



### **Introduction**

After the successful introduction of the Online Registration System by the Business Registration and Licensing Agency (BRELA) in Tanzania Mainland two years ago, the Zanzibar Business and Property Registration Agency has followed suit with the recent introduction of its new online registration system accompanied by other significant changes in the IP practices in Zanzibar. Intellectual property is increasingly being recognized as an important tool for economic development and wealth creation in Tanzania. And since Intellectual property is not a union matter in Tanzania they have different laws governing them.

In Tanzania (mainland) the following are what governs intellectual property:

1. Copyright is governed by Tanzania is the Copyright and Neighboring Rights Act, 1999.
2. Trademark is governed by Trade and Service Marks Act, 198
3. Patent is governed by the Patents (Registration) Act, Cap 21
4. Industrial design since Tanzania is a member of African Regional Intellectual Property Organization (ARIPO), design protection obtained through filing an application with ARIPO and make Tanzania to be one of the designated states or to register an industrial design and benefit from protection in Tanzania.

In Zanzibar Intellectual Property the following are what governs intellectual property:

1. Copyright is governed by Copyright Act of 2003
2. Trademark is governed by Trademark Decree Cap 159
3. Patent is governed by the the Zanzibar Industrial Property Act No. 4 of 2008
4. Industrial design since Tanzania is a member of African Regional Intellectual Property Organization (ARIPO), design protection obtained through filing an application with ARIPO and make Tanzania to be one of the designated states or to register an industrial design and benefit from protection in Tanzania.

### **Online Registration**

The first, and probably the most significant change, is that Zanzibar's Business and Property Registration Agency (BPRA) has introduced the Online Registration System (ORS) that has already been put in place in Tanzania (Tanganyika) with very promising results.

The ORS intends to modernize the registration process, making it easier and faster when compared to the manual filing. It is important to note that the ORS is still in a very initial phase and at the moment services are limited to Business Entities, Secured Transactions on



Movable Property and Information Services. In the future, we expect that electronic filing will be enabled at Zanzibar's IPO through the ORS however there are no set deadlines, at the moment, to enable such a system.

### **Authorized Agents**

Another amendment concerns Authorized Agents. Any authorization should be placed to, within a law firm such as (ABC ATTORNEYS) that is authorized in Zanzibar. It is relevant to note that powers of attorney must be prescribed in the name of said agent. Furthermore, the new practice has determined that filing numbers are allocated from two to three working days after filing the application whether before this allocation was made at the moment of filing, namely when the filing receipt was issued. However it is important to alert our clients for the existing backlog at the IPO, which might delay this period of 2/3 working days for a couple of weeks.

The major difference between Tanzanian (mainland) and Zanzibar based on intellectual property falls on copyright whereas Tanzania (mainland) under Copyright Society of Tanzania (COSOTA) have moved it a software advancement when it comes to registration and renewal membership of copyright whereas Copyright Society of Zanzibar is still doing the same manual way in registering and renewal of copyright membership.