification:

- Core (generic, partial).

University of Connecticut Certificate Program in Intellectual Property:

- Legal Regulation of Art and Public Culture Seminar: public law issues surrounding the legal regulation of art, the problem of balancing the interests of owners, visual and performance artists, and the public - protection of art works through existing intellectual property regimes; obscenity, parody, and defamation; artists' moral and economic rights; museum board fiduciary responsibilities and deaccession; government funding for the arts; reparation of stolen art; cultural property and issues of cultural identity; the challenge of new technologies for art law; international and comparative aspects of art law.

South African qualification:

- Core (generic, partial), although probably at a less complex level in the SA qualification.

One of the following:

University of Connecticut Certificate Program in Intellectual Property:

- Patent Law and Procedure: Practice and procedure in preparation and prosecution of patent applications, including interferences, appeals, and patent conveyancing, law of patents, patent litigation, patent antitrust problems, license litigation.

South African qualification:

- Core (partial).

University of Connecticut Certificate Program in Intellectual Property:

- Trademark and Unfair Competition Law: legal and policy problems in the law of trademarks through case analysis and examination of the Lanham Act. - marks subject to protection, the federal registration process, likelihood of confusion, "palming off," remedies, trademark case law, preparation of trademark applications, opinion work and responses.

South African qualification:

- Core, although probably at a less complex level in the SA qualification.

University of Connecticut Certificate Program in Intellectual Property:

- Introduction to Copyright: how copyright has shaped our culture and how the legal underpinnings and emerging technology have shaped copyright.

South African qualification:

- Core, although probably at a less complex level in the SA qualification.

One of the following (optional):

University of Connecticut Certificate Program in Intellectual Property:

- Administrative Law, Alternative Dispute Resolution, Antitrust & Trade Regulation, Problems in Antitrust, Arbitration, Business Planning, Business Organizations, Comparative Law, Conflict of Laws, Corporate Finance, Problems in Corporate Law, Entertainment Law, Freedom of Speech, Contemporary Legal Theory, Development of the Regulatory State, European Community Law & Institutions, Federal Courts, International Economic Law, Jurisprudence, Law & Economics, Legislative Process, Media & the Law, Negotiation, Privacy in Cyberspace, Regulated Industries: Energy & Telecommunications, Right to Privacy, Sports & the Law, Statutory Interpretation, International Trade Law Problems in Corporate Law.

South African qualification:

- Some equivalent unit standards in the Elective component.

Also in the United States of America, the Franklin Pierce Law Center offers Intellectual Property Basics courses, at the equivalent level compared with this South African qualification. For example, the course "IP Basics for Artists, Authors, Inventors, Web Page Designers" include:

- Avoiding patent, trademark and copyright problems.
- Converting intellectual assets into property: strategic intellectual property management and its importance.
- Trademarks and business goodwill: the important differences between strong and weak marks, the importance of searches, and the value of state and federal registrations.
- Copyright in written work: copyright registration and notice, ownership and duration of rights, remedies, deposit and registration, the need for counsel in licensing and other matters of interest to free-lance writers.
- Publishers' rights and wrongs in the cyberage: author and publisher rights.
- Copyright for computer authors: the importance of copyright registration and notice, works for hire, deposit requirements, registration of multiple works, the need for counsel in licensing and other matters of interest to computer artists, authors and programmers.
- Copyright in visual arts: the importance of copyright registration and notice, works for hire, deposit requirements, registration of multiple works, the need for counsel in licensing and other matters of interest to freelance artists, craftspeople, photographers, sculptors etc.
- Copyright on the internet: copyright issues and email lists and web pages, the fundamental distinction between works that are and are not "for hire," deposit and issues to consider in transferring copyright interests.
- Seeking cost-effective patents: intellectual property options in view of the nature of inventions and their market value, specific strategies for controlling patent costs, the relationship between patents and the market value of inventions, the need for counsel in making outside submissions, the need for prior art searches, being sceptical of invention promoters, other matters of importance to first-time inventors.

All these aspects are covered in the Core component unit standards of the South African qualification.

The European Patent Office (EPO) offers a four-day course, focused on patents, at the level of this South African qualification that compares as follows:

EPO Patent Information Beginners Seminar; South African qualification:

- The EPO and its place in the patent system; Core (generic).
- Patent terminology; Core.
- Search basics; Fundamental and Core.
- The EPO's patent information products; Fundamental and Core (generic).
- Other suppliers of patent information; Fundamental and Core.

- From filing to granting-an overview on patent granting systems and procedures, with an outlook to the EPC 2000; Core (generic) essential embedded knowledge.
- The database of ideas: esp@cenet®; Fundamental and Core (generic), essential embedded knowledge.
- Searching in esp@cenet®; Fundamental and Core (generic), essential embedded knowledge.
- Intellectual property on the internet; Core (partial).
- Overview on patent information products for business use; Core (generic).
- Looking East - the EPO's East Asian patent information services; Core (generic), essential embedded knowledge.
- Electronic Publications from the EPO; Core (generic), essential embedded knowledge.
- Register Plus and WebRegMT; Core (generic), essential embedded knowledge.

In Australia, most qualifications combine law with another discipline. For example, the five year Arts/Law program at the University of Sydney, one of the top institutions, includes the Bachelor of Arts (BA) simultaneously with the Bachelor of Laws (LLB). The equivalent of year one of the Bachelors of Laws (LLB) is completed over the first three years of the Arts degree. The Law Elective Program (year four and five) includes more than 50 optional units, for example, international law, corporate law, comparative law and constitutional law, environmental law, taxation, family law, criminology, intellectual property, legal theory, law and gender, industrial law, anti-discrimination law, and dispute resolution. These courses are at a level above the level of this South African qualification. Melbourne University Law School, also in Australia, and one of the top institutions, offers post graduate programmes only, with short courses on invitation, for example, a 2-day workshop on Intellectual Property Protection of Integrated Circuits in Vietnam. No comparison was made due to a lack of published information.

