
**ARE EXHIBITIONS PLATFORMS FOR MARKETING OR PIRACY?:
VIEWS FROM POLYTECHNIC ENGINEERING LECTURERS IN
ZIMBABWE.**

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ABSTRACT

Annually, lecturers and students from polytechnic engineering departments invest a lot of intellectual thought, time, resources and energy to produce items they display at provincial agricultural exhibitions and Zimbabwe International Trade Fair (ZITF). At the exhibitions, visitors to their stands, ask questions and take photographs of their products. There are concerns from the lecturers when find unauthorised copies of their products later produced by other manufacturers. Are exhibitions platforms where some people pirate other people's ideas? This study sought to explore lecturers' views on securing intellectual property rights for the products they display at exhibitions. The study employed a descriptive survey in which in-depth interviews, focus group discussions and questionnaires were used to collect data to elicit the views of lecturers. Twenty (20) purposively sampled engineering lecturers from four randomly sampled polytechnics in Zimbabwe were participants and respondents in the study. The results showed that engineering lecturers do not seek protection of intellectual property rights for the products they show-case at exhibitions. Most of them do not have adequate knowledge of intellectual property rights. Some people could benefit from their ideas and products. The study recommended that lecturers should acquire intellectual property rights for the goods they invent and produce them in large quantities so that they could protect and benefit from their inventions.

Keywords: engineering Exhibitions, intellectual property, property rights, piracy

1 INTRODUCTION

To start the discussion let us analyze a case which prompted fears that some visitors may see exhibition shows as platforms for getting ideas from exhibitors.

A certain man visited a polytechnic stand start at an exhibition show. He was fascinated by the inventions displayed. He took a notebook and pen and began to ask several question questions on a gadget which was displayed at the stand. He jotted some notes and drew sketch diagrams of the gadget. The man showed keen interest of the gadget. He then took photographs of the gadget and left the stand. After he left the many question were raised by exhibitors and other viewers. The following questions were raised:

Why was the man so keen to know the materials used to make the gadget?

Why did he ask so many questions?

Why did he take notes and draw diagrams?

Why did he take photographs of the gadget?

One viewer asked the exhibitors whether they had protected their inventions through intellectual property rights so that they could sue the man in the event that he reproduces and benefits from their inventions. The exhibitors who happened to be lecturers confessed that they had not done so.

In this paper we unpack lecturers' views on acquiring intellectual property rights on products they showcase at exhibitions.

Technical colleges, universities and industries invest in creations and innovation annually when they produce quality products to show case at exhibitions with the aim of winning at the exhibitions and marketing their expertise. What they seem to underscore is to get legal protection of their new creations and innovations. They invest a lot of intellectual thought on the products they exhibit. Investing entails sacrifice with the hope of attaining future benefits (Sharpe 1978). Investing in intellectual thought goes hand in hand with manufacturing. Steel and Webster (1989) assert that manufacturing is a process of learning to combine resources and apply technology to produce goods that satisfy people's needs. The major thrust in polytechnics nowadays is innovation. Their major mandate is to venture in creating new ideas which should help to ease the country's problems. They should lead in the implementation of Science Technology Engineering and Mathematics (STEM) programme.

Over the years organized trade shows had provided an even playing field in which small business and large ones came together to parade their products, artefacts and their efficient service capacities. Exhibition shows could not be underestimated as important marketing tools that are able to reach a huge target market at one go. Great issues that marketers are faced with are stiff

competition, reduced purchasing power and ever changing consumer needs (Majumder1996). New product development and services have become critical. Trade exhibitions or trade shows have become the most effective marketing platforms for exhibitors to reach their market. Exhibitors who might wish to use the trade shows for promotion of their products and services produced somewhere in the global market are doing it with suspicion of their products being likely to be reproduced or pirated.

Article 27 of Universal Declaration of Human Rights provides the right to benefit from protection from moral and material interests resulting from authorship of scientific, literary or artistic production, (World Intellectual Property Organisation WIPO 2013). Polytechnics should acquire intellectual property rights for the goods and services they showcase at exhibitions. Intellectual property rights are important in that they allow owners and creators of patents and trademarks to benefit from their work or investment creation (World Intellectual Property Organisation WIPO, 2013)

1.1 Statement of the problem

Exhibitions are important marketing tools for business provided these arenas have not become platforms for people who mainly participate to steal other people's new ideas or products with no due regard to the intellectual property rights. It is surprisingly, shocking to observe the acts of unauthorised copying or distribution of the works whether protected or unprotected material shortly after the presentation at the trade shows by exhibitors. One would expect them to benefit from their innovations and creation, but alas they later complain of their products being later reproduced by others. If this goes unchecked, the spirit of innovation and creativity in polytechnics shall deteriorate unless there is a critical recognition and protection of the Intellectual Property rights (IPR). This study sought to explore perceptions of engineering lecturers in polytechnic towards acquisition of intellectual property rights for their products and services.

