Patents in Africa
A guide to filing requirements throughout Africa

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Introduction

Welcome to the latest version of our booklet Patents in Africa.

This booklet contains comprehensive information as to the requirements for the filing and maintenance of patents throughout the African continent, and the surrounding islands.

All the information in this booklet is also available on the website www.spoor.com

On our website the contents page and the map are interactive, and so you can click on a country name on either page and it will take you to that country's page. There you will find the detailed information you require and access to the appropriate forms.

If there are material changes in the laws or practice in any African jurisdiction, and changes in a number of countries are currently expected, we will keep you informed, both through newsletters and on our website.

If you have any suggestions as to information that could be included in a future issue of Patents in Africa then please let us know.

Finally, please note that matters in the Republic of South Africa and its neighbouring countries are handled by Spoor & Fisher South Africa whereas all matters in all other African countries are dealt with by Spoor & Fisher Jersey. It is stressed, however, that enquiries or instructions may be sent to either office.
Patent Renewals

Spoor & Fisher Jersey has the expertise, experience and network you need to optimise your operating model for renewing patents across Africa.

Each of the fifty-nine African countries present different challenges related to patent matters. Through having Spoor & Fisher Jersey coordinate all of your renewals across the region, you will achieve significant cost and time savings. We work closely with you to meet your individual requirements and tailor our renewals service where possible.

There is no need for you to spend time dealing with the many nuances related to renewals in the individual African territories and liaising with multiple agencies. Our local offices in several African countries such as Cameroon (our OAPI hub), our established relationships, built up over thirty-five years, with local registries and our long experience in dealing with each jurisdiction’s renewal requirements means that we pre-empt and minimise any difficulties. We also file directly in ARIPO, a major regional organisation for patent registrations.

You can rely on us for all aspects of the process from monitoring renewal deadlines and providing reminders, to the timely payment of renewal fees. We retain quality control over all documentation and reporting, and prepare all relevant paperwork and invoices.

Most organisations find it easier to opt for our automatic renewals service. This means they never have to worry about late payments and ensures their portfolio is always maintained.

Automatic Renewals Service
One renewal reminder is sent four months in advance of a due date. If specific instructions are not received, we automatically attend to renewal two months prior to the due date.

Standard Renewals Service
Four renewal reminders (as below) are sent for those countries in which a six-month grace period applies. Although most countries allow for such a grace period, there are some exceptions. In such cases, we issue reminders at appropriate times to ensure the final deadline is met. We attend to renewal only on receipt of your specific instructions.

1st reminder: four months before a renewal date
2nd reminder: two months before a renewal date
3rd reminder: at renewal date
Final: four months after renewal date

Contact us
For further information, please contact us at patentrenewals@spoor.co.uk or on +44 1534 838034.
Patent Requirements

International Arrangements
- Paris Union (from 20 April 1975)
- WIPO (from 16 April 1975)
- PCT (from 8 March 2000)

Types of Patents Available
- Patents of Invention
- Patents of Addition
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Title in French (required on the day of filing)
- Copy of Published International Application (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Power of Attorney (simply signed) (can be late filed within two months)
- Specification, claims and abstract in Arabic or French (can be late filed within two months)
- Copy of International Search Report (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed within two months)
- Specification, claims and abstract in French (can be late filed within two months)
- Specification, claims and abstract in Arabic (can be late filed within two months)
- Formal drawings, if applicable, (required on the day of filing)
- Assignment of Priority Rights (can be late filed within three months)
- Priority document with verified French translation (can be late filed within three months)

Grant
The term of a patent is twenty years from the filing date. Patents of Addition expire with the main case.

Renewal
Renewal fees fall due annually from the first anniversary of the filing date.
Patent Requirements

International Arrangements
- WIPO (from 15 August 1985)
- PCT (from 27 December 2007)
- Paris Convention (from 27 December 2007)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than six months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Filing Requirements
National Phase PCT Application
Angolan patent legislation does not make provision for PCT Applications, nor are filing requirements for such Applications specified. At present, we advise applicants to lodge the same documents as for a non-PCT Application, plus the following:
- Copy of International Publication
- Copy of International Search report
- Copy of International Preliminary Report on Patentability

Patent of Invention
- Power of Attorney (notarised and legalised) (can be late filed within two months).
- Specification, claims and abstract in Portuguese (an English specification can be filed provided a Portuguese title is filed with the English specification, and a verified Portuguese translation must be filed shortly thereafter).
- Formal drawings, if applicable, (required on the day of filing).
- Assignment of Invention (notarised and legalised) (can be late filed within three months).
- Priority document with verified Portuguese translation of the covering page (can be late filed within three months).

Opposition
Patent Applications are published for opposition purposes. A third party may file a notice of opposition within sixty days (period is extendible) from the publication date.

Grant
The term of a patent is fifteen years from the filing date. For PCT national phase applications, the term of the patent is calculated from the PCT International filing date.

Renewal
Renewal fees fall due annually from and including the filing date – with national phase PCT applications the first renewal fee is deemed due on the international filing date itself.
Patent Requirements

Background
ARIPO formerly ESARIPO (before the reference to English Speaking was dropped) was created as a result of a diplomatic conference held in Zambia in 1976. At a further meeting in Zimbabwe in 1982, the Harare Protocol was adopted in terms of which ARIPO is empowered to grant patents and register industrial designs on behalf of its contracting states.

ARIPO is a member of the Paris Convention and it is possible to file independent applications claiming Convention Priority. ARIPO is also a member of the PCT and may be designated in a PCT International Application.

Membership
Membership of ARIPO is open to all Member States of the United Nations Economic Commission for Africa. Currently, there are eighteen ARIPO states which may be designated in an application, namely: Botswana, Eswatini (formerly Swaziland), Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mozambique, Namibia, Rwanda, São Tomé e Príncipe, Sierra Leone, Sudan, Tanzania (mainland), Uganda, Zambia and Zimbabwe.

Unlike OAPI, where a single application automatically covers all member states and it is not possible to designate the countries of interest, ARIPO Applications specifically require the applicant to designate those member states where protection is required. The total of the official fees paid is directly linked to the number of member states so designated. Renewal fees are also directly linked to the number of States designated.

PCT
All of the ARIPO states are also members of the PCT and may be designated when entering the ARIPO Regional Phase of a PCT International Application. If we do not receive instructions specifying the countries that are to be designated when filing, we shall designate all member states when filing the application.

The Chapter I and Chapter II deadlines are thirty-one months from the priority date.

Types of Patents available
- Patents of Invention
- ARIPO Regional Phase PCT Application

Novelty
Absolute novelty is required. However novelty will not be destroyed if not earlier than six months before the filing date, the inventor or his successor discloses the invention by exhibiting it at an official or an officially recognised international exhibition.