The African Regional Intellectual Property Organisation (ARIPO) is an intergovernmental organisation for cooperation among African states in patent and other industrial property matters. ARIPO members are Botswana, Gambia, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Uganda, Zambia, and Zimbabwe. South Africa, although not a member, is an observer. Other observers are Angola, Egypt, Eritrea, Ethiopia, Liberia, Mauritius, Nigeria, and Seychelles. Also focused on Africa, The Organisation Africaine de la Propriété Intellectuelle (OAPI - African Intellectual Property Organisation, in English) has its headquarters in Cameroon. The organisation was created by Bangui Agreement of March 2, 1977. The Bangui Agreement was subsequently amended in 1999. Its 16 member states are mostly French-speaking countries - Benin, Burkina Faso, Cameroon, Central Africa, Congo, Cote d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Mali, Mauritania, Niger, Senegal, Chad, and Togo.

ARIPO opened a Regional Training Centre in 2006. Although the focus of programmes will be on training trainers, the ARIPO web site includes information about the following aspects of intellectual property administration, all of which are addressed as embedded knowledge in the South African qualification, within most of the new unit standards:

- What is a Copyright?
- ARIPO's Mandate on Copyright.
- What is an Industrial Design?
- How to Apply for a Design?
- What is a Patent?
- How to Apply for a Patent?
- What is a Trademark?
- How to Apply for a Trademark?
- Traditional Knowledge Protection Initiatives.
- Why Traditional Knowledge?
- What is a Utility Model?
- How to Apply Utility Model?

The Multi Actors Cooperation for Sustainable SMEs through Informal Intellectual property Management (MAC-SSIIM) training and support programme mainly for SMEs (and companies in general) and Universities (students at all levels), and also decision/policy makers and relay actors such Chambers of Commerce, and professional bodies. The programme was originally funded by the European Commission, and is offered by ACTIF-Europe (France and Belgium), Industrial Association of the College of Biotechnology (AESBUC - Portugal), MAC-Team aisbl (Belgium), Ostroleka Council of Scientific and Technical Associations' Federation (Poland), SC - Research (Finland), University of Debrecen, Faculty of Economics and Business Administration (Hungary), CCI Hajdú-Bihar county (Hungary), CCI Ostroleka - RIG (Poland), CCI South Ostrobothnia (Finland), City of Debrecen (Hungary), City of Ostroleka (Poland), and Etelä-Pohjanmaan liitto (Finland). The programme includes equivalent level courses regarding formal and informal intellectual property protection, including the key principles and fundamentals of intellectual property, intellectual capital and knowledge management, business networking in a knowledge based economy, innovation management and change management and organisational learning in SMEs; assessing, defining and planning for intellectual property management; implementation of intellectual property management in an organisation. The South African qualification requires similar competence as addressed in this programme.

In addition to graduate and e-learning courses, the Hungarian Patent Office also offers accredited adult education courses with state recognitions (i.e. basic level, advanced level - for graduates - and tailor-made courses). The Basic level course is at a level comparable with this South African qualification, and runs over 6 months. It compares as follows with the South African qualification:

#### Hungarian Patent Office Adult Education:

Basic level course on intellectual property rights: perform patent and trademark searches or novelty search; recognise the possibilities lying in the IP protection of own intellectual properties:

- Patent and Utility model law, and their respective international treaties (South African qualification: Essential embedded knowledge in Core).
- Trademark and Design law, and their respective international treaties (South African qualification: Essential embedded knowledge in Core).
- Methodology of intellectual property searches (South African qualification: Fundamental and Core).
- Intellectual property tasks of undertakings, representation for enterprises (South African qualification: Core).
- Innovation and IP support for SMEs (South African qualification: Core and Elective).
- IP database research (South African qualification: Fundamental and Core).

The Centre for International Industrial Property Studies (CEIPI) offers a programme in France at the equivalent level and of equivalent notional duration (i.e. one year) compared with this South African qualification, although a first degree in engineering is set as entry requirement. The programme consists of two components: a patents course, leading to the International Industrial Studies Diploma in Patents, and a trademarks and industrial designs course, leading to the International Industrial studies Diploma in trademarks and industrial designs, with the two Diplomas combined to lead to the Diploma in International Industrial Studies. The programme compares as follows with this South African qualification:

#### CEIPI programme, France:

- General legal introduction; Introduction to the common law; Corporate law; Introduction to the intellectual property law; Contractual techniques; Innovations by employees; Contracts in the field of industrial property; International contracts; French and Community competition law and intellectual property law; Intellectual property management and fiscality; Unfair competition.

South African qualification:

- Core (generic, partial), although probably at a less complex level in the SA qualification.

## CEIPI programme, France:

- Patents: Introduction to industrial property law; International conventions in the field of patents; European patent law; European Patent Organisation; Patentability; Delivery of the European patent; Community patent; Patent works; Case studies; Seminars on the enforcement of the European Patent Convention; French patent law: Grant of the French patent; Rights conferred by patents and patent infringement; Infringement suits; Medication patent; Patents and biotechnology; Compulsory licenses; Software law; Foreign patent law: United States, Japan, Germany, etc.

## South African qualification:

- Core (generic, partial), although probably at a less complex level in the SA qualification.

## CEIPI programme, France:

- Trademarks and industrial designs: International conventions; French trademark law; The Union of Madrid; Community trademark; Foreign trademark law of the most important countries. (Europe, North, Central and South America, OAPI, Asia); Appellations of origin and geographical indications; Introduction to the copyright; International conventions in the field of copyright; The La Haye agreement; French Industrial designs law; Comparative and community industrial designs law; Foreign industrial designs law (Europe, United States etc.).

## South African qualification:

- Core (generic, partial), although probably at a less complex level in the SA qualification.