1.1 Research Questions

The study was guide by the following questions:

1. What are lecturers' views on securing property rights of the products they show case at exhibitions?
2. Which factors militate against acquisition of intellectual property right by lecturers?
3. What can be done to protect intellectual property and investment creation by lecturers at exhibitions?

1.2 Significance of the study

Protection of property rights helps to promote economic growth, creates new jobs and industries. Knowledge of intellectual property rights can be a catalyst to economic development, social and cultural well-being of the country. In knowledge based economy, intellectual property right are important in order to promote innovation and creativity. They also help to promote competition by promoting investment in knowledge creation and business innovation by establishing exclusive rights to use and sell newly produced technologies, goods and services (Maskus 2000). This encourages firms to invest in research and commercialisation of activities thereby creating employment and enhancing economic development.

II RREVIEW OF RELATED LITERATURE

Intellectual Property Rights (IPR) are legal rights granted by governments to encourage innovation and creativity output by making sure that inventors benefit from their inventions, Ilias& Fergusson (2008). This can be realised by acquiring patents, trade secrets, copyrights and trademarks. Inadequate patent education and ineffective enforcement of property rights make some producers reluctant to acquire property rights (Onouha 2013). This could be one of the factors affecting polytechnics in acquiring property rights for their products and development of innovative culture.

2.1 Importance of property rights

Property rights are rights given for inventions. The output of human intellectual effort often manifests itself as new or original knowledge or creative expression which adds a desirable quality to a marketable product or service. When an individual or company makes an invention which can be commercially exploitable, a patent gives the inventor the right to prevent others from using, manufacturing or selling the invention. Intellectual property Rights give incentives to inventors in the form of recognition and fair economic rewards (WIPO 2013). This helps to increase their activity and outputs. In the patent specification, the inventor must disclose details of the invention to the public. The product must be a new invention and must be commercially exploitable. The inventor must register the patent. Besides protecting creation, intellectual property rights help to protect customers from pirate and counterfeit products. Obtaining property rights helps companies to protect their products and encourages fair trade which could contribute to social and economic development(WIPO 2013). At a national level, intellectual property rights can encourage domestic innovation and economic development, (Hassan et al 2010). They curb smuggling of brands and displacement of local brands in domestic market by counterfeit products. Furthermore IPR help to curb potential health and safety consequences of counterfeit drugs and other products, (Ilias& Fergusson 2008).

According to The Association of German Trade Fair Industry, basic freedom to make copies exist. This means anyone can copy another process product or brand. The owner of the property is the only person with rights to forbid a third party to reproduce and commercially exploit his protected product. The owner of intellectual property rights can demand the party infringing his / her property rights to desist copying from his product and even demand compensation for the goods already sold.

The copying of software, movies, video games, and music in ways that deny publishers and authors their legal rights have drawn a lot of attention.. The inventors of products and services because need recognition and credit for their new work. For this reason they would support restriction of their products through property rights. This would also help them to maintain competitive superiority and to protect their ideas and innovations against coping by competitors. It is also important to note that if developing countries accept strong intellectual property restrictions, there would be less of opportunity for them to catch up with more advanced nations and the gap between rich and poor would continue to expand

Some players at exhibitions may come under disguised objectives and motives. Others want to show case their products and taking advantage of less expensive scenarios to promote the inventions. Some participants may simply want to learn how the competition for new inventions is growing yet others are clandestinely nourishing their intentions to steal or to copy or duplicate various ideas and use them to develop their own work unethically. They take advantage of developments in technology to copy and transform one's ideas and take them as one's own intellect. Communication technologies provide powerful tools to harness the collective intelligence of millions of individuals either on line or off line. If this position holds water, exhibition platforms require the protection of intellectual property rights. Only those companies and individuals that maintain the Intellectual Property rights are successfully protecting their innovation. Siwek, (2005) argues that IPR gives them comparative advantages and many industries rely on intellectual property rights for their business.

Few studies have proposed the use of innovation preserving mechanism in companies with a strong human base but it seems at trade fare exhibitions of products are open for inspection by various competitors. It is quite difficult to deter potential infringers on your own to protect your IP rights. If one becomes aware of an apparent infringement one should not necessarily assume that the infringement is deliberate (though if the infringing item is an exact copy or counterfeit), infringement will almost certainly have been deliberate. This becomes difficult to track the motive of many participants at trade fair exhibitions. In the research by Yeshin (2006) it was noted that there were a variety of reasons why companies participated in trade shows. Major

objectives being building awareness, introducing new products, reach customers cost effectively, generate additional sales, gain information about competitors among others. Exhibitions of products are vulnerable to a lot of manipulations as long as they are displayed. IP theft is now one of the foremost international concerns that affect global economies and governments. PricewaterhouseCoopers (2002) contends that this is an issue that can be countered by effective controls, a strong culture of prevention, deterrence and assertive action when cases arise. This proposition is farfetched in Zimbabwean situation because the several symptoms of IP theft are rampant and it seems no one takes care to protect other people's work. There are a growing number of products that can be reproduced quickly and inexpensively with little chance of detection.

