

Africa Intellectual Property Newsletter Vol. 93

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News

1. Important topics

Algeria: Implementation of VAT rate on the Official Fees for IP Services^{1: 2}

The Algerian National Institute of Industrial Property has implemented a 19% VAT rate applied on official fees related to Intellectual Property services in Algeria. This change was effective as from March 29, 2024 and applies to all official fees related to intellectual property services in Algeria.

ARIPO: 6th ad hoc Working Group meeting on Geographical Indications³

The 6th ad hoc Working Group meeting on Geographical Indications (GIs) was held by ARIPO in collaboration with the EUIPO's AfriPI Project on 27 March 2024. The ad hoc sub-working group was tasked to deliver a draft GI model law for ARIPO Member States, which aims to guide Member States in developing new GI legislation and to encourage the review of existing legislation in line with best practices.

ARIPO: ARIPO and SADC Join Forces to Boost TRIPS Agreement Compliance through Capacity Building⁴

From 28 February to 1st March 2024, the African Regional Intellectual Property Organization (ARIPO) and the Southern African Development Community (SADC) collaborated to hold a workshop aimed at enhancing intellectual property rights (IPR) policies and regulations and to enhance compliance with the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) among SADC member states.

¹ <https://oneworldip.com/2024/04/02/algeria-implementation-of-vat-rate-on-the-official-fees-for-ip-services/>

² <https://www.agip.com/News.aspx?id=22160>

³ <https://www.aripo.org/public/news/6th+ad+hoc+Working+Group+meeting+on+Geographical+Indications-1711552831>

⁴ <https://www.aripo.org/public/news/ARIPO+and+SADC+Join+Forces+to+Boost+TRIPS+Agreement+Compliance+throug+Capacity+Building-1712908557>

Chad/OAPI: Support the registration at the regional level of Spirulina from Chad (Dihé)^{5: 6}

In 2023, AfriPI recruited an expert to conduct a screening study on GIs in Chad with an inventory of the existing GIs. The results of the study presented work on the GI 'spirulina of Chad'.

A validation seminar was held from March 4-5, 2024 in N'Djamana – Chad and presented the study to the relevant stakeholders and enable discussions with groups of GI producers in Chad, to accelerate the application of the GI in the OAPI region. The activities hoped to benefit from the support of the partners present and to coordinate the drafting of specification between OAPI, AfriPI, and the producers' associations.

Egypt: Change in RO, ISA and IPEA fees⁷

Several fee changes were implemented at the Egyptian Patent Office applicable as from 1 March 2024. The international filing fee and fee per sheet in excess of 30 were increased to USD1,562 (from USD1, 454 & USD18 (from USD16) respectively. These fees are reduced by 90% if certain conditions are met. The electronic filing fee for the request in character coded format was increased to USD235 (from USD219) and electronic filing fee for the request, description, claims and abstract in character coded format was increased to USD352 (from USD328).

The PCT Rule 16 Search fee in CHF (Swiss franc) was reduced to 110CHF (from 118CHF).

In terms of the handling fee (PCT Rule 57.1) with the Egyptian Patent Office as International Preliminary Examining Authority, the handling fee was increased to USD235 (from USD219).

Gambia: Madrid e-Filing Now Available in The Gambia⁸

It is now possible to file an online application for an international trademark registration through the website of the Registrar General's Department in the Gambia using WIPO's Madrid e-Filing service. The Gambia has thus become the first Madrid System Member in the African region to use Madrid e-Filing.

Ghana: Exciting Administrative Changes in Ghana's Industrial Property Office⁹

⁵ <https://afripi.org/en/activities/support-registration-regional-level-spirulina-chad-dihe>

⁶ <http://oapi.int/index.php/fr/component/k2/item/851-la-tchad-%C3%A0-la-recherche-de-sa-premi%C3%A8re-indication-g%C3%A9ographique-prot%C3%A9g%C3%A9e>

⁷ https://pctlegal.wipo.int/eGuide/view-doc.xhtml?doc-code=EG&doc-lang=EN&utm_source=WIPO+Newsletters&utm_campaign=9a5fd10f03-PCT_NEWSLETTER_GUIDE_EN_19042024&utm_medium=email&utm_term=0_30c17404e9-%5BLIST_EMAIL_ID%5D

⁸ <https://www.wipo.int/web/madrid-system/w/news/2024/madrid-e-filing-now-available-in-the-gambia>

⁹ <https://www.mondaq.com/trademark/1453778/exciting-administrative-changes-in-ghanas-industrial-property-office>

Several upcoming changes to its administrative system of the Ghana Industrial Property Office were recently announced. These include an online system for the registration of trade marks, a possible introduction of a fee structure for applications where the proposed goods and services of the mark exceed one page; and the intention to adopt a more stringent approach to trade mark enforcement.