The Japan Intellectual Property Association (JIPA) offers courses at various levels of complexity that compare as follows with this South African qualification:

## Course: Entry Level:

- Corporate activities and the intellectual property rights system (South African qualification: Core (partial)).
- Patents and practical use (South African qualification: Core).
- Design and trademark system (South African qualification: Core).
- Foreign patent systems (South African qualification: Core).
- Intellectual property information (South African qualification: Core).
- Intellectual property laws (South African qualification: Essential embedded knowledge).
- Intellectual property contract outline (South African qualification: Fundamental and Core).
- Intellectual property management (South African qualification: Fundamental and Core).

## Course: Beginner Level:

- Patent rights and practical use acquisitions (South African qualification: Core).
- Foreign patent systems (South African qualification: Core (generic)).
- Design and trademark system (South African qualification: Core).
- Intellectual property information (South African qualification: Fundamental and Core).
- Primer in law (South African qualification: Core (partial)).
- Intellectual property legal contention (South African qualification: Elective).
- Corporate intellectual property management (South African qualification: Core (generic, partial)).
- Civilised society and intellectual property (South African qualification: Essential embedded knowledge).

## Course: Intermediate Level:

- Patent and practical use law (South African qualification: Core).
- Design law (South African qualification: Core (partial)).
- Trademark law (South African qualification: Core).
- The American patent system (South African qualification: Core (generic)).

- The European patent system (South African qualification: Core (generic)).
- Treaties and Asian country patent systems (South African qualification: Core (generic)).
- Basic of contracts and practical business (South African qualification: Core and Elective).
- Outline of corporate law (South African qualification: Core (partial)).
- Civil law outline (South African qualification: Core (partial)).
- Ways of writing detailed statements (South African qualification: Core (partial)).
- Patent information and patent investigation (South African qualification: Fundamental and Core).
- Constructing and managing patent information systems (South African qualification: Not included).
- Competition law (South African qualification: Core (partial)).
- Copyright law (South African qualification: Core).

Course: Advanced Level:

- Patent office decision litigation (South African qualification: Elective).
- Trademark competition law and foreign country systems (South African qualification: Core (partial)).
- Comparative patent law (South African qualification: Not included).
- International contracts (South African qualification: Not included).
- Patent infringement litigation (South African qualification: Elective (partial)).
- American patent litigation (South African qualification: Not included).

Course: Research:

- Researching judicial decisions (South African qualification: Fundamental and Core).
- Research on patent precedents (South African qualification: Fundamental and Core (partial)).
- How to write an application in English (South African qualification: Fundamental and Core (integrated)).

The biggest difference between the JIPA courses and this South African qualification's components, other than the fact that the JIPA courses are short courses, is the focus on patents in the JIPA courses. The JIPA Advanced Level courses are at a level above the South African qualification.

The Arab Society for Intellectual Property, with liaison offices in Egypt, Jordan, Lebanon, Palestine, Israel, Kuwait, Saudi Arabia, Pakistan, United Arab Emirates, Oman, Qatar, Bahrain, Yemen, Algeria, Morocco, Syria, Turkey, Tunisia, Iraq, Libya, Sudan, Pakistan, and China offers four courses that combine as the Arab Certified Intellectual Property Practitioner Program at a comparable level with that of this South African qualification, and of equal notional hours. The courses include an introduction to intellectual property, and intellectual property principles, tools and practice for trademarks and unfair competition; copyrights and related rights; patents of inventions and trade secrets; advanced courses (optional). The South African qualification addresses all these components, although there is less depth regarding patent principles, tools and practice.

At the level of this South African qualification, various other short courses and modules, ranging from 1 day to are offered internationally, that compare as follows:

Course: Patents, Copyrights, and the Law of Intellectual Property:

Country/Organisation: Massachusetts Institute of Technology, United States of America.

- Introduction to American law and to intellectual property (South African qualification: Core (generic)).
- Patents (South African qualification: Core):
  - Patentable subject matter.

- Statutory bars.
- Rights of the patent holder.
- Infringement.
- Novelty and non-obviousness.
- Patent protection for software, algorithms, and business methods.
- The patent application.
- Scope of claims.
- Copyrights (South African qualification: Core):
- Copyrightable subject matter.
- Comparison with patents.
- Merger and scènes-à-faire.
- Substantial similarity.
- Copyrights in the context of information technologies.
- Fair use.
- Trademarks, service marks, and conflicts with domain names (South African qualification: Core).
- Trade secrets (South African qualification: Core (partial)).
- License agreements (South African qualification: Core (partial)).

Course: Copyright and Intellectual Property Management:

Country/Organisation: National University, United States of America (San Diego, California).

- Benefits of an intellectual property analysis (South African qualification: Essential embedded knowledge).
- How to format institutional policies for digital materials (South African qualification: Not included).
- Basics of copyright issues, including the Digital Millennium Copyright Act (South African qualification: Core (generic)).
- Ownership, public domain, and privacy issues (South African qualification: Core (partial)).
- How digital primary source materials differ from traditional materials (South African qualification: Core (partial)).
- Intellectual property analysis to determine copyright status (South African qualification: Core).
- Permissions issues and institutional risk tolerance (South African qualification: Core and Elective).
- Developing institutional policies for digital materials (South African qualification: Not included).

Course: Copyright Crash Course:

Country/Organisation: University of Texas, United States of America (Online).

- Background.
- Fair use - basic and applied (South African qualification: Core (partial)).
- Who owns what, and how to change it (South African qualification: Core).
- Creating multimedia: Fair use and beyond, including courseware contracts (South African qualification: Core (generic, partial)).
- Copyright in the digital library (South African qualification: Core (generic, partial)).
- Copyright management (South African qualification: Core (partial)).
- Licensing resources.
- Ownership of copyrighted materials, what is fair use and when and how to get permission to use someone else's materials (South African qualification: Core (generic, partial)).

Course: Certificate in Intellectual Property Creation and Management for Semiconductor and Related Industries:

Country/Organisation: Semizone/Stanford Center for Professional Development, United States of America.