Patentability
Methods for treatment of the human or animal body by surgery or therapy and diagnostic methods practised on the human or animal body are not patentable. This provision does not apply to products, in particular substances or compositions, for use in any of these methods.
Patent Requirements

Requirements for filing
Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed within two months)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed no set deadline)
- Priority document with verified English translation (can be late filed within three months)
- Sequence listing if the patent application contains disclosure of one or more nucleotide and/or amino acid sequences. The sequence listing must also be submitted in electronic form which conforms to WIPO Standard ST.25

National Phase PCT Applications
- Power of Attorney (simply signed) (can be late filed within two months)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (required on the day of filing)
- Copy of PCT International Publication (required on day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Examination Report (can be late filed, no set deadline)
- Sequence listing if the patent application contains disclosure of one or more nucleotide and/or amino acid sequences. The sequence listing must also be submitted in electronic form which conforms to WIPO Standard ST.25

Grant
The patent offices of the designated States are notified of the grant of an ARIPO patent. A patent granted by ARIPO has, in each designated State, the same effect as a patent registered, granted or otherwise having effect under the applicable national law. The term of a patent in each designated State, is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the anniversary date of the filing date.

Note: The national Patent law in Lesotho, Malawi, Tanzania and Zambia does not specifically provide for a twenty year term for an ARIPO patent. Patents filed directly in these countries have shorter terms with the option of applying for extensions. It is our belief that the term of an ARIPO patent in all of the member countries is twenty years without the need to apply for the extensions. However there remains a level of uncertainty in this regard.
Patent Requirements

International Arrangements
- Paris Union (from 15 April 1998)
- WIPO (from 15 April 1998)
- ARIPO (from 6 May 1985)
- PCT (from 30 October 2003)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, information disclosed to the public during the twelve months preceding the filing date or priority date claimed in a patent application shall not destroy the novelty of the invention, where the information is disclosed by the inventor, or by a third party who derived the information from the inventor.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

ARIPO patents in which Botswana is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- WIPO (from 30 March 1977)
- Paris Union (from 3 September 1977)

Types of Patents Available
- Patents of Invention
- Patents of Addition

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, arising from:
- clear abuse in relation to the applicant or his successor in title;
- the fact that the applicant or his successor in title has displayed it at an official or officially recognised international exhibition.

Patentability
Methods of surgical or therapeutic treatment of the human or animal body as well as diagnostic methods are not patentable. However, products for use in any such methods may be patented. Pharmaceutical products are excluded from patent protection in terms of TRIPS until 1 January 2016.

Filing Requirements
- Power of Attorney (simply signed) (can be late filed within two months)
- Specification, claims and abstract in French or English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Priority Rights (can be late filed, no set deadline)
- Priority document with verified French or English translation (can be late filed within three months)

Grant
The term of a Patent of Invention is twenty years from the filing date. If the patent is granted more than four years after the date of filing, the term of protection granted by the patent shall automatically be extended by the entire period which has elapsed as from the date of filing. Patents of Addition expire with the main case.

Renewal
Renewal fees are payable for five year periods in advance commencing from the filing date of the patent application.
Patent Requirements

For nearly thirty years from independence in 1975 there was thought to be no effective Industrial Property legislation. In 2003 the Government affirmed the ongoing validity of a Portuguese Code of 1940, that had been neglected in Cape Verde. An IP Office was established, which enabled applications to be filed in preparation for the implementation of a new law. This new legislation, Decree-Law No. 4-2007, came into effect in August 2007. It repealed the 1940 Code and recognises such applications as were filed thereunder.

International Arrangements

- WIPO (from 7 July 1997)
- Cape Verde is not a member of the Paris Convention but the 2007 Code, like that of 1940, provides for priority to be claimed and such claims are recognised in practice.

Types of Patents Available

- Patents of Invention

Novelty Requirements

Absolute novelty is required. However, novelty is not destroyed by disclosure:
- To scientific or professional, technical bodies or at official or officially recognised exhibitions in Cape Verde or in WIPO and/or WTO member states held within twelve months preceding the filing date; or
- Resulting from an evident abuse in relation to the inventor or his successor in title, or improper publication by the national Intellectual Property Institute.

Patentability

Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing Requirements

- Patents of Invention
  - Power of Attorney (notarised) (can be late filed, no set deadline)
  - Specification, claims and abstract in Portuguese (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - Assignment of Invention (can be late filed, no set deadline)
  - Priority document with verified Portuguese translation (can be late filed within three months)

Grant

The term of a patent is twenty years from the filing date.

Renewal

Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- WIPO (from 28 January 1975)
- Paris Union (from 31 January 1975)

Types of Patents Available
- Patents of Invention
- Patents of Importation
- Patents of Addition or Improvement
- Certificates of Encouragement (Discoveries)

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than six months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- the applicant or his predecessor in title displaying the invention at an official or officially recognised international exhibition; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Filing Requirements
Patents of Invention
- Power of Attorney in duplicate (special form, simply signed) (required on the day of filing)
- Specification, claims and abstract in any language (required on the day of filing)
- Specification, claims and abstract in French (can be late filed within five months)
- Formal drawings, if applicable (required on the day of filing)
- Priority document with verified French translation (can be late filed within five months)

Patents of Importation
- Power of Attorney in duplicate (special form, simply signed) (required on the day of filing)
- Specification, claims and abstract in any language (required on the day of filing)
- Specification, claims and abstract in French (can be late filed within five months)
- Formal drawings, if applicable (required on the day of filing)
- Certified copy of basic foreign granted patent (required on the day of filing)

Certificates of Encouragement
- May be awarded for useful discoveries. This does not cover scientific discoveries according to the Geneva Treaty on the International Registration of Scientific Discoveries. Please contact us for further information.

Grant
The term of a patent is twenty years from the filing date, except for a patent for medicine, which has a term of fifteen years from the filing date. Patents of Importation and Addition terminate at the same time as the main patent on which it is based.

Renewal
Renewal fees fall due annually commencing on the second anniversary of the filing date.
Patent Requirements

International Arrangements

- Paris Union (from 13 May 2002)
- WIPO (from 13 May 2002)
- PCT (from 23 September 2016)

Note: It was for some time believed that Djibouti had become a member of OAPI and that non-PCT OAPI patents would also extend to that country. It transpired that Djibouti did not satisfy the membership requirements of OAPI and it is accordingly not a member of OAPI at this time.

Types of Patents Available

- Patents of Invention
- National Phase PCT Application
- Certificates of Addition

Novelty Requirements

Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date owing to acts committed by:

- the applicant or his legal predecessor,
- a Patent Office that has unduly published or made available to the public a patent application filed by the applicant or his legal predecessor, or an application filed without the knowledge or consent of the applicant or his legal predecessor by a third party which obtained information directly or indirectly from the applicant or his legal predecessor, or
- a third party which obtained the information contained in the item of prior art directly or indirectly from the inventor.

Patentability

Methods of diagnostic or surgical or therapeutic treatment for the human or animal body are not patentable. However products for use in any such methods may be patented.

Filing Requirements

National Phase PCT Application

- Power of Attorney (simply signed)
- Specification, claims and abstract in French (can be late filed within 1 month)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed)
- Assignment of Invention (can be late filed)
- Copy of Published International Application (can be late filed)
- Copy of International Search Report (can be late filed)
- Copy of International Preliminary Report on Patentability (can be late filed)

Patents of Invention (Non-PCT)

- Power of Attorney (simply signed) (required on the day of filing)
- Specification, claims and abstract in French (can be late filed within 1 month)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Priority document with verified French translation (can be late filed)

Grant

The term of a patent is twenty years from the filing date.