Kenya: Anti-Counterfeit Authority and Machakos County Sign MOU to Combat Counterfeiting¹⁰

As part of recent efforts of collaboration with county governments and stakeholders to combat counterfeiting and promote fair trade practices across Kenya, the Anti-Counterfeit Authority (ACA) recently signed a Memorandum of Understanding (MOU) with Machakos County.

Kenya: Anti-Counterfeit Authority hosts Fair Competition Commission (FCC) of Tanzania in renewed regional efforts to combat cross-border trade in Counterfeit Goods¹¹

The Anti-Counterfeit Authority (ACA) and the Fair Competition Commission (FCC) of Tanzania have announced a renewed partnership during a benchmarking and collaboration session to intensify efforts against the trade in counterfeit goods across the region.

Kenya: STRATEGIC PLAN 2023-2027^{12; 13}

The Kenyan Industrial Property Institute has developed its fourth Strategic Plan 2023-2027. Under the guidance of consultants from the Kenya Institute of Public Policy Analysis (KIPPRA), the Plan was developed to discharge its mandate for the next five years. Based on the publicly available draft of the Plan, it seeks to realize three main components namely business growth and stability; value of data held by the service; and service delivery. Furthermore, the Plan proposes an elaborated organization structure and redefines the staff establishment proportionate to workload; and provides a risk mitigation framework that may affect the implementation of the Plan.

Kenya: Navigating the new ACA recordal regime¹⁴

The Kenyan Anti-Counterfeit Authority's customs recordal system appears to be causing uncertainty among intellectual property rights (IPR) owners wanting to register trademarks in the country. The ACA recordal is an additional mandatory requirement to an IPR registration, such as a trademark registration and is only

¹⁰ <https://www.aca.go.ke/media-center/news-and-events/487-anti-counterfeit-authority-and-machakos-county-sign-mou-to-combat-counterfeiting>

¹¹ <https://www.aca.go.ke/media-center/news-and-events/483-anti-counterfeit-authority-hosts-fair-competition-commission-fcc-of-tanzania-in-renewed-regional-efforts-to-combat-cross-border-trade-in-counterfeit-goods>

¹² <https://www.kipi.go.ke/index.php/strategic-plan-2023-2027>

¹³ <https://brs.go.ke/wp-content/uploads/2024/03/DRAFT-1-BRS-STRATEGIC-PLAN-2023-2028.pdf>

¹⁴ <https://www.africanlawbusiness.com/news/20292-negotiating-the-new-ACA-recordal-regime>

valid for one year, after which it must be recorded. The requirements for an ACA recordal are however formidable; the indefinite grace period, during which all brand holders could freely import their unrecorded goods still subsists but many brand holders are unaware of this grace period; and the portal, known as AIMS, is prone to frequent and recurring outages.

Liberia: Empowering Innovation: A New Dawn for Liberia's Intellectual Property¹⁵

The Liberia Intellectual Property Office (LIPO) has recently developed a first-ever Strategic Plan expected to be adopted soon. The Strategic Plan offers a multi-layered approach to harnessing the power of intellectual property for socio-economical growth. The Strategic Plan aims to quantify the contribution of intellectual property to the Liberian economy to better recognize and prioritize intellectual property development in Liberia.

Liberia: Liberia Intellectual Property Office Partners with Central Agricultural Research Institute to Drive Innovation in Agriculture¹⁶

During April 2024, the Liberia Intellectual Property Office (LIPO) signed an MOU with the Central Agricultural Research Institute (CARI) to establish the Technology and Innovation Support Center (TISC). The TISC, supported by the World Intellectual Property Organization will facilitate access to technology information, patent databases within the agricultural field. This hopes to build intellectual property management and commercialization for sustainable development in the Liberian agricultural sector.