The products may be demonstrated, touched, tested, examined and operated by exhibition attendees. Because counterfeiting and piracy are illegal, many of the normal elements associated with legitimate business are removed, and as a result, society is denied certain benefits of the products at different levels. Initially, loss of direct sales revenues is experienced by legitimate manufacturers and individuals. Where strong intellectual Property rights exist developing countries are bound to benefit from the trade through encouraging international technology transfer through market-based channels. Firms in developed countries face challenges when exporting their new inventions to developing countries. Fink and Primo Braga, (2004) argue that they face additional costs by engaging in activities designed to inhibit local imitation.

2.1 What must be done before an Exhibition?

The Association of German Trade Fair Industry asserts that in order to ensure that the product exhibited is protected; one must have property rights and bring the documents to the trade fair to prove ownership of property rights. If at the exhibition venue, one sees a competitor exhibiting unauthorised copies of his products, the property rights owner must submit an application for the goods to be seized on the bases of infringement of intellectual property rights

Maitland (1997) is of the opinion that individual and industrial products could be displayed under controlled conditions. This is a measure to guard safe the ideas from being copied for further manipulation which may result in counterfeiting, pirating or duplication of the product with minor modifications. In 1987, a Vice President of IBM argued to Congress, that intellectual property has become a trade problem and the source of the problem was similar to other trade issues. They later leave the company and illegally share proprietary information (Arrow 1962). This situation is likely to be taking place at trade exhibitions and other places in Zimbabwe.

2.2 Factors affecting implementation of property rights

A Growers report by the British December (2006) cited a number of factors which can militate against implementation of property rights. Amongst them are the expenses involved in working out an effective protection of Intellectual Property Rights through paying patent fees, lack of knowledge and absence of effective intellectual property laws affect implementation of property rights. The report also argues that some nations are reluctant to observe and recognise Intellectual property Rights. The cost of paying for patent right can have a negative on the price of the product being patented. The report asserts that Intellectual Property Rights can affect the pursuit of sustainable development strategies by raising the prices of certain goods and services. In the light of this report polytechnic fight very well in the challenges cited. Because they are not involved in full scale production of goods, they may find it not worthy to spend on acquisition of intellectual property rights.

III Methodology

All the participants of this study were purposively sampled. Data were analysed thematically and quantitatively. Data were collected through face to face interviews, open ended questionnaires answered by thirty lecturers from five Polytechnic Colleges in Zimbabwe. One focus group of ten participants (lecturers) participated in the question and answer session at Gweru polytechnic. The responses from interviews were captured for further interpretation. This study had chosen to use various sources of data analysis so that diverse points and views cast light up on a topic. Qualitative researchers generally use this technique to ensure that an account is rich, robust, comprehensive and well-developed study, (Denzin, 1978).

IV Findings

4.1 Lecturers views of securing property rights of their products

All the respondents (100%) expressed the view that it was important to acquire intellectual property rights for their products. However, all acknowledged that they do not acquire when they go and showcase their products. They were worried that their innovations and creations are at the risk of being stolen by other people and they were not benefiting from their inventions.

Views from in-depth interviews showed that lectures' main focus when they prepare for products for exhibitions was to produce items which enhance winning the best prizes as remarked by one of the participant lecturers;

“We need to be original and produce unique functional items so that we scoop the best prizes at exhibitions”

“Intellectual Property Rights is necessary when you have mass production of goods to sell, not for one item to showcase”

Noteworthy from the remark is the fact that originality, creativity and innovation invested in producing items to showcase is given impetus by the need to win prizes. This seems to overshadow the need to protect intellectual investment put in coming up with the product. The second remark reflects less importance being attached to the need to protect intellectual property by some engineering lecturers.

4.2 Knowledge of how to get Intellectual Property Rights

The table below shows lecturers’ view of importance of knowledge of intellectual property and how it can be acquired.

Table 1. Knowledge of how to get Intellectual Property Rights (IPR) N=30

	Yes	%	No	%
It is necessary to acquire intellectual property rights	25	83	5	17
Knowledge of how acquire intellectual property rights	2	7	28	93

Source: Field Survey 2016

Although lecturers expressed the need to protect intellectual property rights, majority of them did not know how to get them and their importance. Ninety-three percent (93%) showed that they do not know how intellectual property rights can be acquired. The statistics are indicative of a large gap in lecturers’ knowledge of how they should protect their inventions. There is need for lecturers to be staff developed on how to acquire intellectual property rights.