- Intellectual Property: Value Creation and Extraction (South African qualification: Core).
- Intellectual Property in Business Transactions (South African qualification: Core (partial)).
- Intellectual Property Licensing Basics (South African qualification: Core).
- International Intellectual Property Protection and Commercialization (South African qualification: Core (partial)).
- The Anatomy of a Patent & Online Patent Search Tools (South African qualification: Fundamental and Core).
- Trademark & Copyright Basics (South African qualification: Core).
- Intellectual Property Creation and Management for Semiconductor and Related Industries (South African qualification: Core (generic)).

Course: Regional Intellectual Property Management Course:

Country/Organisation: Asian Institute of Technology (AIT), Thailand (Bangkok).

- Overview of Intellectual Property Rights and Protection (South African qualification: Core).
- Policy Aspects of Promoting Intellectual Property (South African qualification: Core (partial)).
- Industrial Property Protection: The International Legal Framework (South African qualification: Essential embedded knowledge in Core).
- Protection of Copyright and Related Rights: the International Legal Framework (South African qualification: Core (partial)).
- New Trends and Challenges in IP Rights Protection (South African qualification: Essential embedded knowledge in Core).
- Patent Administration and Management (South African qualification: Core (partial)).
- Industrial Designs Administration and Management (South African qualification: Core (partial)).
- Trademark Administration and Management (South African qualification: Core).
- Enforcement of Intellectual Property Rights (South African qualification: Core).
- IP and Competitive Strategy (South African qualification: Core (partial) and Elective).
- Valuation and Commercial Exploitation of IP (South African qualification: Core).
- IP Legal Risk Management (South African qualification: Core (partial), although probably at a less complex level in the SA qualification).

Course: Intellectual Property Management (Singapore case study):

Country/Organisation: Research and Markets, United Kingdom (E-learning).

- The Leuko Nanobot Project (South African qualification: Not excluded).
- The Singapore Legal System (South African qualification: Core (generic)).
- Types of Intellectual Property (South African qualification: Core).
- Confidential Information (South African qualification: Core).
- Copyright (South African qualification: Core).
- Patents (South African qualification: Core).
- Trademarks and Other Marks and Geographic Indications (South African qualification: Core).
- Registered Design (South African qualification: Core).
- Basics of Invention Disclosure (South African qualification: Core (partial)).
- Invention Disclosure Evaluation (South African qualification: Core (partial)).
- Patentability (South African qualification: Core (partial)).
- The Patent Filing Process (South African qualification: Core).
- Patent Management and Filing Strategies (South African qualification: Core (partial)).

Course: Commercialization Workshop:

Country/Organisation: Los Alamos National Laboratory, United States of America.

- The processes involved in commercializing a technology.
- The value of innovation.

Course: Managing Intellectual Property: A Guide for Employees:

Country/Organisation: Los Alamos National Laboratory, United States of America.

- Identify responsibilities for managing intellectual property (South African qualification: Core).
- The importance to the Laboratory of effective intellectual property management (South African qualification: Core (partial)).
- The process for timely and effective identification of a new invention or copyright, disclosure, and integration of publication with protection (South African qualification: Core (partial)).
- Resources for IP Management (South African qualification: Core).

Course: TVC Workshop on Patent Writing:

Country/Organisation: Center for Commercialization & Entrepreneurial Training (CCET) Technology Ventures Corporation (TVC), National Nuclear Security Administration (NNSA), United States of America.

- Requirements for a US patent application (South African qualification: Core (generic)).
- What constitutes patentable subject matter (South African qualification: Core).
- Writing patent claims (South African qualification: Core (partial)).

Course: Intellectual Property Management Program:

Country/Organisation: University of Washington, United States of America.

- Introduction to intellectual property (South African qualification: Core).
- US legal system (South African qualification: Core (generic)).
- Patents (South African qualification: Core).
- Claim interpretation and infringement (South African qualification: Core (partial)).
- Claim drafting (South African qualification: Core (partial)).
- Trade secrets (South African qualification: Core (partial)).
- Intellectual property issues in employment (South African qualification: Core (partial)).
- Non-compete agreements (South African qualification: Core (partial)).
- Copyrights (South African qualification: Core).
- Identifying innovation (South African qualification: Core (partial)).
- Describing and capturing intellectual property (South African qualification: Core (partial)).
- Trademarks (South African qualification: Core).
- Trade dress (South African qualification: Core (partial)).
- Service marks (South African qualification: Core).
- New business venture challenges and opportunities (South African qualification: Core and Elective).
- Competitive market intelligence (South African qualification: Core (partial)).
- Competitive intellectual property identification (South African qualification: Fundamental and Core).
- Strategies for dealing with competitive intellectual property (South African qualification: Core).
- Licensing (South African qualification: Core).
- Intellectual property negotiations (South African qualification: Core).
- Enforcement of intellectual property rights in the US (South African qualification: Core (generic)).
- Non disclosure agreements (South African qualification: Core (partial)).
- Data protection (South African qualification: Core (generic)).
- Open source software (South African qualification: Core (generic)).
- Music licensing (South African qualification: Core (generic)).
- Publicity rights (South African qualification: Core (generic)).
- Personality rights (South African qualification: Core (generic)).
- Licensing and universities (South African qualification: Core (generic)).
- Agreement drafting (South African qualification: Core (partial)).
- Innovation management (South African qualification: Core (partial)).
- Intellectual property valuation (South African qualification: Core).

- Managing rights: inventory control (South African qualification: Core (partial)).
- Rights and product (South African qualification: Core).
- Preparing intellectual property for business transactions (South African qualification: Core (partial)).
- Intellectual property management (South African qualification: Core (partial)).
- Patent management (South African qualification: Core (partial)).
- License relationship (South African qualification: Core).

Course: Intellectual Property Management Training:

Country/Organisation: Small and Medium Enterprise Development Bank of Thailand.

- Intellectual property management techniques (South African qualification: Core).
- Trademark case studies (South African qualification: Core).
- Applying intellectual property management and trademarks in business (South African qualification: Core (partial)).