Libya: Updates and advancements by the trademark office in Libya and the requirement for the year 2024^{17; 18; 19; 20; 21}

The trademark office in Libya have shared important updates and requirements in respect of trademarks. These include:

- A one-year validity of a power of attorney document, which may be renewed;
- Documents to be endorsed by Ministry of Foreign Affairs and International Cooperation in Libya;

¹⁵ [https://lipo.gov.lr/2024/04/26/empowering-innovation-a-new-dawn-for-liberias-intellectual-property/Empowering Innovation: A New Dawn for Liberia's Intellectual Property - Liberia Intellectual \(lipo.gov.lr\)](https://lipo.gov.lr/2024/04/26/empowering-innovation-a-new-dawn-for-liberias-intellectual-property/Empowering%20Innovation:%20A%20New%20Dawn%20for%20Liberia's%20Intellectual%20Property%20-%20Liberia%20Intellectual%20(lipo.gov.lr))

¹⁶ <https://lipo.gov.lr/2024/04/25/liberia-intellectual-property-office-partners-with-central-agricultural-research-institute-to-drive-innovation-in-agriculture/>

¹⁷ <https://www.linkedin.com/pulse/updates-trademark-office-libya-requirements-year-2024-alyafi-ip-group-z8nef/>

¹⁸ <https://oneworldip.com/2024/03/18/libya-significant-advancements-in-the-trademark-requirements-have-been-announced-by-the-libyan-trademark-office/>

¹⁹ https://www.mondaq.com/trademark/1432594/official-fees-have-been-revised-with-the-adoption-of-the-new-executive-regulations-under-trademark-law-no-26?email_access=on

²⁰ https://www.mondaq.com/trademark/1428206/new-formalities-of-submitting-documents-to-be-implemented-as-of-01-may-2024?email_access=on

²¹ <https://inventa.com/en/news/article/965/libya-streamlines-regulations-and-updates-non-renewed-trademarks>

- Requirement of applicants to submit a commercial registry extract or equivalent including commercial registry number;
- Original documents and authenticated documents to be submitted for changes in ownership;
- Authenticated documents required for renewal requests;
- Adherence to list of goods and services specified in Article 3 of the regulation; and
- Cancellation of all published trademarks that have not been renewed within the legal renewal deadlines as delineated in Article 1257 of the Commercial Activity Law No. 23 of 2010.

A change in the official fees for trademarks, in accordance with Libya Decision No. 26 for the year 2024 will also be effective as from January 17, 2024.

Morocco: Holding of the joint commission between the Moroccan Office of Industrial and Commercial Property (OMPIC) and the Saudi Intellectual Property Authority (SAIP) and signing of the PPH^{22; 23}

A recent meeting between The Moroccan Office of Industrial and Commercial Property (OMPIC) and the Saudi Intellectual Property Authority (SAIP) focused on existing cooperation projects between the two offices and it was agreed to expand their cooperation activities in new areas such as artificial intelligence and information and communication technologies. This visit was also an opportunity to sign an agreement on the "Patent Prosecution Highway" (PPH) pilot program which was launched on April 24, 2024.

Morocco: Signature of a Partnership Agreement relating to the Protection and Promotion of Intangible Heritage through Industrial and Commercial Property²⁴

The Minister of Industry and Commerce, the Minister of Youth, Culture and Communication and the Director General of the Moroccan Office of Industrial Property and Commercial (OMPIC) have signed a partnership agreement aimed at protecting and promoting intangible cultural heritage through industrial and commercial property. This is to be done through raising awareness of industrial and commercial property; providing support, assistance and training in intangible cultural heritage aspects.

²² <http://www.ompic.ma/fr/actualites/tenue-de-la-commission-mixte-entre-loffice-marocain-de-la-propriete-industrielle-et>

²³ <https://oneworldip.com/2024/04/28/launch-of-the-pph-pilot-program-by-ompic-and-saip/>

²⁴ <http://www.ompic.ma/fr/actualites/signature-dune-convention-de-partenariat-relative-la-protection-et-la-promotion-du>

Morocco: Changes in payment methods, Receiving Office and requirements for filing, restoration, and reinstatement of rights²⁵

Several fee and other changes were implemented at the Moroccan Office of Industrial and Commercial Property (OMPIC) applicable as from 25 April 2024:

- Fees shall be made in Moroccan dirhams (cash or check) and must indicate the application number, the name of the applicant and category of fee to be paid;
- Any format of pre-conversion documents will be accepted;
- Incorporation by reference not accepted (PCT Rule 20.6);
- Submission of color drawings on an informal basis is accepted;
- Reinstatement of rights (PCT Rule 49.6) accepted if "unintentional criteria" is met within the prescribed time limit and conditions under Art. 14.4 of Law 17/97;
- No color drawings under national law accepted; and
- Restoration of rights of priority before receiving office (PCT Rule 49ter.1) not accepted.

