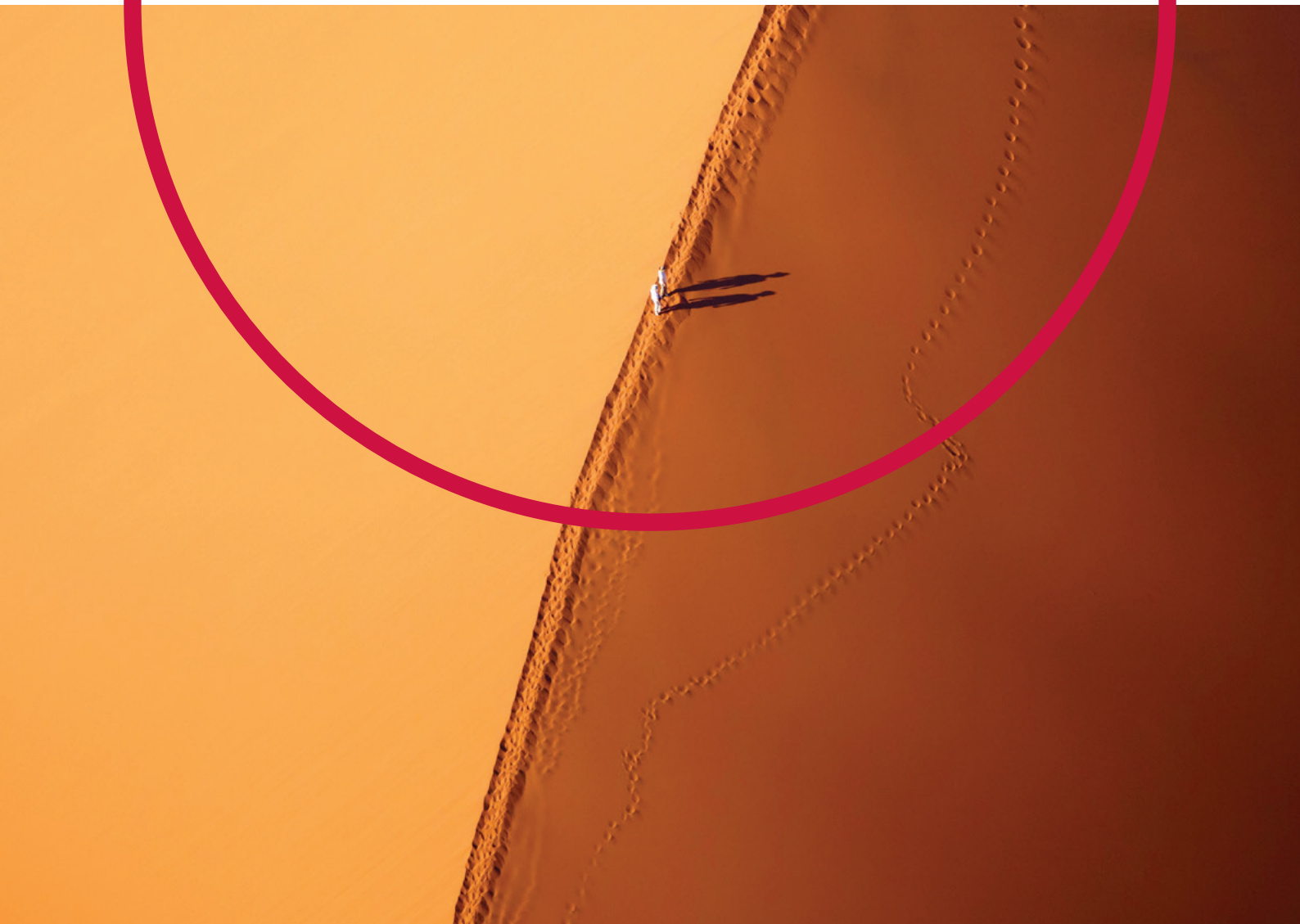












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patents • trade marks • copyright

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Protecting Intellectual Property Across Africa





















Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
ALGERIA 	Yes Service & Collective marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No but considering
ANGOLA 	Yes Service, Collective & Series marks	Yes	Yes	Yes		No but draft legislation
ARIPO 	ARIPO not recommended for Trade marks	Yes 18 member countries Designation required See member countries	Yes 15 member countries Designation required See member countries	Yes 10 member countries Designation required See member countries		Currently being considered by ARIPO – see member countries
BENIN 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
BOTSWANA 	Certification marks for International Registrations permitted	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO and Hague Agreement)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No but considering
BURKINA FASO 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
BURUNDI 	Yes Service marks, Collective marks & Certification marks	Yes	Yes	Yes		No
CAMEROON 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
CAPE VERDE 	Yes Service, Collective & Certification marks	Yes But some doubt	Yes	Yes	Berne Convention	No
CENTRAL AFRICAN REPUBLIC 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI

Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
CHAD 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
COMOROS 	Yes See OAPI French Registration in Mayotte	Yes See OAPI French Registration in Mayotte	Yes See OAPI French Registration in Mayotte	Yes See OAPI French Registration in Mayotte	Berne Convention	Yes See OAPI French Registration in Mayotte
REPUBLIC OF CONGO 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
DEMOCRATIC REPUBLIC OF CONGO 	Yes Service & Collective marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No but draft legislation
DJIBOUTI 	Yes Service, Collective & Certification marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No
EGYPT 	Yes Service, Collective & Certification marks	Yes	Yes Also contracting party to the Hague Agreement	Yes	Berne Convention	Yes
EQUATORIAL GUINEA 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
ERITREA 	No Currently cautionary notices are not being accepted	No	No	No		No
ESWATINI (formerly SWAZILAND) 	Yes Service & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	UK design automatically extends or via registration of South African design	No, but one can register a South African functional design	Berne Convention	No but considering
ETHIOPIA 	Yes Service, Collective & Series marks	Yes	Yes	Yes		Yes

Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
GABON 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
GAMBIA 	Yes Service & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No
GHANA 	Yes Service, Collective & Certification marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO and Hague Agreement)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No but draft legislation
GUINEA 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
GUINEA BISSAU 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
IVORY COAST 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI		Yes See OAPI
KENYA 	Yes Service, Certification, Defensive, Series & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	Yes
LESOTHO 	Yes Service & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No but considering
LIBERIA 	Yes Service & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No
LIBYA 	Yes Service, Certification & Collective marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No

Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
MADAGASCAR 	Yes Service & Collective marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No but draft legislation
MALAWI 	Yes Certification, Defensive & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	No but can file patent application claiming priority from utility model	Berne Convention	No but draft legislation
MALI 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
MAURITANIA 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
MAURITIUS 	Yes Service & Collective marks	Yes	Yes	No but can file patent application claiming priority from utility model	Berne Convention	No but draft legislation
MOROCCO 	Yes Service, Collective & Certification marks covers Tangier and Western Sahara	Yes covers Tangier and Western Sahara	Yes covers Tangier and Western Sahara Also contracting party to the Hague Agreement	No but can file patent application claiming priority from utility model	Berne Convention	Yes
MOZAMBIQUE 	Yes Service, Certification & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No but draft legislation
NAMIBIA 	Yes Service, Certification & Defensive marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO and Hague Agreement)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	No but draft legislation
NIGER 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
NIGERIA 	Yes Service, Certification, Defensive & Series marks	Yes	Yes	No, but can file patent application claiming priority from utility model	Berne Convention	Yes

Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
<p>OAPI</p> 	Yes Service & Collective marks	Yes 17 member countries Protection only available via OAPI	Yes 17 member countries Protection only available via OAPI	Yes 17 member countries Protection only available via OAPI		Yes 17 member countries Protection only available via OAPI
<p>RÉUNION</p> 	French registrations automatically extend	No				
<p>RWANDA</p> 	Yes Service, Certification & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	Yes
<p>ST HELENA</p> 	Only marks registered in the UK may be registered in St Helena	Yes	UK design automatically extends	No but can file patent application claiming priority from utility model		No
<p>SÃO TOMÉ E PRÍNCIPE</p> 	Yes Service & Collective marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)		No
<p>SENEGAL</p> 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
<p>SEYCHELLES</p> 	Yes Service, Certification, Defensive, Series & Collective marks	Yes	No	No but can file patent application claiming priority from utility model		No
<p>SIERRA LEONE</p> 	Yes Certification & Series marks, can also file UK based marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)		No
<p>SOMALIA</p> 	Yes Ordinary trade marks only	No	No	No		No
<p>SOMALILAND</p> 	No Trade mark law, marks may possibly be protected through the publication of a cautionary notice in a local newspaper	No but Cautionary Notices	No but Cautionary Notices	No but Cautionary Notices		No but Cautionary Notices

Country	Trade Marks	Patents	Registered Designs	Utility Models	Copyright	Plant Breeders' Rights
SOUTH AFRICA 	Yes Service, Collective & Certification marks	Yes	Yes	No but one can file a Functional Design	Berne Convention	Yes
SUDAN 	Yes Service marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	No but can file patent application claiming priority from utility model	Berne Convention	No
SOUTH SUDAN 	Transitional Constitution in place. No IP legislation yet.					
TANZANIA (MAINLAND) 	Yes Service & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	UK design automatically extends	Yes Nationally or via ARIPO (member of ARIPO)		Yes
TOGO 	Yes See OAPI	Yes See OAPI	Yes See OAPI Also contracting party to the Hague Agreement	Yes See OAPI	Berne Convention	Yes See OAPI
TUNISIA 	Yes Service, Certification & Collective marks	Yes	Yes Also contracting party to the Hague Agreement	No but can file patent application claiming priority from utility model	Berne Convention	Yes
UGANDA 	Yes Service, Certification, Defensive & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)		No but draft legislation
ZAMBIA 	Yes Certification, Defensive & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	Berne Convention	Yes
TANZANIA ZANZIBAR 	Yes Service, Certification & Collective marks	Yes	Yes	Yes		Yes
ZIMBABWE 	Yes Service, Certification, Collective, Defensive & Series marks	Yes Nationally or via ARIPO (member of ARIPO)	Yes Nationally or via ARIPO (member of ARIPO)	No but can file patent application claiming priority from utility model	Berne Convention	Yes

TRADE MARKS: REGIONAL ORGANISATIONS



- OAPI TRADE MARKS COUNTRIES
- ARIPO BANJUL PROTOCOL EFFECTIVE FOR TRADE MARKS
- ARIPO TRADE MARK REGISTRATIONS ARE NEITHER VALID NOR ENFORCEABLE*

* In the absence of national legislation to make provision for the accession to ARIPO by these countries, Spoor & Fisher's view is that ARIPO is not effective, and we recommend filing national applications in these countries.
See: www.spoor.com

PATENTS: REGIONAL ORGANISATIONS



- OAPI PATENT COUNTRIES
- ARIPO PATENT COUNTRIES
- NON PCT COUNTRIES

MADRID PROTOCOL



● INTERNATIONAL TRADE MARK REGISTRATIONS PROBABLY EFFECTIVE AND ENFORCEABLE

● INTERNATIONAL TRADE MARK REGISTRATIONS ARE NEITHER VALID NOR ENFORCEABLE*

* In the absence of national legislation to make provision for the accession to the Madrid Protocol by these countries, Spoor & Fisher's view is that the Madrid Protocol is ineffective, and we recommend filing national applications in these countries.
See: www.spoor.com