Renewal

Renewal fees fall due at intervals of five years, the first being payable simultaneously with the application fee then on the 5th, 10th and 15th anniversaries of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 6 March 1975)
- WIPO (from 21 April 1975)
- PCT (from 6 September 2003)

Types of Patents Available
- Patents of Invention
- Patents of Addition
- National Phase PCT Application

Novelty Requirements
Novelty is destroyed if before the date of the application or the earliest priority date:
- A patent has already been issued for the invention or part thereof in Egypt or abroad before the date of filing.
- If the invention has been publicly used or exploited in Egypt, or abroad or disclosed in a manner which enable experts to exploit it before filing patent application in Egypt.

Disclosure of invention in national or international exhibitions during six months prior to the date of filing is not considered as disclosure.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in such methods may be patented.

Filing Requirements
National Phase PCT Application
Egyptian patent legislation does not make provision for PCT Applications, nor are filing requirements for such applications specified. At present we advise applicants to lodge the same documents as for a non-PCT Application, plus the following:
- Copy of Published International Application
- Copy of International Search Report
- Copy of International Preliminary Report on Patentability

Patents of Invention
- Power of Attorney (legalised) (can be late filed within four months)
- Specification, claims and abstract in English (required on the day of filing)
- Specification, claims and abstract in Arabic (can be late filed within six months)
- Formal drawings, if applicable, without labelling (required on the day of filing)
- Formal drawings, if applicable, with full labelling (required on the day of filing)
- Assignment of Invention and priority rights (legalised) (can be late filed within four months)
- Certificate of Incorporation (legalised) (can be late filed within four months)
- Priority document with verified English and Arabic translation (to be lodged within three months)

Grant
The term of a patent is twenty years minus one day. A Patent of Addition expires with the main patent.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date. For non-Convention or Convention applications the filing date is the actual date of filing in Egypt. For PCT national phase applications, the filing date is deemed to be the PCT International filing date.
Patent Requirements

International Arrangements
  • WIPO (from 20 February 1997)

Types of Patents Available
Eritrea became independent from its southern neighbour Ethiopia on 24 May 1993. Since that time, the Government has been occupied with the establishment and maintenance of a viable Government structure, the raising of development money, and a boundary conflict with Ethiopia.

There is no patent legislation currently in force in Eritrea. There are no statutory provisions for the registration or filing of patents.

The enactment of an Industrial Property Law and establishment of a separate Industrial Property Office are still under consideration and there is currently no Industrial Property legislation in place in Eritrea. The Government has, at times, accepted the publication of Cautionary Notices in the Government-owned national newspaper; however, this practice is currently suspended.

At present there is no procedure for the protection of Patents in Eritrea.

Note: Patents filed in Ethiopia will have no force or effect in Eritrea.
**Patent Requirements**

**International Arrangements**
- Paris Union (from 12 May 1991)
- WIPO (from 18 August 1988)
- ARIPO (from 17 March 1988)
- PCT (from 20 September 1994)

Note: The law in Eswatini (formerly Swaziland) has not yet been amended to recognise the PCT or ARIPO. Although ARIPO Applications designating Eswatini (formerly Swaziland) are filed and accepted we cannot guarantee that enforceable rights will be granted. There is no provision for the filing of PCT national phase or convention applications.

Granted UK and European (UK) patents are considered to extend to Eswatini (formerly Swaziland) automatically, without the need for local re-registration.

Automatic cover of a granted UK or European (UK) patent or the re-registration of a granted South African patent is recommended at this time.

**Types of Patents Available**
- Re-registration of granted South African patent
- ARIPO Application
- ARIPO Regional Phase PCT Application

**Filing Requirements**
- Re-registration of granted South African patent
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Certified copy of South African patent (required on day of filing)

ARIPO Application in which Eswatini (formerly Swaziland) is designated

Please see ARIPO.

ARIPO Regional Phase PCT Application

Please see ARIPO.

**Grant**
In the case of a UK patent, the term expires with the UK patent. In the case of a registration of a South African patent in Eswatini (formerly Swaziland), the patent remains in force for as long as the South African patent is maintained. The term of an ARIPO patent designating Eswatini (formerly Swaziland) is twenty years from the filing date.

**Renewal**
In the case of a UK patent, no separate renewal fees are payable. In the case of a registration of a South African patent in Eswatini (formerly Swaziland), renewal fees fall due annually on the same date as the South African renewal fees fall due.
Patent Requirements

International Arrangements
- WIPO (from 19 February 1998)

Note: Although Ethiopia is not a member of the Paris Union, priority may still be claimed from a foreign application filed not more than twelve months previously.

Types of Patents Available
- Patents of Invention
- Patents of Introduction (Patents of Importation)

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title, or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
Patents of Invention
- Power of Attorney (legalised) (can be late filed within one month)
- Specification, claims and abstract in English (required on the day of filing)
- International Patent Classification (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (legalised)
- Certificate of Incorporation (legalised)
- Priority document with verified English translation (to be lodged within three months)

Patents of Introduction
- Power of Attorney (legalised) (can be late filed within one month)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Certificate of Incorporation (legalised)
- Certified copy of basic foreign granted patent (required on the day of filing)

Grant
The term of a Patent of Invention is fifteen years from the filing date. However the term of the patent may be extended for a further period of five years provided that proof is furnished that the invention is being properly worked in Ethiopia. The Patent of Introduction expires with the patent on which it is based, with a maximum term of ten years.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 21 January 1992)
- WIPO (from 10 December 1980)
- ARIPO (from 16 January 1986)
- WIPO (from 10 December 1980)
- PCT (from 9 December 1997)

Types of Patents Available
- Patents of Invention
- ARIPO Applications
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than six months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
Gambian patent legislation does not make provision for PCT Applications, nor are filing requirements for such applications specified. At present, we advise applicants to lodge the same documents as for a non-PCT application, plus the following:
- Copy of International Publication
- Copy of International Search report
- Copy of International Preliminary Report on Patentability

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Priority document with verified English translation, if applicable (can be late filed within three months)

ARIPO Application in which Gambia is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is fifteen years from the filing date, which can be extended on application by five years, provided proof of working is furnished. The term of an ARIPO patent designating Gambia is twenty years from the date of filing.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 28 September 1976)
- ARIPO (from 25 April 1984)
- WIPO (from 12 June 1976)
- PCT (from 26 February 1997)

Types of Patents Available
- Patents of Invention
- ARIPO Application
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

ARIPO Application in which Ghana is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 14 June 1965)
- ARIPO (from 24 October 1984)
- WIPO (from 5 June 1971)
- PCT (from 8 June 1994)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence:
- of acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Relevant class(es) of the International Patent Classification (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

ARIPO Application in which Kenya is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date. However, for national phase applications the first renewal fee falls due on the next anniversary of the international filing.
Lesotho

Patent Requirements

International Arrangements
- Paris Union (from 28 September 1989)
- ARIOPO (from 23 October 1987)
- WIPO (from 18 November 1986)
- PCT (from 21 October 1995)

Types of Patents Available
- Patents of Invention
- ARIOPO Application
- National Phase PCT Application
- ARIOPO Regional Phase PCT Application

Novelty Requirements
Novelty is destroyed by anything disclosed to the public by:
- publication in a tangible form anywhere in the world; or
- prior oral disclosure, by use or in any other way in Lesotho.