Country/Organisation: Biotechnology Australia:

- Identification, protection and management of intellectual property (South African qualification: Core (partial)).
- Why protect and manage intellectual property (South African qualification: Core).
- Overview of intellectual property types and procedures (South African qualification: Core).
- Researching with commercialisation in mind (South African qualification: Fundamental and Core).
- Reading and understanding patents (South African qualification: Core (partial)).
- Use of intellectual property in R&D decision making (South African qualification: Core (partial)).
- Research management and lab practice (South African qualification: Core (partial)).
- Intellectual property ownership (South African qualification: Core).
- Patenting pitfalls (South African qualification: Core (partial)).
- Exploring the commercial potential of intellectual property (South African qualification: Core).
- Approaching a commercial entity (South African qualification: Core (partial)).
- Intellectual property valuation and licensing (South African qualification: Core (partial)).

Course: Short Course in Trade Marks Database Searching:

Country/Organisation: IP Australia (Australian Government).

- Introduction - publications, participants, objectives (South African qualification: Fundamental and Core (generic, partial)).
- ATMOSS - Overview, classification/surnames/pharmaceutical, image terms, enquiries/results/extracts, customising screens.
- Madrid - searching database.
- Indexing - components of word and device trade marks.
- Word Marks - search options, combining searches, search tools/wild cards.
- Search strategies - search tools/wild cards, handling large results.
- Word Marks - review, advanced strategies, exercises.
- Device Marks - Introduction, glossary, device search options, search strategies, advanced searching, new kinds of signs, combination word & device marks.
- Combination marks - advanced.
- Searching, exercises.

Course: Bachelors of Laws includes intellectual property as a first year subject:

Country/Organisation: Australian National University, Australia.

- Overview of the different areas of law that relate to the protection and exploitation of ideas, information and knowledge (South African qualification: Core (partial)).
- Main aspects of copyright, design, confidential information, patents, trade marks and passing off (South African qualification: Core).
- The relationship between different forms of intellectual property and the process of reform, and underlying principles behind the forms of protection (South African qualification: Core (partial)).
- Comment on a recent case or legislative proposal (South African qualification: Core).

Course: Entrepreneurship and Intellectual Property:  
Country/Organisation: Haifa University, Israel (E-learning).  
South African qualification: Elective.

Course: Science technology and intellectual property course, as part of a first degree with a major in Intellectual Property Protection:  
Country/Organisation: Tokyo Institute of Technology, and Hitotsubashi University, Japan.

- Protecting innovations (South African qualification: Core).
- Intellectual property rights (South African qualification: Core).
- Patents (South African qualification: Core).
- Intellectual property laws (South African qualification: Core).
- Technology as intellectual property (South African qualification: Core).
- Inventor, user and advocate perspectives (South African qualification: Core).

Course: Practical Intellectual Property Training Course:  
Country/Organisation: Tohoku University Extension School, Japan.

- Patent form completion (South African qualification: Core).
- English (South African qualification: Learning assumed to be in place).
- Management strategies and intellectual property strategies (South African qualification: Core (partial)).
- Writing a patent (South African qualification: Core (partial)).
- Scope of patents (South African qualification: Core (partial)).
- Claiming for infringement (South African qualification: Elective (partial)).
- Software and business model patents (South African qualification: Core (partial)).
- Claim presentation and contest (South African qualification: Elective (partial)).
- Employee invention rights (South African qualification: Core (partial)).
- American contract law (South African qualification: Core (generic)).
- American intellectual property law (South African qualification: Core (generic)).
- American intellectual property right litigation (South African qualification: Core (generic, partial)).

Country/Organisation: Canadian Intellectual Property Office, Canada:

- About Intellectual Property (South African qualification: Core).
- Using IP in business (South African qualification: Core).
- Types of IP (South African qualification: Core).
- Legal issues (South African qualification: Core).
- Obtaining IP protection (South African qualification: Core).
- Performing searches (inc. industrial design, patent, copyright and trademark databases) (South African qualification: Fundamental and Core).
- Leveraging finance (South African qualification: Elective).
- Finding resources (IP professionals, registered patent agents, trademark agents, online, publications) (South African qualification: Fundamental and Core).

- How patent, trademark, copyright, industrial design and integrated circuit typography applications are processed (South African qualification: Core).
- Legislation, regulations, rules, practice manuals and notices, and records (South African qualification: Core).

Course: Intellectual Property Law Module:

Country/Organisation: Manchester University, United Kingdom.

- Intellectual Property Law (South African qualification: Core).
- Key cases, statutory provisions and EC laws affecting Intellectual Property rights and their use (South African qualification: Core).
- Current trends and developments in the field of Intellectual Property (South African qualification: Core).
- Collecting information from the sources available (South African qualification: Fundamental).
- Analysis of the rationale of Intellectual Property protection from the economic perspective (South African qualification: Core).
- Research and analysis of intellectual property problems and topics set (South African qualification: Fundamental and Core).
- Patent specification, validity and possible infringement analysis (South African qualification: Core and Elective (partial)).

Country/Organisation: The Intellectual Property Academy, Singapore:

- Taxation and Intellectual Property (IP) (South African qualification: Not included).
- Valuation of IP and Intangible Assets (South African qualification: Core).
- Fundamentals for IP Valuation for the Government Sector (South African qualification: Core (generic)).
- Understanding IP Rights in Government Contracts (South African qualification: Core (generic)).
- World Intellectual Property Organisation (WIPO) - Seminar for the Asian Region: opportunities and challenges of distributing copyright content online in the current legal and political environment; online business, technical, and legal/policy perspectives (South African qualification: Core (partial)).
- Performing Arts Management: Copyright and Performing Rights for Practitioners (South African qualification: Core).
- Performing Arts Management Series Part II - Financing, Marketing and other Strategies (South African qualification: Core (partial)).
- Negotiating Financial Terms in IP Licences (South African qualification: Core (partial)).
- Technology Licensing (South African qualification: Core (partial)).
- Value of Trade Secrets: Maintaining and Enhancing Competitiveness (South African qualification: Core (partial)).
- Negotiation and Drafting of Research and Development Agreements (South African qualification: Core (generic)).
- Negotiating Skills for IP-Related Technology Transactions (South African qualification: Core).
- Place Names as Trademarks and Geographical Indications (South African qualification: Core).
- EPO Search & Examination Practice: Guidance from the Examiners (South African qualification: Fundamental (generic)).
- Competitive Intelligence: Exploiting the power of Patent Data (South African qualification: Core (partial)).
- Intellectual Asset Management as a Core Corporate Value and Business Capability (South African qualification: Essential embedded knowledge).
- The law(IP) and policy of online gaming (South African qualification: Not included).
- Data Privacy: Protecting Critical Information (South African qualification: Core (generic)).
- Ownership and Control of Intellectual Property (South African qualification: Core).
- Negotiation and Drafting of Technology Licensing Agreements (South African qualification: Core (generic)).

