



## **TRADEMARK REGISTRATION IN ZANZIBAR.**

Zanzibar Business and Property Registration Agency (BPRA) is a Government Institution based in Zanzibar responsible for the Trademark registry.

In Zanzibar, trademark registration is governed by the Zanzibar Industrial Property Act of 2008.

A trademark is a name or symbol that one uses on its products and that cannot legally be used by another company.

A trademark is a sign that distinguishes the goods or services of one trader from those of another. According to trademark law, a trademark must be a visible sign. A trademark is simply a word, phrase, symbol, or design that appears on the product being sold and which distinguishes itself from other words, phrases, symbols, or designs in the marketplace. A service mark is a type of trademark used by the owner or authorized user to provide services instead of goods. A service mark is also represented by a word, phrase, or symbol.

### **FILING REQUIREMENT FOR TRADEMARK REGISTRATION IN ZANZIBAR.**

The procedure to file a trademark registration in Zanzibar requires the following:

- The Power of Attorney to appoint a trademark Agent. There are special forms of Power of Attorney that apply in Zanzibar. The Power of Attorney does not require notarization or legalization.
- Applicant's full name and address;
- Ten prints of the proposed trademark except for word marks in ordinary type. If applicable, you have to inform whether the trademark is to be filed in color;
- Priority Document with verified English translation;
- If the proposed trademark is in a language other than English, the Trademark Office normally requires the applicant to meet the application to be accompanied by a verified English translation.
- Description of the goods and services for which registration is to be registered.
- Payment of filing fee.

Trademarks are classified according to the goods or services for which you propose to use and register the mark. As explained above, Zanzibar applies the International Classification of Goods and Services.

### **PROCEDURE FOR FILING TRADEMARK APPLICATION IN ZANZIBAR.**



## TRADE MARK REGISTRATION IN ZANZIBAR.

The procedure for filling Trademark Registration in Zanzibar with regard to application for the registration of a trademark is required to be filled with Trademark Office. And the rights granted after registration dates back to the date of filing or the application for the registration of trademark.

Trademark registration in Zanzibar, a Trademarks Office Examiner will review the application to make sure that the trademark meets the requirements prescribed by the *Zanzibar Industrial Property Act* of 2008. The Examiner considers the registration of the trademark and issues a report. The Registrar may require further information from the applicant to facilitate the completion of the examination process. When the examination is completed, the trademark application may be accepted on certain conditions such as a disclaimer of a certain word, an association of the proposed trademark with other marks in the register. And the trademark application may be refused entirely if the proposed trademark;

- Lacks distinctiveness;
- Is a prohibited mark; or
- Is identical or similar with the mark already in the register or in a pending application.

When the trademark application is refused or accepted on certain conditions, the trademark Office allows the applicant to overcome the objections raised by the Examiner. Normally, the applicant makes a counterargument by supplying additional evidence or making amendments to the application.

### **PERIOD FOR REGISTRATION OF TRADEMARK IN ZANZIBAR.**

Registration of trademarks in Zanzibar has a validity of ten (10) years from the application date and can be renewed indefinitely for further periods of seven (7) years. The following are the requirements for renewing a trademark in Zanzibar.

- Payment of renewal fee and maintenance fee
- Filing of power of attorney;

In Zanzibar, the renewal of the trademark has to be done any time not more than three months before the expiry of the registration period. Apart from that late filing of the renewal application is allowed on the conditions that the additional fee must be paid. However, the law requires that late filing or renewal must be filed not more than one month after the expiry of the registration period, in practice, late filing/renewal can be done any time before the removal of the mark from the register.



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