However, novelty will not be destroyed if the disclosure of the invention to the public in Lesotho occurred not earlier than six months preceding the filing date, or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (notarised) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed, no set deadlines)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (notarised) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

ARIOPO Application in which Lesotho is designated
Please see ARIOPO.

ARIOPO Regional Phase PCT Application
Please see ARIOPO.

Grant
The term of a patent is fifteen years from the filing date. However, the term of the patent may be extended for a further period of five years provided that proof is furnished that the invention is being properly worked in Lesotho at the date of the request or that there are legitimate reasons for failing to work the invention. The term of an ARIOPO patent designating Lesotho is twenty years.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 27 August 1994)
- WIPO (from 8 March 1989)
- ARIPO (from 24 March 2010)
- PCT (from 27 August 1994)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Applications
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence:
- of acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Copy of International Publication (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Priority document with verified English translation (can be late filed)

ARIPO Application in which Liberia is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 28 September 1976)
- WIPO (from 28 September 1976)
- PCT (from 15 September 2005) - Please note that the law in Libya has not been amended to recognise the PCT. Convention patent applications are recommended at this time.

Types of Patents Available
- Patents of Invention
- Patents of Addition

Novelty Requirements
Local novelty only is required. Specifically, novelty is destroyed if, less than fifty years before the date of the application:
  - the invention has been publicly used or published in Libya so as to make the exploitation thereof possible by persons skilled in the art; or
  - the invention is described in a patent filed in Libya before the filing date, or where applicable the priority date, by a person other than the inventor or his assignee.

Patentability
Inventions relating to foodstuff, medicines or pharmaceutical preparations (excluding the process for making these preparations) are not patentable.

Filing Requirements
Patents of Invention
- Power of Attorney (legalised) (copy of a notarised Power of Attorney required on the day of filing and legalised Power of Attorney can be late filed within two months).
- Specification, claims and abstract in English (required on the day of filing).
- Specification, claims and abstract in Arabic (required on the day of filing).
- Formal drawings, if applicable, without labelling (required on the day of filing).
- Formal drawings, if applicable, with full labelling (required on the day of filing).
- Assignment of Invention (legalised) (can be late filed, within two months).
- Certificate of Incorporation (legalised) (can be late filed, within two months).
- Priority document (simple copy) with verified English translation (can be late filed within three months).

Grant
The term of a patent is ten years for patents in respect of chemical processes relating to foodstuffs, medicines and pharmaceutical preparations and fifteen years for all other patents. For the second mentioned category the patent may in certain circumstances be extended for a further period of five years. A Patent of Addition expires with the main patent.

Renewal
Renewal fees fall due annually commencing on the date of grant.
Patent Requirements

International Arrangements
- Paris Union (from 21 December 1963)
- WIPO (from 22 December 1989)
- PCT (from 24 January 1978)

Types of Patents Available
- Patents of Invention
- Patent of Addition
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than six months preceding the filing date or where applicable, the priority date and it was as a consequence of:
- the applicant or his predecessor in title displaying the invention at an official or officially recognised international exhibition, subject to the production of an officially recognised certificate attesting to the participation at such exhibition; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Pharmaceutical, veterinary, cosmetic and food products are not patentable.

Filing Requirements
- National Phase PCT Application
  - Power of Attorney (notarised) (can be late filed within two months)
  - Specification, claims and abstract in French (required within five months)
  - Formal drawings, if applicable (required on the day of filing)
  - Copy of Published International Application (required on the day of filing)
  - Copy of International Search Report (can be late filed, no set deadline)
  - Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

- Patents of Invention (Non-PCT)
  - Power of Attorney (notarised) (can be late filed within two months)
  - Specification, claims and abstract in French (required within five months)
  - Formal drawings, if applicable (required on the day of filing)
  - Assignment of Priority Rights (can be late filed, no set deadline)
  - Priority document with verified French translation (can be late filed within three months)

Grant
The term of a patent is fifteen years from the filing date. This term may be extended for a further period of five years upon request (the request for extension must be submitted within the two month period before the expiry date). The Patent of Addition expires with the main patent.

Renewal
Renewal fees fall due annually commencing on the second anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 6 July 1964)
- WIPO (from 11 June 1970)
- PCT (from 24 January 1978)
- ARIPO (from 25 April 1984)

Types of Patents Available
- Patents of Invention
- Patents of Addition
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

Novelty Requirements

Novelty is destroyed by:
- the prior use or knowledge of the invention in Malawi by anyone other than the applicant or person from or through whom such applicant derives his title;
- working of the invention anywhere in Malawi otherwise than by way of reasonable technical trial or experiment by the applicant or person from or through whom such applicant derives his title;
- description of the invention in any publication of which there was a copy anywhere in Malawi at the effective date of the application; or
- claims in any complete specification for a patent which was filed in Malawi before the filing date of the patent application for the invention.

Patentability

Substances consisting of mere admixture of known ingredients for use as food or medicine and the process for producing such substances are not patentable.

Filing Requirements

National Phase PCT Application
Even though there is no enabling legislation, the Malawian authorities are receiving and processing national phase patent applications.
- Power of Attorney (required on the day of filing)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (required on the day of filing)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within six months)
Patent Requirements

ARIPO Application in which Malawi is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is sixteen years from the filing date, which may be extended for one further period of up to five years on the ground of inadequate remuneration, and in exceptional circumstances a period of up to ten years. It is our belief that the term of the ARIPO patent designating Malawi is twenty years without the need to apply for the extension. However, there remains a level of uncertainty in this regard.

Renewal
Renewal fees are payable annually commencing on the third anniversary of the filing date.
Patent Requirements

International Arrangements
• Paris Union (from 24 September 1976)
• WIPO (from 21 September 1976)

Types of Patents Available
• Patents of Invention

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
• acts committed by the applicant or his predecessor in title; or
• an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented. Plantes, plant varieties, animals and essentially biological processes for the production of plants or animals are not patentable.

Filing Requirements
Patents of Invention
• Power of Attorney (simply signed) (can be late filed within two months)
• Declaration claiming priority (required on the day of filing)
• Specification, claims and abstract in English (required on the day of filing)
• Formal drawings, if applicable (required on the day of filing)
• Assignment of Invention (notarised) (can be late filed within two months)
• Priority document with verified English translation (can be late filed within three months)
• Evidence of registrations served elsewhere (can be late filed)

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees are due annually commencing on the third anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 30 July 1917)
- WIPO (from 27 July 1971)
- PCT (from 8 October 1999)
- Validation of European patents

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- Validation of European patents - (Under the validation system, anyone filing a European patent application is now able to request validation for Morocco against a payment of a validation fee. European applications and patents validated for Morocco will have the same legal effects there as Moroccan ones, and will be subject to Moroccan patent law).