- Contract Law for Intellectual Property Transactions (South African qualification: Core (generic)).
- Using Intellectual Property in Business (South African qualification: Core (generic)).
- Trade Secrets and Privacy: How to Protect Business and Private Information (South African qualification: Core (partial)).
- Open-Source Software (South African qualification: Core (generic)).
- IP Update II: Copyright and International Designs (South African qualification: Core (generic)).
- Patent Law & Practice: A Comparison between the U.S & Japanese Systems (South African qualification: Not included).
- Innovation Infrastructure, Intellectual Property and Industrial Competitiveness: Patent Management Systems for Technology Followers and Emerging Industries (South African qualification: Not included).
- Proposed Rules On Jurisdiction and Choice of Law in Transborder IP Conflicts (South African qualification: Essential embedded knowledge (partial)).
- Managing Open Source Business Risks (South African qualification: Not included).
- Trade Mark Law (South African qualification: Core).
- Valuation of Intellectual Property & Intangible Assets (South African qualification: Core).
- Introduction to US Patent Law (South African qualification: Core (generic)).
- IP Update: Lecture on the Changes to Singapore's IP Regime (South African qualification: Not included).
- IP Law Issues for Web Developers and Web Designers (South African qualification: Core (generic)).
- Choice of Law Issues in IP Law (South African qualification: Core (generic)).
- Intangible Assets As Loan Collateral (South African qualification: Not included).
- IP Training Programme for the Media Industry (South African qualification: Core (generic)).
- An Overview of Indonesian Intellectual Property Law (South African qualification: Core (generic)).
- Practical Aspects of Trade Mark Protection (South African qualification: Core).
- Law: Dealing with the Residual Conflicts (South African qualification: Elective).
- An Overview of Japanese Intellectual Property Law (South African qualification: Core (generic)).
- Protecting Chemical and Biotech Inventions: An Introduction (South African qualification: Core (generic)).
- An Overview of Taiwan Intellectual Property Law (Mandarin) (South African qualification: Core (generic)).
- An Overview of Singapore Intellectual Property Law (Mandarin) (South African qualification: Core (generic)).

Country/Organisation: IGE, Switzerland:

- Patent rights (South African qualification: Core).
- Sources of information, and access (South African qualification: Fundamental and Core).
- Introduction to intellectual property (South African qualification: Core).
- Patents: application, registration and database (South African qualification: Core).
- Designs: application, registration and database (South African qualification: Core).
- Trademarks: application, registration and database (South African qualification: Core).
- European patent searches (South African qualification: Core (generic)).
- Advertising and marketing law (South African qualification: Core (partial)).
- Patent law and intellectual property management (South African qualification: Core (partial)).

The South African qualification components are the equivalent of courses offered internationally. Although the qualification is below the level of the majority of qualifications internationally, it is comparable with the qualifications at an equivalent level.

#### **ARTICULATION OPTIONS**

Horizontal articulation is possible with the following NQF Level 5 qualifications:

- ID 49597: National Certificate: Paralegal Practice.
- ID 49598: National Diploma: Paralegal Practice.
- ID 20414: National Diploma: Service Management.
- ID 49337: National Certificate: Multi-National Safety and Security Operations Management.
- ID 50060: National Certificate: Public Administration.
- ID 49745: National Certificate: Value Engineering.
- ID 50333: National Diploma: Occupationally Directed Education, Training and Development Practices.

Vertical articulation is possible with the following NQF Level 6 qualifications:

- ID 23375: Bachelor of Arts.
- ID 22993: Bachelor of Laws (exit on NQF Level 7).
- ID 57897: National Diploma: Public Administration.
- ID 50330: Bachelor: Occupationally Directed Education Training and Development Practices.

### **MODERATION OPTIONS**

Moderation of assessment and accreditation of providers shall be at the discretion of a relevant ETQA as long as it complies with the SAQA requirements. The ETQA is responsible for moderation of learner achievements of learners who meet the requirements of this qualification. Particular moderation and accreditation requirements are:

- Any institution offering learning that will enable the achievement of this qualification must be accredited as a provider with the relevant ETQA. Providers offering learning towards achievement of any of the unit standards that make up this qualification must also be accredited through the relevant ETQA accredited by SAQA.
- The ETQA will oversee assessment and moderation of assessment according to their policies and guidelines for assessment and moderation, or in terms of agreements reached around assessment and moderation between the relevant ETQA and other ETQAs and in terms of the moderation guideline detailed here.
- Moderation must include both internal and external moderation of assessments for the qualification, unless the relevant ETQA policies specify otherwise. Moderation should also encompass achievement of the competence described in Unit Standards as well as the integrated competence described in the qualification.
- Internal moderation of assessment must take place at the point of assessment with external moderation provided by a relevant ETQA according to the moderation guidelines and the agreed ETQA procedures.
- Anyone wishing to be assessed against this qualification may apply to be assessed by any assessment agency, assessor or provider institution that is accredited by the relevant ETQA.

