



### HOW TO REGISTER A TRADEMARK IN TANZANIA

#### **Step #1: Applying for Registration in Tanzania**

The first step in the trademark registration process is to find out if you need to file or not and why. You need to file your trademark in Tanzania so that you protect your goods or services against infringers and not to have them confused with someone else.

Remember to choose a unique and distinctive mark it will represent your company. The other important point is identifying which class you belong to. Currently, there are 45 classes of goods and services under which the trademark can be registered. Classes 1-34 are for goods and classes 35-45 are for service.

#### **Step #2: Perform a Trademark Search in Tanzania**

Trademark search is not compulsory in Tanzania and Zanzibar. Perhaps the most important step in this process, performing a trademark search will be the key to making sure you aren't stealing anyone else's brand name or likeness. It is important to find out if the mark you want to apply has already been registered or not before making an application.

#### **Step #3: File a Trademark Application in Tanzania**

Upon being satisfied that there is no similar mark you then file for the trademark application with the Registrar of Trademarks at BRELA (Business Registration and Licensing Agency). Remember, there are strict guidelines that are to be followed for your application to be successfully approved in Tanzania. This normally takes 1 day for application and up to 14 days for approvals to be granted depending on the registry backlog.

#### **Step #4: After You Submit the Application**

After submission, the Registrar will check out whether you have followed certain terms that your brand name complies with, the existing law. Moreover, there should not be any conflict or dispute amongst any existing or pending brands for registration. An examination will be made as to-

- (a) conformity with the formalities required under the Trade and Service Marks Act;
- (b) the registrability of the trade and service mark in accordance with the provisions of the



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Trade and Service Marks Act; and

(c) whether the trade and service mark is required to be associated or some words or devices are required to be disclaimed. If upon examination it appears that the applicant is entitled to registration of his trade or service mark, the Trademark Office accepts the application and causes the trade or service mark to be advertised in the Trade and Service Marks Journal. The advertisement in the trademark Journal of Tanzania is for a period of 60 days.

When the trademark application is refused or accepted on certain conditions, the Trademark Office gives an opportunity to the applicant to overcome the objections raised by the Examiner. Normally, the applicant makes a counter-argument by supplying additional evidence and/or making amendments to the application. When the Examiner is satisfied that there are no outstanding objections from the Trademark Office, the trademark will be recommended for acceptance and advertised in the Patents, Trade, and Service Marks Journal.

### **Step #5: Trademark Registration and Maintenance**

Upon the lapse of 60 days, your mark will be registered if there is no opposition upon payment of a fee. The fee shall also include maintenance.

Right from the moment you have been issued your certificate, you can use the registered trademark symbol (®) beside your brand name.

The trademark is registered for 7 years and renewal in Tanzania is for 10 years. There are no limits to how many times a registered trademark may be renewed in Tanzania.

### **What documents are required for Trademark registration in Tanzania?**

Generally speaking, an application for a trademark will need to include:

- A name and address of the owner/application
- A representation of a mark or image or word
- A power of Attorney (simply signed no need for the original)
- A list of the goods and/or services that will be associated with the mark; and
- Filing fee(s).