Note: Protection extends to Tangier and Western Sahara.

Novelty Requirements
Absolute novelty is required.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in such methods may be patented.

Filing Requirements
National Phase PCT Application
- Specification, claims and abstract in French or Arabic (can be late filed within three months)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Specification, claims and abstract in French and Arabic (can be late filed within three months)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Priority Rights (notarised) (can be late filed, no set deadline)
- Priority document with verified French translation (can be late filed within three months)

Validation of European patents
- The text of the European patent or the required translation must be filed before the Moroccan Office of Industrial and Commercial Property (OMPIC) within a period of three months from the date of publication of the mention of grant of the European patent.
- It appears that a translation of the patent specification in Arabic, French, or English is only necessary if the European patent application has been filed in German.
- Publication of Arabic or French translation of claims may be requested for provisional protection.
- An official fee for registering the European patent must be paid within a period of three months from the date of publication of the mention of grant of the European patent in order for the European patent to be fully effective in Morocco, with the same effect as for a National Moroccan patent issued by OMPIC.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on grant of the patent.
Patent Requirements

Mozambique

International Arrangements
- WIPO (from 23 December 1996)
- PCT (from 8 May 2000)
- Paris Union (from 9 July 1998)
- ARIPO (from 8 May 2000)

Types of Patents Available
- Patents of Invention
- ARIPO Application
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

Novelty Requirement
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence:
- of disclosure by the applicant or his predecessor in title to scientific or professional institutions or publication or at competitions, exhibitions and trade fairs which are official or officially recognised by the government, or
- an abuse committed by a third party with regard to the applicant or his predecessor in title, provided that in the case of the former, the applicant when filing the application declares in writing that the invention was effectively exposed and within three months provides proof thereof.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (notarised) (required on the day of filing)
- Specification and claims in Portuguese or English (required on the day of filing)
- Abstract in Portuguese (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Verified translation of the specification and claims into Portuguese, if filed in English (required within three months)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (notarised) (required on the day of filing)
- Specification and claims in Portuguese or English (required on the day of filing)
- Abstract in Portuguese (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Verified translation of the specification and claims into Portuguese, if filed in English (required within three months)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified Portuguese translation (can be late filed within two months)

ARIPO Application in which Mozambique is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the priority date with the first two annuities payable at the time of filing.
Namibia

Patent Requirements

International Arrangements
- WIPO (from 23 December 1991)
- Paris Union (from 1 January 2004)
- PCT (from 1 January 2004)
- ARIPO (from 23 April 2004)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than six months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
A discovery; a scientific theory; a mathematical method; a literary, dramatic, musical or artistic work or any other aesthetic creation; a scheme, rule or method for performing a mental act, playing a game or doing business; a programme for a computer; or the presentation of information are not patentable.

A patent will not be granted for a plant, or an animal or an essentially biological process for the production of an animal or a plant, unless it is a microbiological process or the product of such a process.

Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Declaration and Power of Attorney (Form G2) (simply signed) (can be late filed within sixty days)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed within sixty days)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention
- Declaration and Power of Attorney (Form G2) (simply signed) (can be late filed within sixty days)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed within sixty days)
- Certified copy of priority document, if priority claimed, with verified English translation (can be late filed)
Patent Requirements

ARIPO Application in which Namibia is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application:
Please see ARIPO.

Grant:
The term of a patent is twenty years from the filing date. The term of patents granted prior to 1 August 2018 continues to be fourteen years.

Renewal:
Renewal fees fall due annually commencing on the first anniversary of the filing date. Renewal fees for patents granted prior to 1 August 2018 will be due annually from the next anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 2 September 1963)
- WIPO (from 9 April 1995)
- PCT (from 8 May 2005)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, the mere fact that, within six months before the filing date, the inventor or his successor in title has exhibited the invention in an official or officially recognised international exhibition is no bar to novelty.

Filing Requirements
- National Phase PCT Application
  - Power of Attorney (simply signed) (can be late filed, no set deadline)
  - Specification, claims and abstract in English (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - Copy of Published International Application
  - Copy of International Search Report (can be late filed, no set deadline)
  - Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadlines)
- Priority document with verified English translation (can be late filed within three months)

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due on the filing date. For PCT national phase applications, the filing date is deemed to be the PCT International filing date.
Patent Requirements

Background
A central office for filing for patent and trade mark protection (etc.) in former French colonies in Africa was first formed under the Libreville agreement in 1962. The office was then called the “Office Africain et Malgache de la Propriété Industrielle” (OAMPI). A new accord named the Bangui Agreement was adopted in 1977 and the Office changed its name to “Organization Africaine de la Propriété Intellectuelle” (OAPI). By a further accord, made (also at Bangui, Central African Republic) with effect from 28 February 2002, a revised version of the Bangui Agreement was adopted and is deemed, with its Annexes 1 - 10, to be the national law of each member State concerning patents, utility models, trade marks, industrial designs, business names, geographical indications, copyright, protection against unfair competition, layout (designs) of integrated circuits and plant variety protection.

Membership
Currently, the member States of OAPI are: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo (Republic of), Equatorial Guinea, Gabon, Guinea, Guinea Bissau, Ivory Coast, Mali, Mauritania, Niger, Senegal and Togo. A single application automatically covers all member states and it is not possible to designate the countries of interest.

PCT
All OAPI States have ratified the Patent Cooperation Treaty. Thus, an OAPI Regional Phase of a PCT International Application will automatically include all member states.

The Chapter I and Chapter II deadlines are thirty months from the priority date.

Patentability
Methods for treatment of the human or animal body by surgery or therapy as well as diagnostic methods are not patentable. However, products for use in any such methods may be patented.

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence:
- of the applicant or his predecessor in title displaying the invention at an official or officially recognised international exhibition, subject to the production of an officially recognised certificate attesting to the participation at such exhibition; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Filing Requirements
Regional Phase PCT Application
- Power of Attorney (simply signed) (can be late filed within three months)
- Specification, claims and abstract in English or French (required on day of filing)
- Formal drawings, if applicable (required on day of filing)
- Assignment of Priority Rights (can be late filed within six months)
- Copy of Published International Application (required on day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)
Patent Requirements

Patents of Invention (Non-PCT)
• Power of Attorney (simply signed) (can be late filed within three months)
• Specification, claims and abstract in English or French (required on day of filing)
• Formal drawings, if applicable (required on day of filing)
• Assignment of Priority Rights (can be late filed within six months)
• Priority document, with a verified English or French translation thereof (can be late filed within six months)

Text Requirements
Please note that the OAPI Patent Office is extremely stringent in its requirements with regard to the presentation of the specification. In order to comply with the OAPI Regulations, the specification (including the claims and abstract) should meet the following requirements:
• The printed characters should be at least 2mm in height. If the characters are smaller than 2mm, OAPI will issue an official action requesting the submission of a fresh specification containing larger print;
• The specification should have minimum margins of 2.5cm on the left hand side and 2cm on the right hand side, top and bottom;
• The text must be presented in one-and-a-half line spacing;
• The PCT publication details MUST BE REMOVED from the top of each page;
• The five-by-five line numbering on the left hand side of each page MUST BE INCLUDED. If the specification does not meet these requirements, it will be rejected and we will have only three months within which to submit a fresh document. We would therefore recommend that the specification conforms to these requirements.

