

Africa Intellectual Property Newsletter Vol. 102

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News

1. Important topics

ARIPO: Notice: Amendments to the Harare Protocol on Patents and Industrial Designs¹

The African Regional Intellectual Property Organization (ARIPO) has announced amendments to the Harare Protocol on Patents and Industrial Designs, effective from March 1, 2025. These changes will apply to both existing and new applications. The amendments encompass updates to the protocol itself, the implementing regulations, and the fee structures for patents and industrial designs. Notably, there are no changes to the fees for utility models. For detailed information, ARIPO has provided the following resources:

- Notice from the Director General on the Amendments²
- Amended Harare Protocol on Patents, Utility Models, and Industrial Designs³
- Amended Regulations⁴
- New Fees for Patents⁵
- New Fees for Industrial Designs⁶.

Kenya: EACC Arrests Anti-Counterfeit Senior Official in Sh40M Bribery Scheme^{7,8}

The Ethics and Anti-Corruption Commission (EACC) has arrested Mr. Johnson Adera, the Director of Legal Services and Corporate Secretary at the Anti-Counterfeit Agency (ACA), for allegedly receiving over Ksh40 million (JPY 47,902,400) in bribes between the 2019/2020 and 2024/2025 financial years. These bribes were reportedly taken from traders dealing in counterfeit goods, allowing them to operate without legal repercussions. The illicit funds were allegedly used for personal expenses, including paying school fees and utility bills through intermediaries. Adera was taken to EACC headquarters for questioning and later released

¹ <https://www.aripo.org/notice/NOTICE:+AMENDMENTS+TO+THE+HARARE+PROTOCOL+ON+PATENTS+AND+INDUSTRIAL+DESIGNS-1738329674>

² https://www.aripo.org/storage/media/1738329762_2025%20HP%20NOTIFICATION%20OF%20COMPREHENSIVE%20REVIEW.pdf

³ https://www.aripo.org/storage/media/1738330024_ADOPTED%20AMENDMENTS%20TO%20THE%20HARARE%20PROTOCOL%20%20%20%20PATENTS,%20UTILITY%20MODELS%20AND%20INDUSTRIAL%20DESIGNS.pdf

⁴ https://www.aripo.org/storage/media/1738434097_REGULATIONS%20-%20HARARE%20PROTOCOL.pdf

⁵ https://www.aripo.org/storage/media/1738434097_REGULATIONS%20-%20HARARE%20PROTOCOL.pdf

⁶ https://www.aripo.org/storage/media/1738433564_ARIPO%20FEES%20FOR%20INDUSTRIAL%20DESIGNS.pdf

⁷ https://kenyainsights.com/eacc-arrests-anti-counterfeit-senior-official-in-sh40m-bribery-scheme/#google_vignette

⁸ <https://www.kenyans.co.ke/news/108390-govt-official-arrested-stealing-ksh40m-using-part-pay-school-fees>

on bail. The EACC emphasized the dangers of counterfeit goods and urged the public to report corruption. This arrest aligns with ongoing efforts by the EACC to combat corruption at all levels.

Libya: Suspension of Trademark Registrations⁹

Libya's Ministry of Economy and Trade has issued Ministerial Decision No. 2 of 2025, effective January 15, 2025, which revokes all trademark applications filed between April 2 and September 2, 2024. This action is due to the suspension of operations at the Trademarks Office during that period. The suspension of the Trademarks Office's operations began in November 2022, affecting the acceptance and processing of trademark applications, particularly those from foreign applicants.¹⁰ The office resumed accepting new trademark applications on September 2, 2024, after updating certain filing requirements. These updates included the submission of a legalized Power of Attorney and a certified company registration document, both requiring legalization by the Libyan Embassy in the applicant's country of origin.¹¹ However, with the recent ministerial decision, applications submitted during the specified suspension period have been annulled.

OAPI: New official fees for patents and utility models¹²

Effective 1 January 2025, a revised fee structure has been implemented for OAPI Patents and Utility Models. Notably, official fees for patent applications have increased, including charges for additional claims beyond ten, and annuity payments. New fees have also been introduced for specific actions, such as examination, divisional applications, and oppositions. For annuities due in 2025 but paid in 2024, the 2025 annuity rates will apply, and OAPI is expected to issue notifications regarding any outstanding balance. Additionally, non-PCT applications will now be published within 18 months of the filing or priority date, while all granted patents will be published upon grant. The updated fees¹³ following the entry into force of Annexes I and II of the revised Bangui Protocol and other fees relating to intellectual property can be viewed on the OAPI website¹⁴. When compared to the previous fees¹⁵ the following notable changes have been introduced (1 Euro (€) = 655.957 F.CFA):