### **CRITERIA FOR THE REGISTRATION OF ASSESSORS**

Assessment of learner achievements takes place at providers accredited by the relevant ETQA (RSA, 1998b) for the provision of programs that result in the outcomes specified for this qualification. Anyone assessing a learner or moderating the assessment of a learner against this qualification must be registered as an assessor with the ETQA. Assessors registered with the relevant ETQA must carry out the assessment of learners for the qualification and any of the Unit Standards that make up this qualification.

To register as an assessor, the following are required:



- Detailed documentary proof of relevant qualification/s, practical training completed, and/or experience gained in the relevant field at a NQF level above the level of this qualification.
- Detailed documentary proof of relevant qualification/s, practical training completed, and/or experience gained in assessment at the appropriate NQF level (credit against the registered unit standard).

Assessors should keep the following general principles in mind when designing and conducting assessments:

- Focus the initial assessment activities on gathering evidence in terms of the main outcomes expressed in the titles of the Unit Standards to ensure assessment is integrated rather than fragmented. The learner must be declared competent in terms of the qualification purpose and exit level outcomes.
- Where assessment across Unit Standard titles or at Unit Standard title level is unmanageable, then focus assessment around each specific outcome, or groups of specific outcomes. Take special note of the need for integrated assessment.
- Make sure evidence is gathered across the entire range, wherever it applies.

In particular, assessors should assess that the learner demonstrates an ability to consider a range of options by:

- Measuring the quality of the observed practical performance as well as the theory and underpinning knowledge.
- Using methods that are varied to allow the learner to display thinking and decision making in the demonstration of practical performance.
- Maintaining a balance between practical performance and theoretical assessment methods to ensure each is measured in accordance with the level of the qualification.
- Taking into account that the relationship between practical and theoretical components is not fixed, but varies according to the type and level of qualification.

All assessments should be conducted in line with the following well-documented principles:

- **Appropriate:** The method of assessment is suited to the performance being assessed.
- **Fair:** The method of assessment does not present any barriers to achievements, which are not related to the evidence.
- **Manage:** The methods used make for easily arranged cost-effective assessments that do not unduly interfere with learning.
- **Integrate into work or learning:** Evidence collection is integrated into the work or learning process where this is appropriate and feasible.
- **Valid:** The assessment focuses on the requirements laid down in the standards; i.e. the assessment is fit for purpose.
- **Direct:** The activities in the assessment mirror the conditions of actual performance as close as possible.
- **Authentic:** The assessor is satisfied that the work being assessed is attributable to the learner being assessed.
- **Sufficient:** The evidence collected establishes that all criteria have been met and that performance to the required Standard can be repeated consistently.
- **Systematic:** Planning and recording is sufficiently rigorous to ensure that assessment is fair.
- **Open:** Learners can contribute to the planning and accumulation of evidence. Learners for assessment understand the assessment process and the criteria that apply.
- **Consistent:** The same assessor would make the same judgement again in similar circumstances. The judgement made is similar than the judgement that would be made by other assessors.

## NOTES

**UNIT STANDARDS**

	ID	UNIT STANDARD TITLE	LEVEL	CREDITS
Fundamental	252442	Collect information regarding intellectual property	Level 5	14
Core	252445	Advocate intellectual property rights and value	Level 5	8
Core	252444	Build resource networks for intellectual property processes	Level 5	10
Core	252441	Categorise intellectual property information	Level 5	12
Core	113807	Draft Legal agreements	Level 5	10
Core	119509	Guide and refer clients in terms of legal enquiries	Level 5	10
Core	252449	Identify intellectual property and materials	Level 5	15
Core	252448	Maintain intellectual property processes	Level 5	10
Core	252447	Prepare applications for intellectual property registration	Level 5	8
Core	252443	Propose tactics for protecting intellectual property	Level 5	15
Elective	115499	Gather, record and interpret business related information	Level 4	4
Elective	117927	Use a Graphical User Interface (GUI)-based database application to solve a given problem	Level 4	6
Elective	252446	Acquire copyright permissions	Level 5	10
Elective	243267	Apply and continuously improve company policies and procedures	Level 5	10
Elective	115821	Apply business financial practices	Level 5	4
Elective	119506	Apply legal administrative and alternative dispute resolution procedures in a paralegal context	Level 5	10
Elective	119173	Develop and maintain effective working relationship with clients	Level 5	8
Elective	10148	Supervise a project team of a business project to deliver project objectives	Level 5	14
Elective	10146	Supervise a project team of a developmental project to deliver project objectives	Level 5	14



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**UNIT STANDARD:*****Categorise intellectual property information***

<b>SAQA US ID</b>		<b>UNIT STANDARD TITLE</b>	
252441		Categorise intellectual property information	
<b>ORIGINATOR</b>		<b>PROVIDER</b>	
SGB Marketing			
<b>FIELD</b>		<b>SUBFIELD</b>	
3 - Business, Commerce and Management Studies		Marketing	
<b>ABET BAND</b>	<b>UNIT STANDARD TYPE</b>	<b>NQF LEVEL</b>	<b>CREDITS</b>
Undefined	Regular	Level 5	12

**SPECIFIC OUTCOME 1**

Define intellectual property information categories.

**SPECIFIC OUTCOME 2**

Analyse intellectual property information for categorisation.

**SPECIFIC OUTCOME 3**

Allocate intellectual property information to information categories.

**SPECIFIC OUTCOME 4**

Re-distribute categorised intellectual property information.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	<b>ID</b>	<b>QUALIFICATION TITLE</b>	<b>LEVEL</b>	<b>STATUS</b>	<b>END DATE</b>
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**UNIT STANDARD:*****Collect information regarding intellectual property***

SAQA US ID		UNIT STANDARD TITLE	
252442		Collect information regarding intellectual property	
ORIGINATOR		PROVIDER	
SGB Marketing			
FIELD		SUBFIELD	
3 - Business, Commerce and Management Studies		Marketing	
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	14

**SPECIFIC OUTCOME 1**

Define needs for information about intellectual property.

**SPECIFIC OUTCOME 2**

Access sources about intellectual property.

**SPECIFIC OUTCOME 3**

Access information about intellectual property.