Grant
On grant the patent becomes effective in all member States. The patent is governed by the provisions of the Bangui Agreement in each member State. The term of the patent is twenty years.

Renewal
Renewal fees fall due annually from the first anniversary of the filing date.
Réunion Island is an “overseas department” of France; as such, there is no independent Industrial Property legislation, and French patents or European (FR) patents automatically extend to this territory.
### Patent Requirements

#### Rwanda

**International Arrangements**
- Paris Union (from 1 March 1984)
- WIPO (from 3 February 1984)
- ARIPO (from 24 September 2011)
- WIPO (from 3 February 1984)
- PCT (from 31 August 2011)

**Types of Patents Available**
- Patents of Invention
- ARIPO Application
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

**Novelty Requirements**
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

**Patentability**
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

**Filing Requirements**
- National Phase PCT Application
  - Power of Attorney (notarised in English, French or Rwandan) (can be late filed)
  - Specification, claims and abstract in English or French (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - Assignment of Invention (can be late filed)
  - Copy of Published International Application (required on day of filing)
  - Copy of International Search Report (can be late filed)
  - Copy of International Preliminary Report on Patentability (can be late filed)
- Patents of Invention (Non-PCT)
  - Power of Attorney (notarised in English, French or Rwandan) (can be late filed)
  - Specification, claims and abstract in English or French (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - Assignment of Invention (can be late filed)
  - Priority document with verified English or French translation (can be late filed)

**ARIPO Application in which Rwanda is designated**
Please see ARIPO.

**ARIPO Regional Phase PCT Application**
Please see ARIPO.

**Grant**
The term of a patent is twenty years from the filing date.

**Renewal**
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 12 May 1998)
- WIPO (from 12 May 1998)
- ARIPO (from 19 August 2014)
- PCT (from 8 July 2008)
Note: The law in São Tomé and Príncipe does recognise the PCT and provides that if there is any conflict between the national law and the PCT, then the PCT Rules prevail.

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Applications
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Discoveries, scientific theories and mathematical methods; plans, principles or methods in the field of economic activity, the performance of purely intellectual activities or games; and methods of surgical or therapeutic treatment of the human or animal body, and methods of diagnosis applied to the human or animal body are not patentable. Products used for surgery, therapy or diagnosis are however patentable.

Filing Requirements
Registry practice has not yet been established. The following information will be updated from time to time as more information becomes available.

National Phase PCT Application
At present, we advise applicants to lodge the same documents as for a Non-PCT Application, plus the following:
- Copy of International Publication
- Copy of International Search Report
- Copy of International Preliminary Report on Patentability

Patents of Invention
- Power of Attorney (can be late filed)
- Specification, claims and abstract in Portuguese (required on the day of filing)
- Formal drawings, if applicable, (required on the day of filing)
- Assignment of Invention (can be late filed)
- Priority document with verified Portuguese translation of the covering page (can be late filed)

ARIPO Application in which São Tome and Príncipe is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually from the first anniversary of the filing date.
Patent Requirements

International Arrangements
- WIPO (from 16 March 2000)
- PCT (from 7 November 2002)
- Paris Union (from 7 November 2002)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (notarised) (can be late filed within two months)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (notarised) (can be late filed within two months)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed)

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually payable in advance commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
• Paris Union (from 17 June 1997)
• WIPO (from 18 May 1986)
• PCT (from 17 June 1997)
• ARIPO (from 25 February 1999)

Types of Patents Available
• Patents of Invention
• National Phase PCT Application
• ARIPO Application
• ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
• acts committed by the applicant or his predecessor in title; or
• an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
• Power of Attorney (simply signed) (can be late filed, no set deadline)
• Specification, claims and abstract in English (required on the day of filing)
• Formal drawings, if applicable (required on the day of filing)
• Assignment of Invention (can be late filed, no set deadline)
• Copy of Published International Application (required on day of filing)
• Copy of International Search Report (can be late filed, no set deadline)
• Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
• Power of Attorney (simply signed) (can be late filed, no set deadline)
• Specification, claims and abstract in English (required on the day of filing)
• Formal drawings, if applicable (required on the day of filing)
• Assignment of Invention (can be late filed, no set deadline)
• Priority document with verified English translation (can be late filed, no set deadline)

ARIPO Application in which Sierra Leone is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- WIPO (from 18 November 1982)

Types of Patents Available
- Patents of Invention
- Patents of Addition

Note: As a result of the ongoing civil unrest, the filing and processing of all patent applications is indefinitely halted.

Novelty Requirements
Absolute novelty is required.

Filing Requirements
Patents of Invention
- Power of Attorney (simply signed) (required on the day of filing)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)

Grant
The term of a patent is fifteen years from the filing date, which is not extendable. A Patent of Addition expires with the main patent.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
None

Types of Patents Available
There is no patent legislation currently in force in Somaliland. The filing of a patent application is not possible at this time. There is uncertainty as to whether or not a patent granted in Somalia would cover Somaliland as well.
Patent Requirements

International Arrangements
- Paris Union (from 1 December 1947)
- Convention on Establishing the World Intellectual Property Organisation (WIPO)
- PCT (from 16 March 1999)

Types of Patents Available
- Patents of Invention
- Patents of Addition
- National Phase PCT Application

Novelty Requirements
Absolute novelty is required. Novelty is destroyed by:
- all matter which has been made available to the public anywhere by written or oral description, by use or in any other way before the priority date;
- matter contained in a South African patent application both as lodged and as open to public inspection if the priority date of that matter is earlier than the priority date of the invention; and
- secret use on a commercial scale in South Africa before the priority date.
Exceptions: Disclosure or use which was made without the inventor’s/assignee’s knowledge or consent, and working of the invention in South Africa by way of reasonable technical trial or experiment, by the inventor or assignee.

Patentability
A discovery; a scientific theory; a mathematical method; a literary, dramatic, musical or artistic work or any other aesthetic creation; a scheme, rule or method for performing a mental act, playing a game or doing business; a program for a computer; or the presentation of information are not patentable. However, an invention incorporating one or more of these items as a feature of the invention may still be patentable.

A patent will not be granted for a plant, or an animal or an essentially biological process for the production of an animal or a plant, unless it is a microbiological process or the product of such a process. It is, however, possible to obtain protection for plant varieties by the grant of plant breeders’ rights.

Methods of treatment of the human or animal body by surgery or therapy or diagnosis are not patentable. However, a substance or composition for use in such a method is patentable even if the substance or composition itself is known.