Fee description	2024 Fee (in F.CFA)	2025 Fee (in F.CFA)	Change
Search fee	120,000 (~JPY2,400/USD188)	200,000 (~JPY4,800/USD314)	Increased
Excess claim fee (per beyond 10)	45,000 (~JPY10,805/USD70)	65,000 (~JPY15,605/USD102)	Increased
Modification or addition of claim	n/a	65,000 (~JPY15,605/USD102)	New fee

⁹ <https://oneworldip.com/2025/01/23/libya-suspension-of-trademark-registrations/>

¹⁰ https://intellectual-property-helpdesk.ec.europa.eu/news-events/news/libyas-trademark-office-temporary-suspends-acceptance-foreign-applications-and-trade-mark-2023-02-03_en?utm_source

¹¹ <https://cwbip.com/insights/news/2024/libya-trade-mark-office-updates-filing-requirements>

¹² https://www.lexology.com/library/detail.aspx?g=5b5c0d3e-e0a9-4174-a687-f8a67008b6cd&utm_source=Lexology+Daily+Newsfeed&utm_medium=HTML+email+-+Body+-+General+section&utm_campaign=Lexology+subscriber+daily+feed&utm_content=Lexology+Daily+Newsfeed+2025-01-08&utm_term=

¹³ http://www.oapi.int/Ressources/Grille_taxes_oapi/2024/accord_revise/2/

¹⁴ <http://www.oapi.int/index.php/fr/ressources/reglements>

¹⁵ <https://web.archive.org/web/20240730082155/http://www.oapi.int/index.php/fr/ressources/reglements>

Examination fee	n/a	250,000 (~JPY60,000/USD393)	New fee
Patent grant fee	n/a	150,000 (~JPY36,010/USD235)	New fee
Patent publication fee	365,000 (~JPY87,625/USD574)	100,000 (~JPY24,000/USD157)	Decreased
Publication of restoration decisions	600,000 (~JPY144,040/USD943)	60,000 (~JPY14,404/USD94)	Significant decrease
Utility Model search fee	25,000 (~JPY6,000/USD39)	100,000 (~JPY24,000/USD157)	Increased
Utility Model examination fee	n/a	25,000 (~JPY6,000/USD39)	New fee
Utility Model registration fee	n/a	20,000 (~JPY4,800/USD31)	New fee
Utility Model publication fee	30,000 (~JPY7,200/USD47)	10,000 (~JPY2,400/USD15)	Decreased

Patent Renewals

Fee description	2024 Fee (in F.CFA)	2025 Fee (in F.CFA)	Change
2 nd to 5 th year (per year)	220,000 (~JPY52,815/USD346)	270,000 (~JPY64,820/USD424)	Increased
6 th to 10 th year (per year)	375,000 (~JPY90,025/USD589)	400,000 (~JPY96,025/USD629)	Increased
11 th to 15 th year (per year)	50,000 (~JPY12,000/USD78)	525,000 (~JPY126,035/USD825)	Increased
16 th to 20 th year (per year)	650,000 (~JPY156,045/USD1,021)	675,000 (~JPY162,045/USD1060)	Increased
Late payment fee	70,000 (~JPY16,805/USD110)	70,000 (~JPY16,805/USD110)	Unchanged

Utility Models renewals remained unchanged, except for introduction of a new late payment fee of 10,000 F.CFA (~JPY2,400).

South Africa: From innovation to imitation: The unseen risks of the Legal Sector Code¹⁶

The Legal Sector Code¹⁷, gazetted by South Africa's Minister of Trade, Industry, and Competition on 20 September 2024, aims to promote transformation and inclusivity in the legal industry. It encourages broader participation in legal services, including patent law, potentially increasing access to intellectual property protection for diverse inventors and businesses. However, critics warn that the Code may have unintended consequences, particularly in stifling innovation. Some provisions could prioritize compliance over genuine progress, leading to imitation rather than original invention. If not carefully implemented, these requirements may increase bureaucratic hurdles for legal practitioners, potentially slowing down advancements in patent law and IP protection. Striking the right balance between transformation and innovation will be key to ensuring the Code strengthens South Africa's competitiveness in intellectual property and technology-driven industries.

