CENTRE FOR AFRO-IP LAW & POLICY RESEARCH

Guidelines on Moot Competitions, 2024

Guidelines prepared by the Moot Court Committee (hereinafter 'the Committee') of the Centre for Afro-IP Law & Policy Research (hereinafter 'the Centre') to delineate the modalities of conducting the Moot Court Competitions organized by the Centre for Afro-IP Law & Policy Research.

1. Eligibility for Participation

1.1. Every current full-time and/or part-time student, having been admitted into an African University accredited by the relevant authority to proffer a course leading to the conferment of a Bachelor's Degree in Law (LLB), shall be eligible to participate in the Moot Court Competition organized by the Centre for Afro-IP Law & Policy Research (hereinafter 'the Competition').

1.2. Each University shall present a team comprised of three (3) students, ensuring that not more than two-thirds of the members of each team are of the same gender

2. Registration as Participants:

2.1. Participants who satisfy the requirement in Guidelines 1.1 and 1.2 hereof, shall be required to pay to the Centre, Registration Fees in the sum of Kshs. 10,000.00 or the equivalent thereof in other acceptable currencies, through the account details provided by the Centre.

2.2. Each team shall, contemporaneously with the payment of Registration Fees, furnish the Committee with the following details:

a) Names of the Participants
b) Affiliation/Institution
c) Country
d) E-mail and contact details for the participants.

2.3. Upon the payment of the Registration Fees under Guideline 1.3 hereof, each team shall forward its proof of payment thereof to the Committee via moots@aipcentre.com and subject to verification, the Committee shall acknowledge receipt of the said payment.

2.4. The Committee shall, upon receiving all the details in Guideline 2.2 hereof, register the Team as a Competitor in the Competition and allocate to the Team a unique Code Number, which shall be used to identify the Team for the purposes hereof.

3. **The Moot Question:** A hypothetical case will be posed for argument and the same shall be made available to each participant through the contacts provided under Guideline 2.2 hereof.

4. **Structure of the Competition:**

4.1. The Competition shall be structured into two categories, namely: the Preliminary Rounds and the Final Round (hereinafter 'the Categories') and each Category shall be encompass both oral (hereinafter *'viva voce arguments'*) and written arguments (hereinafter 'the Memorials').

4.2. Participants in each of the Categories shall prepare and submit, within the prescribed timelines and in accordance with the stipulated procedure, Memorials in support of both the Claimant's/Appellant's/Applicant's case and the Respondent's case.

4.3. Memorials prepared and submitted under Guideline 2.2 hereof shall account for 30% of the total points and the *viva voce arguments* shall account for 70% of the total points.

4.4. At the Preliminary Rounds, the Teams shall be graded meritoriously and marks shall be awarded principally on the basis of the quality of the arguments made in support of both the Claimant's/Appellant's/Applicant's and the Respondent's cases. The Teams with the highest points shall proceed to the subsequent rounds of the Competition.

4.5. During the presentation of *viva voce arguments:*

4.5.1. The general order of proceedings shall be as follows: the learned counsel for the Claimant/Appellant/Applicant shall make their arguments, then the learned Counsel for the Respondent shall subsequently make their arguments and ultimately, the Claimant/Appellant/Applicant shall reserve the right of rebuttal against the Respondent's arguments.

Law & Policy Research

4.5.2. Subject to the guidelines issued by the Presiding Judge, each team shall be required to make presentations for periods not exceeding thirty (30) minutes.

4.5.3. Participants shall not be allowed to make arguments exceeding the scope of their Memorials. As a corollary, the Scope of a Claimant's/Appellant's/Applicant's rebuttal shall be limited to extent submitted by the Respondent.

4.5.4. The Judges shall be allowed to pose questions directly to the Participants during the proceedings and after the Participant's make their presentations.

4.6. Where a Team fails to show up for any particular Round, the Presiding Judge may allow the matter to proceed *ex parte*, whereupon the defaulting team shall be deemed to have forfeited and/or abandoned the Round.

5. **Submission of Memorials**

5.1. Each Team shall prepare and submit, within the prescribed timelines, Memorials in support of both the Claimant's/Appellant's/Applicant's case and the Respondent's case, by sending them to the Committee as attachments via moots@aipcentre.com.

5.2. Any team that fails to submit their Memorials to the Committee within the prescribed period, and in accordance with these guidelines, shall be disqualified.

5.3. The General Format for the Memorials are provided as Schedule I hereof.

6. **Judges/Adjudicators:** At all material times, all the categories and stages of the Competition shall be presided over by independent Intellectual Property Law practitioners, scholars and experts drawn from the Judiciary of the hosting country, Intellectual Property Organization across Africa as well as leading law firms in the hosting country.

7. **Awards:**

7.1. There shall be an Awards Ceremony at the end of the Competition whereupon the winners in different categories shall receive their respective awards.

7.2. The winner of the Final Round shall be the winner of the Competition, and may be eligible to receive such awards as may be determined by the Committee including, *inter alia*, cash prizes, the Winner's trophy and medals, three-month internship opportunities with the Centre and/or the Centre's partners, copies of the Centre for Afro-IP Law & Policy Review Journal, as well as free access to the Centre's conferences and seminars.

7.3. The Participants with the highest and second-highest scores in the *viva voce* category shall be eligible to receive an award, in the form determined by the Committee, as the Best Orator and the First (1st) Runners up in the said category.

7.4. The Team with the highest graded Memorial shall be eligible to receive an award, in the form determined by the Committee.

SCHEDULE I

(The General Format & Guidelines for Memorials)

Each Team should ensure that its Memorial is presented in accordance with the following format:

A. Cover Page

Centre for Afro-IP Law & Policy Research Moot Court Competition [font, Californian FB, Size 14, bold, All caps]

TEAM CODE: [font, Californian FB, Size 14, bold, All caps]

Note: The cover page should bear the Team's Code Number sent to the Team by the Committee during Registration. The Cover Page MUST NOT encompass any information and/or mark that may identify the Team such as the name of university or names of team members.

B. Word Count

The Memorial, including the footnotes, shall not exceed 5,000 words.

C. Format

Spacing: The memorial spacing shall be 1.5 lines

Form: The memorial must be typed in Californian FB, Size 12

Margins: Top: 2cm, Bottom: 2cm, Left: 2cm, Right: 2cm

D. Content

The Memorials shall be written in English.

Each memorial shall contain the following sections in the following order:

a. Table of Contents;
b. List of Abbreviations
c. List of Sources (treaties, jurisprudence, literature, etc.);
d. Jurisdiction of the Court and Admissibility;
e. A Brief Recapitulation of Relevant Facts;
f. Issues;
g. Summary Arguments;
h. Substantive Arguments;
i. Prayers;

Law & Policy Research