DESIGNS IN AFRICA

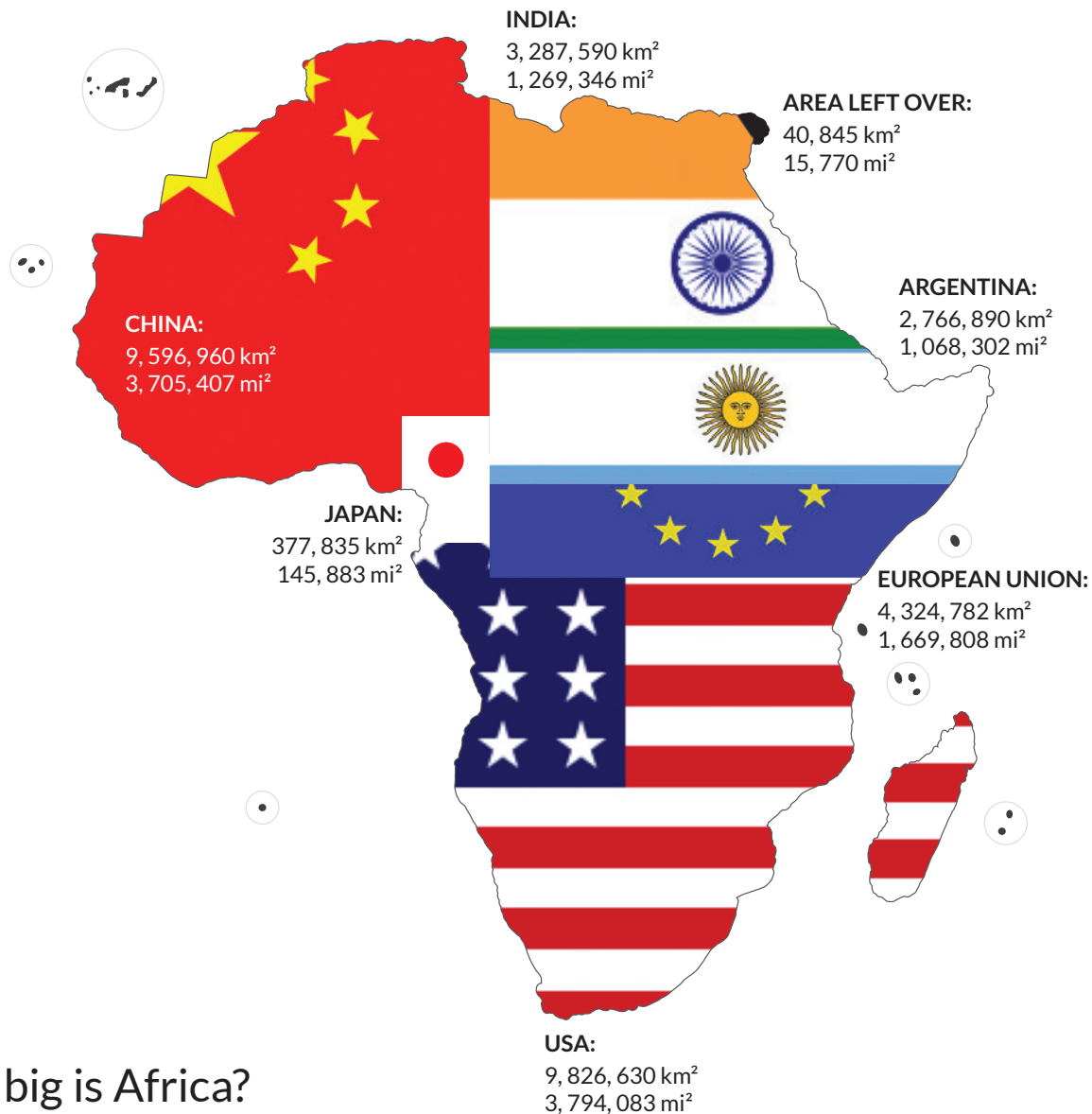


● DESIGNS IN AFRICA

* A UK registered design automatically extends to these countries namely St Helena, Eswatini (formerly Swaziland) and Tanzania.

● A CDR/RCD registered design automatically extends to these countries namely Réunion and Canary Islands.

AFRICA IN PERSPECTIVE



How big is Africa?

Africa: 30,221,532 km² / 11,668,599 mi²

Named countries: 30,180,687 km² / 11,652,828 mi²

Our main offices are in Pretoria, Johannesburg and Cape Town (South Africa) and Jersey (Channel Islands). We have associate offices across Africa, including Gambia, Ghana, Malawi, Zambia, OAPI (via Cameroon) and ARIPO (via Malawi) and also a direct filing presence in Sierra Leone and Zanzibar.

Contact us at info@spoor.com

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