¹⁶ <https://www.golegal.co.za/innovation-legal-sector-code/>

¹⁷ <https://www.abp.org.za/wp-content/uploads/2024/09/Gazette-51271-Legal-B-BBEE-Sector-Codes-of-Good-Practice-1-1.pdf>

2. Additional topics

Africa:

EUIPO offers first-line assistance (live online chat) on Intellectual Property protection in African countries

https://www.linkedin.com/posts/africaipr_afripi-activity-7285310317562093568-zkkU/?utm_source=share&utm_medium=member_desktop (15.01.2025)

EUIPO initiatives such as Agorateka, a portal developed by the European Observatory on Infringements of Intellectual Property Rights

https://www.linkedin.com/posts/africaipr_music-art-photography-activity-7285574051723415552-gvle/?utm_source=share&utm_medium=member_desktop (16.01.2025)

Protecting health and safety: combating counterfeit medicines and toys in Africa

<https://afripi.org/en/news/protecting-health-and-safety-combating-counterfeit-medicines-and-toys-africa> (29.01.2025)

Upcoming activities: Evaluation and support for the AU Continental Strategy for GIs

<https://afripi.org/en/activities/evaluation-and-support-au-continental-strategy-gis> (30.01.2025)

Upcoming activities: Technical support for accession to international IP treaties

<https://afripi.org/en/activities/technical-support-accession-international-ip-treaties> (30.01.2025)

Algeria:

A partnership to promote the Amazigh national heritage and protect the rights of the author in Algeria

<https://www.facebook.com/100064871767413/posts/1029486262557090/?rdid=QuDA3UupHmLOINRy#> (12.01.2025)

ARIPO:

Upcoming activities: ARIPO communication program for national IP offices and media

<https://afripi.org/en/activities/aripo-communication-programme-national-ip-offices-and-media> (30.01.2025)

Upcoming activities: Training on patent drafting for ARIPO Member States

<https://afripi.org/en/activities/training-patent-drafting-aripo-member-states> (30.01.2025)

Ethiopia:

EIPA aims to be African IP exemplar

<https://press.et/herald/?p=108548> (03.01.2025)

Increased IP registration

<https://www.facebook.com/100064216956705/posts/983771217106768/?rclid=FGM5oJZtSIUZ53E7#>

(03.01.2025)

Ethiopian Intellectual Property Authority stakeholder discussion forum focused on copy and related rights protection system and challenges in Arbaminch city

<https://www.facebook.com/share/p/17XuvB6o7u/> (21.01.2025)

The Ministry of Innovation and Technology and senior leaders of the called institutions visit to the Ethiopian Intellectual Property Authority

<https://www.facebook.com/share/p/1GCN8TGaGC/> (22.01.2025)

Training focused on trademark registration and protection. January 15/2017 E held in Dire Dawa city

<https://www.facebook.com/100064216956705/posts/997799829037240/?rclid=5u5wsBPedfZDZEMD#> (24.01.2025)

Meeting on the registration system and security of the trade signs

<https://www.facebook.com/100064216956705/posts/998557295628160/?rclid=UalbP5MWebgZy5vl#>

(25.01.2025)

Kenya:

15th Edition of the Anti-Counterfeit Authority Newsletter

https://www.linkedin.com/posts/anticounterfeitauthority_we-are-happy-to-share-with-you-the-15th-edition-activity-7283045915127369728-P4IA?utm_source=share&utm_medium=member_desktop

(09.01.2025)

Two-day induction program for ACA's nine newly recruited staff conclusion

https://www.linkedin.com/posts/anticounterfeitauthority_pamojatuwajibike-teamaca-fightingcounterfeits-activity-7287406237535604736-xN5X?utm_source=share&utm_medium=member_desktop

(23.01.2025)

Advisory on Online Copyright Piracy

<https://copyright.go.ke/index.php/media-center/news-updates/advisory-online-copyright-piracy>

(31.01.2025)

Liberia:

Geographical Indications: Unlocking Liberia's Next Economic Boom

https://www.liberianobserver.com/news/geographical-indications-unlocking-liberia-s-next-economic-boom/article_a6be9f72-ce55-11ef-ba9d-375bf2300a3c.html (09.01.2025)

Nigeria:

NAFDAC - Step Up Offensive Against Fake Products, and Their Masterminds

<https://allafrica.com/stories/202501130193.html> (13.01.2025)

Trending - Reactions as Omoni yanks off YouTube Movie over Copyright Allegations

<https://allafrica.com/stories/202501150315.html> (15.01.2025)