Filing Requirements

Ordinary Applications
Minimum formal filing requirements
- Name(s) and address(es) of applicant(s)
- Name(s) and address(es) of inventor(s)
- Specification, claims and abstract in the language of any Paris Convention country together with any drawings
- Number, date and country of the basic application if Paris Convention priority is to be claimed

Full formal filing requirements (including time limits)
- Name(s) and address(es) of applicant(s) (required for filing)
- Name(s) and address(es) of inventor(s) (required for filing)
- Specification, claims and abstract in the language of any Paris Convention country together with any drawings (required for filing)
Note: A foreign language specification must be supplemented with a certified English translation thereof (three months from filing)
Patent Requirements

- Declaration and Power of Attorney (form P.3) signed by or on behalf of the applicant - no legalisation required (six months from filing).
- Statement on the Use of Indigenous Biological Resource, Genetic Resource, Traditional Knowledge or Use (form P.26) signed by or on behalf of the applicant - no legalisation required (six months).
- Assignment from inventor where an assignee is the applicant - no legalisation required (eighteen months from filing date).
- Assignment of priority rights where the applicant in South Africa differs from the applicant in the Paris Convention country - no legalisation required (eighteen months from filing date).
- Certified copy of the basic application where Paris Convention priority is claimed, together with a verified English translation where necessary (six months from filing date).
- The class into which the invention falls under the International Patent Classification (eighteen months from filing date).

Requirements for filing urgent Paris Convention Applications
- Name and address of applicant
- Number, date and country of the basic application in a Paris Convention country
- Title of the invention
Note: an urgent filing must be supported within fourteen days by a specification and claims in the language of any Paris Convention country together with any drawings.

National Phase Applications under the PCT
Minimum formal filing requirements
- Name(s) and address(es) of applicant(s)
- Name(s) and address(es) of inventor(s)
- Number, date and country of the basic application if Paris Convention priority is to be claimed
- International application number and filing date

Full formal filing requirements (including time limits)
- Name(s) and physical address(es) of applicant(s) (required for filing).
- Name(s) and address(es) of inventor(s) (required for filing).
- Translation into English of specification, claims and textual matter of drawings (only if filed or published in a language other than English), including any amendments made under PCT Rules 19 and 34 (three months).
- Declaration and Power of Attorney (form P.3) signed by or on behalf of the applicant - no legalisation required (six months).
- Statement on the Use of Indigenous Biological Resource, Genetic Resource, Traditional Knowledge or Use (form P.26) signed by or on behalf of the applicant - no legalisation required (six months).
- Assignment of invention (where an assignee is the applicant) - no legalisation required (twelve months)
- Assignment of priority rights (where the South African applicant differs from the priority applicant) (twelve months).
- Certified copy of the priority application where Paris Convention priority is claimed, if not filed with the PCT Receiving Office in terms of PCT Rule 17.1 (six months).
- Copy of published specification, International Search Report and International Preliminary Examination Report, as well as any amendments made during the International phase, for our file.
Note: The deadline for filing national phase applications in terms of PCT Chapter I and Chapter II is thirty-one months from the earliest priority date. This deadline may be extended by three months to thirty-four months from the earliest priority date.

The term of a South African patent is twenty years from the date of filing, in the case of ordinary patent applications, or from the international filing date in the case of national phase applications, subject to the payment of annual renewal fees from the third year following filing.

Extension of the patent term or extension of protection by way of Supplementary Protection Certificates cannot be obtained.
Patent Requirements

On 9th July 2011, the former Sudanese territory corresponding to the states of Bahr el Ghazal, Equatoria and Greater Upper Nile seceded from the Republic of Sudan and became the independent Republic of South Sudan. The disputed territory of Abyei has not yet voted whether to join the Republic of Sudan or South Sudan.

A Transitional Constitution is in place, but it is still too early to say when IP legislation will be introduced, and a Registry established. The Constitution contains no provision for the continuation of existing Sudanese rights, which suggests that Sudanese IP rights will not be recognised in South Sudan.

We shall, of course, be monitoring the situation, and can be contacted for individual queries.
Patent Requirements

International Arrangements
- None

Types of Patents Available
- Re-registration of granted UK or European (UK) patent

Novelty Requirements
Applications for the local re-registration of granted UK or European (UK) patents must be lodged within three years of the grant of the basic UK or European (UK) patent.

Filing Requirements
- Power of Attorney (simply signed) (required on the day of filing)
- Form of Application (simply signed) (required on the day of filing)
- Two copies of granted UK or European (UK) patent (required on the day of filing)

Grant
The patent remains in force for so long as the UK patent on which it is based remains in force.

Renewal
No renewal fees are payable.
Patent Requirements

International Arrangements
- Paris Union (from 16 April 1984)
- WIPO (from 15 February 1974)
- PCT (from 16 April 1984)
- ARIPPO (from 25 April 1984)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPPO Application
- ARIPPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if not earlier than six months before the filing date, the inventor or his successor discloses the invention by exhibiting it at an official or an officially recognised international exhibition.

Filing Requirements
National Phase PCT Application
- Power of Attorney (signed under Corporate Seal or before a Notary Public) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Abstract in Arabic (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Certificate of Incorporation (legalised) (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (signed under Corporate Seal or before a Notary Public) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Title and abstract in Arabic (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Certificate of Incorporation (legalised) (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

ARIPPO Application in which Sudan is designated
Please see ARIPPO.

ARIPPO Regional Phase PCT Application
Please see ARIPPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.

For a summary of the position in the recently independent territory of the Republic of South Sudan, please see the following page.
Patent Requirements

The Morocco and Tangier registration systems have been unified. A single Morocco patent application covers Morocco and Tangier. Please see Morocco.
Patent Requirements

Although Tanganyika and Zanzibar have joined to form the United Republic of Tanzania, no unified Industrial Property Law has been enacted and separate applications are required in each territory.

International Arrangements
- Paris Union (from 16 June 1965 - as United Republic of Tanzania)
- WIPO (from 30 December 1983 - as United Republic of Tanzania)
- ARIPO (from 1 September 1999)
- PCT (from 14 September 1999)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- the applicant or his predecessor in title displaying the invention at an official or officially recognised international exhibition; or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)
Patent Requirements

ARIPO Application in which Tanzania is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is ten years from the filing date. However, the term can be extended for two further periods of five years each. There is uncertainty as to whether the term of an ARIPO patent in Tanzania is twenty years from the date of filing.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

Tunisia

International Arrangements
- Paris Union (from 14 June 1965)
- WIPO (from 5 June 1971)
- PCT (from 10 December 2001)
- Validation of European Patents

Types of Patents Available
- Patents of Invention
- National Phase PCT application
- Validation of European patents - (Under the validation system, anyone filing a European patent application is now able to request validation for Tunisia against a payment of a validation fee. European applications and patents validated for Tunisia will have the same legal effects there as Tunisian ones, and will be subject to Tunisia patent law)

Novelty Requirements
Absolute novelty is required.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements

National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English, Arabic or French (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- International Patent Classification (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English, Arabic or French (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Priority Rights (can be late filed, no set deadline)
- Priority document (with verified translation into language in which the application was filed) (can be late filed within three months)

Validation of European patents
- The text of the European patent or the required translation must be filed before the Tunisian Patent Office within a period of three months from the date of publication of the mention of grant of the European patent
- An official fee for registering the European patent must be paid within a period of three months from the date of publication of the mention of grant of the European patent in order for the European patent to be fully effective in Tunisia, with the same effect as for a National Tunisian patent

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

Uganda

International Arrangements
- Paris Union (from 14 June 1965)
- ARIPO (from 25 April 1984)
- WIPO (from 18 October 1973)
- PCT (from 9 February 1995)

Types of Patents Available
- Patents of Invention
- ARIPO application
- National Phase PCT application
- ARIPO Regional Phase PCT application

Novelty Requirements
Absolute novelty is required. However, novelty will not be destroyed if the disclosure of the invention to the public occurred not earlier than twelve months preceding the filing date or where applicable the priority date, and it was as a consequence of:
- acts committed by the applicant or his predecessor in title, or
- an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. Pharmaceutical products and test data until 1st January 2016 or such other period as may be granted to Uganda or least developed countries by the Council responsible for administering the Agreement on trade related aspects of intellectual property under the World Trade Organization.

