



PATENT REGISTRATION IN TANZANIA (TANGANYIKA)

What Is a Patent?

A patent is a right granted to an inventor that permits the inventor to exclude others from making, selling, or using the invention for a period of time. The patent system is designed to encourage inventions that are unique and useful to society.

In Tanzania, a request for grant of a patent must be made in English, in triplicate, and in a prescribed form comprising:

- request for the grant of a patent;
- the full name and address of the applicant(s) including their nationalities and country principal place of business (if there are several applicants, the proportion of their entitlement must be mentioned if it is not equal);
- title of the invention, that is, a short and precise indication of the subject matter of the invention;
- a statement that the applicant is the inventor (if the applicant is not the inventor, a sworn statement must be provided to justify the applicant's right to file a patent application);
- In the case of a divisional application, declaration to that effect, with an indication of the reference number and the filing and priority dates of the parent application; and
- claim to priority rights, if appropriate, indicating number, country, and filing date of the application which priority is claimed and a statement as to whether the certified copy of the earlier application is accompanied to the application (if not the date when will be furnished must be indicated). The request must be signed by the patent agent.

Tanzania Patent Registration Procedure (TANGANYIKA) Filing

The Non-convention, convention, and PCT national phase applications are filed with the office of the Registrar of Patents.

Examination of the patent in Tanzania

Applications are subjected to the formal examination which takes place automatically. The Act provides that applications relating to specified technical fields will be subjected to substantive examination.

The opposition of patent in Tanzania



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The Act does not provide for opposition by third parties to the grant of a patent.

Publication of patent in Tanzania

After examination, if the Registrar is satisfied that the necessary requirements have been met, he shall grant and publish the patent.

The timeframe of the patent in Tanzania

From filing to registration is 3 years, approximately.

Duration of the patent in Tanzania

The duration of a patent is 10 years, extendible for further two terms of five years each, provided the owner or licensee can show that the patent was being worked in the United Republic, or that there were legitimate reasons for non-working.

Annuities of the patent in Tanzania

Maintenance fees are payable annually from the filing date for both pending applications and granted patents. A six months grace period is provided, subject to surcharges. Failure to pay the annual maintenance fees before the deadline or within the six month grace period leads to lapsing of the application/patent.

The priority of patent in Tanzania

Tanganyika is a member of the Paris Convention. An application may contain a declaration claiming priority of one or more earlier national, regional or international applications filed by the applicant or his predecessor in title in any state party to a Convention to which Tanganyika is a party. A certified copy of the priority application has to be filed within three months of the filing date or the claim to priority will be lost.