Namibia: New agreement with Namibia will help ensure the protection and enforcement of IP rights in southern Africa²⁶

A new Memorandum of Understanding (MOU) between the United States Patent and Trademark Office (USPTO), and the Namibia Business and Intellectual Property Authority, provides a framework for cooperation between the two offices for the protection and enforcement of IP rights.

Nigeria: Federal Government moves to finalize National Intellectual Property Policy – NCC D-G²⁷

The Federal Government in Nigeria is finalizing its National Intellectual Property (IP) Policy and Strategy for the country. The policy would serve to provide a more efficient modern and responsive legal and administrative framework for the country to leverage its creative and innovative potential.

OAPI: New CSR magistrates appointed to their functions by the PCA²⁸

The six magistrates elected during the 63rd ordinary session of the OAPI Board of Directors were officially appointed on March 19, 2024. The OAPI Higher Appeals Commission hears appeals filed against the

²⁵ https://pctlegal.wipo.int/eGuide/view-doc.xhtml?doc-code=MA&doc-lang=EN&utm_source=WIPO+Newsletters&utm_campaign=9172486083-PCT_NEWSLETTER_GUIDE_EN_26042024&utm_medium=email&utm_term=0_30c17404e9-%5B%5D_EMAIL_ID%5D

²⁶ <https://www.uspto.gov/subscription-center/2024/new-agreement-namibia-will-help-ensure-protection-and-enforcement-ip>

²⁷ <https://newmail-ng.com/fg-moves-to-finalise-national-intellectual-property-policy-ncc-d-g/>

²⁸ <http://oapi.int/index.php/fr/component/k2/item/857-oapi-le-nouveau-coll%C3%A8ge-des-magistrats-de-la-csr-install%C3%A9s-dans-leurs-fonctions-par-le-pca>

decisions of the Director General concerning the rejections of applications for patents, trademarks, designs, or industrial models.

OAPI: The court deliberated – first session of OAPI Higher Appeals Commission²⁹

The OAPI Higher Appeals Commission (CSR) held its first session for the year 2024 on March 21. For the ten cases entered on the roll and put under advisement, the decisions were rendered March 27.

OAPI: Capacity-building for OAPI trademarks and industrial design examiners on substantive examination³⁰

In continued collaboration between OAPI trademark and industrial design examiners and various EUIPO experts, OAPI staff responsible for processing trademark and design applications, will visit to the EUIPO in two groups of five for a duration of one week each:

- Phase one – 22-26 April 2024, aimed at industrial designs examiners; and
- Phase two – 13-17 May 2024, aimed at trademark examiners.

South Africa: South Africa’s official companies database hacked^{31; 32; 33}

On 29 February 2024, a Notification of security compromise as per Section 22 of the Protection of Personal Information Act, 4 pf 2013 (“POPIA”) was released by the Companies and Intellectual Property Commission (CIPC). CIPC noted an attempted security breach and the compromise of personal information of clients and employees as held on its records.

Sudan: Trademarks Office Resumes Operations^{34; 35}

After almost a year of closure due to civil unrest, the Sudanese Trademarks Office (“TMO”) resumed operations as of 11 February 2024. TMO now accepts trademark applications, renewals, and records online. However, the timeframe for full operational status remains uncertain.

²⁹ <http://oapi.int/index.php/fr/component/k2/item/859-oapi-la-cour-a-d%C3%A9lib%C3%A9r%C3%A9>

³⁰ <https://afripi.org/en/activities/capacity-building-oapi-trade-marks-and-industrial-design-examiners-substantive>

³¹ <https://mybroadband.co.za/news/security/527219-south-africas-official-companies-database-hacked.html>

³² <https://businesstech.co.za/news/business/757417/cipc-securing-accounts-after-major-hack-what-you-need-to-know/>

³³ <https://businesstech.co.za/news/business/763517/information-regulator-launches-investigation-into-cipc/>

³⁴ https://www.mondaq.com/trademark/1453500/trade-marks-office-resumes-operations?email_access=on

³⁵ [Sudan-Restarting Operations at the Sudanese Trademarks Office – One World \(oneworldip.com\)](https://www.oneworldip.com/news/sudan-restarting-operations-at-the-sudanese-trademarks-office/)

Tanzania: Boosting IP Knowledge in Tanzania: EUIPO and University of Dar es Salaam Join Forces

36; 37

On 28 February 2024, the European Union Intellectual Property Office (EUIPO) and the University of Dar es Salaam (UDSM) signed a Memorandum of Understanding (MOU) to strengthen cooperation in intellectual property (IP) awareness and education. This partnership combines the EUIPO's extensive IP expertise with UDSM's academic excellence to empower future generations with the knowledge and skills to thrive in the innovation economy. The collaboration is part of the Pan-European Seal (PES) program, testament to the EUIPO's commitment to fostering a global IP culture.