Filing Requirements
National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Relevant class(es) of the International Patent Classification (can be late filed)
- Assignment of Invention (can be late filed)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed)
- Copy of International Preliminary Report on Patentability (can be late filed)

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Relevant class(es) of the International Patent Classification (can be late filed)
- Assignment of Invention (can be late filed)
- Priority document with verified English translation (can be late filed)

ARIPO application in which Uganda is designated
Please see ARIPO.

ARIPO Regional Phase PCT application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually before each anniversary of the date of filing of the application.
Patent Requirements

International Arrangements
- Paris Union (from 6 April 1965)
- ARIPO (from 26 February 1978)
- WIPO (from 14 May 1977)
- PCT (from 15 November 2001)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application
- ARIPO Regional Phase PCT Application
- ARIPO Application

Novelty Requirements
Absolute novelty is required. However, information disclosed to the public during the twelve months preceding the filing date or priority date claimed in a patent application shall not destroy the novelty of the invention, where the information is disclosed by a third party who derived the information from the inventor; was made due to, or in consequence of, the inventor displaying the invention at an international exhibition; or was to the public for the purpose of providing the result of a research undertaken by any university, research institution or development institution, within six months preceding the date of lodging an application for the grant of a patent.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However products for use in any such methods may be patented.

Filing Requirements
National Phase PCT Application
- Power of Attorney (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Patents of Invention
- Power of Attorney (can be late filed)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed)
- Priority document with verified English translation (can be late filed within six months)

ARIPO patent in which Zambia is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from filing date.

Renewal
Renewal fees are payable annually commencing from the third year following filing.
Note: Although (mainland) Tanzania and (offshore) Zanzibar are united politically to form the Republic of Tanzania, they are treated separately for registration purposes, and separate patent applications are required. Despite merger into the United Republic of Tanzania since 1964, Zanzibar retains its own legislature, courts and laws on industrial property inter alia.

The Zanzibar Industrial Property Act of 2008 passed by the House of Representatives repealed the Patents Decree Cap. 157 of 1932. The Zanzibar Industrial Property Act of 2008 came into force on 13 September 2008 and is being applied despite the absence of Regulations, forms and fees.

International Arrangements
- Paris Union (from 16 June 1963 - as United Republic of Tanzania)
- WIPO (from 30 December 1983 - as United Republic of Tanzania)
- PCT (from 14 September 1999 - as United Republic of Tanzania)

Types of Patents Available
- Patents of Invention
- National Phase PCT Application

Novelty Requirement
Absolute novelty is required. An invention will not be new where a theoretical person who is highly skilled in the relevant area could derive the invention from a combination of publications.

However, novelty will not be destroyed if the disclosure of the invention to the public was as a consequence of an abuse committed by a third party with regard to the applicant or his predecessor in title.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. Products for use in any such methods may be patented. However, pharmaceutical products and processes are excluded from patent protection until 1 January 2016 or the expiry of such later period of extension agreed upon by the World Trade Organization Council for TRIPS.

Filing Requirements

Patents of Invention (Non-PCT)
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Priority document with verified English translation (can be late filed within three months)

National Phase PCT Application
- Power of Attorney (simply signed) (can be late filed, no set deadline)
- Specification, claims and abstract in English (required on the day of filing)
- Formal drawings, if applicable (required on the day of filing)
- Assignment of Invention (can be late filed, no set deadline)
- Copy of Published International Application (required on the day of filing)
- Copy of International Search Report (can be late filed, no set deadline)
- Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

Note: For both PCT and non-PCT Applications, if relevant, the description must contain a clear identification of the origin of genetic or biological resources as well as of any element of traditional knowledge collected in the territory of Zanzibar and that were directly or indirectly used in the making of the claimed invention without the prior informed consent of its individual or collective creators.
Patent Requirements

Grant
The term of a patent is twenty years from the filing date. In the event that the patent is granted more than four years after the filing date, the term of protection of that patent may be extended by the Registrar so as to compensate for any period of time in excess of four years from the filing date if the patent holder applies.

Renewal
For PCT and National patents renewal fees fall due annually commencing on the first anniversary of the filing date.
Patent Requirements

International Arrangements
- Paris Union (from 18 April 1980)
- ARIPO (from 25 April 1984 - Harare Protocol)
- WIPO (from 29 December 1981)
- PCT (from 11 June 1997)

Types of Patents Available
- Patents of Invention
- ARIPO Application
- National Phase PCT Application
- ARIPO Regional Phase PCT Application

Novelty Requirements
Novelty is destroyed by:
- prior public use or knowledge of the invention in Zimbabwe by a third party;
- working of the invention anywhere in Zimbabwe otherwise than by way of reasonable technical trial or experiment;
- description of the invention in a patent specification available to public inspection;
- description of the invention in any publication; or
- description of the invention in an earlier Zimbabwe patent application.

Patentability
Diagnostic, therapeutic and surgical methods for the treatment of humans and animals are not patentable. However, products for use in any such methods may be patented.

Filing Requirements
- National Phase PCT Application
  - Power of Attorney (simply signed) (can be late filed within six months)
  - Specification, claims and abstract in English (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - International Patent Classification (can be late filed, no set deadline)
  - Assignment of Invention (can be late filed, no set deadline)
  - Copy of Published International Application (required on the day of filing)
  - Copy of International Search Report (can be late filed, no set deadline)
  - Copy of International Preliminary Report on Patentability (can be late filed, no set deadline)

- Patents of Invention (Non-PCT)
  - Power of Attorney (simply signed) (can be late filed within six months)
  - Specification, claims and abstract in English (required on the day of filing)
  - Formal drawings, if applicable (required on the day of filing)
  - International Patent Classification (can be late filed, no set deadline)
  - Assignment of Invention (can be late filed within six months)
  - Priority document with verified English translation (can be late filed within three months)

ARIPO Application in which Zimbabwe is designated
Please see ARIPO.

ARIPO Regional Phase PCT Application
Please see ARIPO.

Grant
The term of a patent is twenty years from the filing date.

Renewal
Renewal fees fall due annually commencing on the third anniversary of the filing date.
Africa: 30,221,532 km\(^2\) / 11,668,599 mi\(^2\)
Named countries: 30,180,687 km\(^2\) / 11,652,828 mi\(^2\)
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