4.3 Factors militating against acquisition of Intellectual Property Rights

Factors which militate against acquisition of intellectual property were determined by the mean of the responses from the questionnaires. Researchers used nominal values Strongly Agree (SA) 4, Agree (A) 3, Disagree (D) 2, Strongly Disagree, and (SD) 1. The mean was calculated as follows:

$$\frac{4 + 3 + 2 + 1}{4} = \frac{10}{4} = 2.5$$

An interval scale of 0,5 was added to give a mean of 3, a response of 3 and above was considered to mean true and a score below 3 would mean false.

Table II Mean responses of lecturers' views of challenges militating against acquisition in Intellectual, Property Rights (IPR) N=30

Item	SA	A	D	SD	N	\bar{X}	Decision
Lack of knowledge of the importance of Intellectual Property Rights (IPR)	10	12	8	0	30	3.06	True
Lack Of Knowledge of Acquiring Intellectual Property Rights (IPR)	28	2	0	0	30	3.96	True
Non production of goods for sale	9	12	8	1	30	2,96	False
No benefits can be accrued from obtaining Intellectual Property Rights (IPR)	5	3	2	20	30	1,86	False

Source: Field Survey 2016

Table II shows that it is true that respondents' lack knowledge of the importance of intellectual property rights. This is confirmed by the following remarks from interviewed engineering lecturers;

“We have never thought of acquiring intellectual property rights of the items we showcase at exhibitions every year”

‘It never came to our minds that intellectual property rights are important when we showcase our items’

The reflections are indicative of the need for lecturers to acquire knowledge of intellectual property rights. For the past years they might have been benefitting from securing IP for the

items they showcase, some other people could have taken advantage of their lack of knowledge and annually come to exhibitions just to tap their knowledge.

It is also true from the table that engineering lecturers do not have knowledge of how to acquire intellectual property rights. Interviewed lecturers confirmed this when one of them made the following remarks;

“We don’t even know where this is done and how this is done”.

“We thought big companies like Coca Cola are the ones who should have intellectual property rights we only make few items for showcasing”.

The fact that they do not know how to acquire property rights demonstrate that they underscore the importance of property as confirmed by the results from the table. British government Growers report December (2006) supports the view when it states that it is very expensive to work out an effective protection of Intellectual Property Rights through paying patent fees.

4.4 Discussion

Polytechnics should be the torch bearers of innovation. They should benefit from their intellectual properties. Protection of their intellectual property can enhance this beneficiation. The ministry of Higher and Tertiary Education Science and Technology Development Policy on Development empowers polytechnics to make production in their areas of speciality. Polytechnics should take advantage of the Production Policy to make mass production of goods to sell. The policy allows tertiary institutions to operate production units at a profit and incentivise staff, (Production and Pricing Policy for Tertiary Education Institutions circular of 2011) When they engage in mass production, they realise the need to protect their intellectual property rights. This will enable them to benefit from their creation. Polytechnics should be allowed to run firms which produce goods and services they originate.

Expenses incurred in acquiring Intellectual property rights can be militating factors against polytechnic drives acquire intellectual property rights for their products and services. Where there is mass production of goods and realisation of huge profits, the urge to get protection of intellectual property rights becomes high. The permission granted to tertiary institutions to have production units by the production policy can be a window of opportunity for polytechnics to engage in mass production and consider acquiring protection of intellectual property rights for their goods and services.

Organisers of exhibitions should hold staff development workshops with exhibitors on observation of intellectual property right of goods and services showcased at their exhibitions.

Many exhibitors are not aware of the need to acquire intellectual property rights. The workshops will enlighten exhibitors on the importance of acquiring property rights. Exhibitors should have initiative to seek information on securing property rights and importance of acquiring property rights.

V Conclusion

Inadequate motivation for commercialisation of products produced in colleges, lack of funding and ignorance of importance of property rights hamper colleges from obtaining property right for the products they produce. Polytechnics should engage in production in order to generate the impetus for acquiring property Intellectual rights for their products. Most of them have not been acquiring intellectual property rights for the goods and services they showcase at exhibitions. Some people could be benefiting from inventions and ideas they showcase at exhibitions. Acquisition of intellectual property rights can help them to benefit from their products and services.

VI RECOMMENDATIONS

The study made the following recommendations:

1. Colleges are encouraged to get patent rights, trademarks and copyrights of the products which they showcase at exhibitions in order to protect creation of intellect.
- 2 Polytechnic should engage in production. Their inventions should be commercialised and they should be the hub of inventions and productions.
- 3 Polytechnics should have practising firms and companies where products of their inventions will have mass production. This gives them impetus to seek property rights for their inventions. In the process, they will be taking part in economic development and employment creation.
- 4 Organisers of trade fairs and exhibitions should educate exhibitors on intellectual property rights.

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