**SPECIFIC OUTCOME 4**

Store information about intellectual property.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	<b>ID</b>	<b>QUALIFICATION TITLE</b>	<b>LEVEL</b>	<b>STATUS</b>	<b>END DATE</b>
Fundamental	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**UNIT STANDARD:*****Propose tactics for protecting intellectual property***

SAQA US ID	UNIT STANDARD TITLE		
252443	Propose tactics for protecting intellectual property		
ORIGINATOR	PROVIDER		
SGB Marketing			
FIELD	SUBFIELD		
3 - Business, Commerce and Management Studies	Marketing		
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	15

**SPECIFIC OUTCOME 1**

Determine intellectual property protection needs.

**SPECIFIC OUTCOME 2**

Identify requirements to protect intellectual property and creators.

**SPECIFIC OUTCOME 3**

Identify ideas that comprise intellectual property rights.

**SPECIFIC OUTCOME 4**

Determine potential of benefiting from intellectual property.

**SPECIFIC OUTCOME 5**

Facilitate conversion of ideas into intellectual property assets.

**SPECIFIC OUTCOME 6**

Present proposed tactics that fulfil specifications.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**UNIT STANDARD:*****Build resource networks for intellectual property processes***

SAQA US ID	UNIT STANDARD TITLE		
252444	Build resource networks for intellectual property processes		
ORIGINATOR	PROVIDER		
SGB Marketing			
FIELD	SUBFIELD		
3 - Business, Commerce and Management Studies	Marketing		
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	10

**SPECIFIC OUTCOME 1**

Analyse purpose of resource network building for intellectual property processes.

**SPECIFIC OUTCOME 2**

Identify potential resources for intellectual property processes.

**SPECIFIC OUTCOME 3**

Select relevant resources for specific intellectual property processes.

**SPECIFIC OUTCOME 4**

Monitor and review resource allocation and utilisation.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

## UNIT STANDARD:

*Advocate intellectual property rights and value*

SAQA US ID	UNIT STANDARD TITLE		
252445	Advocate intellectual property rights and value		
ORIGINATOR	PROVIDER		
SGB Marketing			
FIELD	SUBFIELD		
3 - Business, Commerce and Management Studies	Marketing		
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	8

**SPECIFIC OUTCOME 1**

Analyse intellectual property advocacy target groups.

**SPECIFIC OUTCOME 2**

Develop intellectual property advocacy purpose within given strategies.

**SPECIFIC OUTCOME 3**

Select intellectual property advocacy methods.

**SPECIFIC OUTCOME 4**

Communicate intellectual property advocacy messages.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	





## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

## UNIT STANDARD:

*Acquire copyright permissions*

SAQA US ID	UNIT STANDARD TITLE		
252446	Acquire copyright permissions		
ORIGINATOR		PROVIDER	
SGB Marketing			
FIELD		SUBFIELD	
3 - Business, Commerce and Management Studies		Marketing	
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	10

**SPECIFIC OUTCOME 1**

Compile copyright permission requirements.

**SPECIFIC OUTCOME 2**

Identify requirements for acquiring copyright permissions.

**SPECIFIC OUTCOME 3**

Recommend most beneficial licence types.

**SPECIFIC OUTCOME 4**

Apply for licences according to agreed type.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Elective	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

**UNIT STANDARD:*****Prepare applications for intellectual property registration***

SAQA US ID	UNIT STANDARD TITLE		
252447	Prepare applications for intellectual property registration		
ORIGINATOR		PROVIDER	
SGB Marketing			
FIELD		SUBFIELD	
3 - Business, Commerce and Management Studies		Marketing	
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	8

**SPECIFIC OUTCOME 1**

Identify requirements for registration of intellectual property.

**SPECIFIC OUTCOME 2**

Collate information required for intellectual property registration applications.

**SPECIFIC OUTCOME 3**

Complete intellectual property registration applications.

**SPECIFIC OUTCOME 4**

Assess intellectual property registration applications against requirements.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	<b>ID</b>	<b>QUALIFICATION TITLE</b>	<b>LEVEL</b>	<b>STATUS</b>	<b>END DATE</b>
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

## UNIT STANDARD:

*Maintain intellectual property processes*

SAQA US ID	UNIT STANDARD TITLE		
252448	Maintain intellectual property processes		
ORIGINATOR	PROVIDER		
SGB Marketing			
FIELD	SUBFIELD		
3 - Business, Commerce and Management Studies	Marketing		
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	10

**SPECIFIC OUTCOME 1**

Develop procedures for intellectual property protection.

**SPECIFIC OUTCOME 2**

Report intellectual property infringements.

**SPECIFIC OUTCOME 3**

Recommend intellectual property policy improvements.

**SPECIFIC OUTCOME 4**

Monitor the status of intellectual property portfolios.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

## UNIT STANDARD:

*Identify intellectual property and materials*

SAQA US ID	UNIT STANDARD TITLE		
252449	Identify intellectual property and materials		
ORIGINATOR	PROVIDER		
SGB Marketing			
FIELD	SUBFIELD		
3 - Business, Commerce and Management Studies	Marketing		
ABET BAND	UNIT STANDARD TYPE	NQF LEVEL	CREDITS
Undefined	Regular	Level 5	15

**SPECIFIC OUTCOME 1**

Describe the origins of intellectual property materials.

**SPECIFIC OUTCOME 2**

Categorise intellectual property materials in terms of rights, limitations and types.

**SPECIFIC OUTCOME 3**

Determine types of rights that exist in intellectual property materials.

**SPECIFIC OUTCOME 4**

Evaluate the significance of intellectual property materials.

**SPECIFIC OUTCOME 5**

Confirm eligibility of intellectual property and materials for benefit.

**QUALIFICATIONS UTILISING THIS UNIT STANDARD**

	ID	QUALIFICATION TITLE	LEVEL	STATUS	END DATE
Core	59387	National Certificate: Intellectual Property Administration	Level 5	Draft - Prep for P Comment	