NCC, NBTE to formulate IP Policy for Polytechnics, Technical Institutions

<https://copyright.gov.ng/ncc-nbte-to-formulate-ip-policy-for-polytechnics-technical-institutions/>
(23.01.2025)

Copyright Commission raids school, confiscates books worth over N1.1 million in Enugu State

<https://copyright.gov.ng/copyright-commission-raids-school-confiscates-books-worth-over-n1-1-million-in-enugu-state/> (26.01.2025)

NCC Seizes Suspected Pirated Books Worth N22.5 million in Lagos

<https://copyright.gov.ng/ncc-seizes-suspected-pirated-books-worth-n22-5-million-in-lagos/> (26.01.2025)

NCC, MCSN Collaborate on Copyright Enlightenment

<https://copyright.gov.ng/ncc-mcsn-collaborate-on-copyright-enlightenment/> (26.01.2025)

NCC Parleys Publishers and Booksellers, Enlightens Radio Audience on Copyright and Piracy

<https://copyright.gov.ng/ncc-parleys-publishers-and-booksellers-enlightens-radio-audience-on-copyright-and-piracy/> (27.01.2025)

Printers cautioned against unauthorized printing of books

<https://copyright.gov.ng/printers-cautioned-against-unauthorised-printing-of-books/> (27.01.2025)

PMAN pays courtesy visit on NCC Port Harcourt Office

<https://copyright.gov.ng/pman-pays-courtesy-visit-on-ncc-port-harcourt-office/> (27.01.2025)

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<https://www.facebook.com/share/p/1AMQtgQJ9r/> (31.01.2025)

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https://www.linkedin.com/posts/oapi-linkedin_propriaeztaezintellectuelle-oapi-activity-7287302357674016768-xJd0/?utm_source=share&utm_medium=member_desktop (21.01.2025)

OAPI launches the 15th edition of its Master's Degree in Intellectual Property

<http://oapi.int/index.php/fr/component/k2/item/929-l-oapi-lance-la-15%C3%A8me-%C3%A9dition-de-son-master-en-propri%C3%A9t%C3%A9-intellectuelle;>(23.01.2025)

OAPI supports innovation and entrepreneurship at the Bafoussam Development Forum

<http://oapi.int/index.php/fr/component/k2/item/931-l-oapi-soutient-l-innovation-et-l-entrepreneuriat-au-forum-de-d%C3%A9veloppement-de-bafoussam;>(24.01.2025)

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<https://afripi.org/en/activities/exchange-best-practices-regarding-reference-collections-and-training-database-management> (30.01.2025)

OAPI launches mentoring program to boost growth of African SMEs

<http://oapi.int/index.php/fr/component/k2/item/932-l-oapi-lance-un-programme-de-mentorat-pour-booster-la-croissance-des-pme-africaines;> (31.01.2025)

South Africa:

Police clamp down on counterfeit trade in Musina, Limpopo

<https://www.iol.co.za/news/crime-and-courts/police-clamp-down-on-counterfeit-trade-in-musina-limpopo-689fe5eb-833d-421c-aa64-c0e94d1d5cee> (14.01.2025)

Counterfeit potato chips and puff corn from India seized in Durban

<https://www.iol.co.za/thepost/news/counterfeit-potato-chips-and-puff-corn-from-india-seized-in-durban-d493d9bd-3473-45e6-9fd5-0092ba7816d6> (30.01.2025)

Tanzania:

1500 University youth building capacity with BRELA

<https://www.facebook.com/100064680825984/posts/1072158434950174/?rclid=QQb68Yv4ujl8UKkk> (20.01.2025)

BRELA continues to provide essential services to businessmen and entrepreneurs in the Law Week Celebration

https://www.facebook.com/100064680825984/posts/1078411634324854/?rdid=pDB39ikjPGcTxK9v&share_url=https%3A%2F%2Fwww.facebook.com%2Fshare%2F163zNRKWKr%2F# (28.01.2025)

BRELA special training to Intellectual Property Management Clinic (IPMC)

https://www.facebook.com/story.php?story_fbid=1080546744111343&id=100064680825984&rdid=uFh0D8JbsSdNvpcY# (31.01.2025)

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https://intellectual-property-helpdesk.ec.europa.eu/regional-helpdesks/africa-ip-sme-helpdesk/case-studies_en?fbclid=IwY2xjawH_G8FleHRuA2FibQIxMQABHWvhj3yMimKzRtvsFqJlt8-bzMdr0h7FZcsdFe9CNtLkXj8Plq6hqR_mIQ_aem_dUGEIE1S6p19LTIPsj6DOA (13.01.2025)

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