Tanzania: Tanzania joins TMclass³⁸

As of 11 March 2024, the Business Registrations and Licensing Agency of Tanzania (BRELA) started using and accept the terms from the harmonized database of goods and services (HDB) in TMclass.

Uganda: Business URSB, ICT ministry launch online business registration system³⁹

The Ministry of ICT in collaboration with the Uganda Registration Services Bureau (URSB) launched the Online Business Registration System (OBRS) aimed at simplifying the registration of businesses and companies across Uganda.

2. Additional topics

Africa:

Ninth international business, SME and partnership exhibition Yaounde, 17-25 February 2024

https://intellectual-property-helpdesk.ec.europa.eu/news-events/upcoming-events/promote-2024-9th-international-business-sme-and-partnership-exhibition-yaounde-2024-02-17_en

Africa:

Technology Transfer in Action in Southern Africa

<https://www.wipo.int/technology-transfer/en/stories/tech-transfer-southern-africa.html> (2024.03.08)

Africa:

Opportunities for Advancing IP Education and Research in Africa

³⁶ <https://afripi.org/en/news/boosting-ip-knowledge-tanzania-euipo-and-university-dar-es-salaam-join-forces>

³⁷ <https://www.udsm.ac.tz/web/index.php/news/udsm-partners-with-eu-intellectual-property-office-to-strengthen-ip-programmes>

³⁸ <https://afripi.org/en/news/tanzania-joins-tmclass>

³⁹ <https://voiceuganda.com/2024/04/04/ursb-ict-ministry-launch-online-business-registration-system/>

https://www.wipo.int/academy/en/news/2024/news_0017.html (2024.03.14)

Africa:

EU-funded projects – Call for Expression of Interest for IP expertise – RELEASED

<https://afripi.org/en/news/eu-funded-projects-call-expression-interest-ip-expertise-released> (2024.04.30)

Angola:

WIPO National Training Program on Examination for Patent Examiners of the Angolan Institute of Industrial Property (IAPI)

https://www.wipo.int/cooperation/en/funds_in_trust/japan_fitip_global/news/2024/news_0022.html

(2024.04.23)

Algeria:

National Office of Copyright and Neighboring Rights

<https://www.facebook.com/ONDADZOFFICIEL/>

ARIPO:

ARIPO Conducts Policy Study Visit for URSB

<https://www.aripo.org/public/news/ARIPO+Conducts+Policy+Study+Visit+for+URSB-1709282425>

(2024.02.22)

ARIPO:

Amplifying innovative and creative solutions for sustainable development through Intellectual Property

<https://www.aripo.org/public/news/Amplifying+innovative+and+creative+solutions+for+sustainable+development+through+Intellectual+Property.-1714471048> (2024.04.26)

ARIPO:

ARIPO Director General Engages Asian Markets

<https://www.aripo.org/public/news/ARIPO+Director+General+Engages+Asian+Markets-1711612185>

(2024.03.24)

Botswana:

WIPO Engages with The President on The Importance Of IP

<https://www.mondaq.com/trademark/1453264/wipo-engages-with-the-president-on-the-importance-of-ip> (2024.04.18)

Egypt:

Egypt: Online Piracy in Egypt: A Threat to Intellectual Property

https://www.mondaq.com/copyright/1446826/online-piracy-in-egypt-a-threat-to-intellectual-property?email_access=on (2024.04.03)

Ethiopia:

Consultation workshop on draft GI law

<https://eipa.gov.et/consultation-workshop-on-draft-gi-law/> (2024.03.20)

Ethiopia:

Symposium on Ethiopia's Patent Law Reforms

<https://eipa.gov.et/5392-2/> (2024.03.20)

Ethiopia:

Scholars and researchers evaluated Patent law amendment draft

<https://eipa.gov.et/scholars-and-researchers-evaluated-patent-law-amendment-draft/> (2024.03.30)

Ghana:

Vision in progress: The Law School's new building complex

<https://citinewsroom.com/2024/02/vision-in-progress-the-law-schools-new-building-complex/>
(2024.02.24)

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Horizon Scanning Report For 2024

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