

The logo for ABC Attorneys, featuring the text "ABC Attorneys." in a yellow, sans-serif font on a dark blue rectangular background.

ABC Attorneys.

PATENT PROSECUTION IN TANZANIA

Presenter:
SUNDAY NDAMUGOBA
ABC ATTORNEYS

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ABC ATTORNEYS

ABOUT THE PRESENTER

SUNDAY NDAMUGOBA

- Advocate of Zanzibar & Tanzania.
- Chairman IP committee East Africa Law Society.
- Coordinator- CLE Committee Zanzibar Law Society
- Council Member- Zanzibar Law Society.
- Arbitrator & Mediator.
- Local Content & Compliance Consultant
- UK Chattered Trademark Attorney.
- LLB (TZ), PGDLP (TZ), CPIR (TZ), LLM(UK)
- Investment advisor.



ABC ATTORNEYS

The logo for ABC Attorneys, featuring the text "ABC Attorneys" in a bold, yellow, sans-serif font with a registered trademark symbol, set against a dark blue rectangular background. The background of the entire slide is a low-angle photograph of modern glass skyscrapers reaching towards a blue sky with light clouds. A large, abstract graphic element in the bottom left corner consists of overlapping curved shapes in shades of blue and yellow.

ABC Attorneys®

ABOUT THE FIRM

CORPORATE & COMMERCIAL LAW FIRM

FOCUS AREAS: INTELLECTUAL PROPERTY AND TECHNOLOGY

OFFICES: DARES SALAAM. ZANZIBAR. DODOMA. ARUSHA

- We are celebrating 10 years anniversary this year.
- ABC Attorneys is a member of TAGLAW. (260 members | 90 countries | 9500+ lawyers | 300 offices).
- ABC Attorneys is a member of AMANI IP a network of Premier African Intellectual Property law firms. (KTA Advocates in Uganda and Kibungei & Co in Kenya).
- Practice: Investments | Employment | Intellectual Property.

Our IP Team -Dar office



**Sunday
Ndamugoba**
Head of IP



**Magreth
Somme**
Trademark Lawyer



**Godfrey
Mollel**
Patent Lawyer



Winnie K
Patent Litigation



Irene Gunze
Patent Litigation

OFFICES TEAM MEMBERS

- 22 OFFICE STAFF IN TOTAL IN TANZANIA (18 LAWYERS AND 4 SUPPORT STAFF)
- DAR ES SALAAM OFFICE - 11 PEOPLE
- DODOMA OFFICE - 4 PEOPLE
- ARUSHA OFFICE - 5 PEOPLE
- ZANZIBAR OFFICE - 2 PEOPLE





ABC Attorneys.
Business Review

Fiscal Year 2022
Venue: Elements by Westin

16TH FEBRUARY 2023 9AM - 6PM

ABC Attorneys.[®]

YOUR IP ATTORNEYS

**WE PRIDE OUR
SELVES FOR**



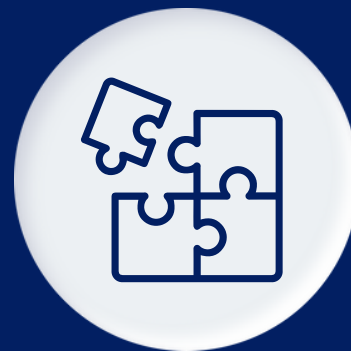
Creative Ideas

innovative



Excellent Services

Customer comes first



Team Work

Creative solutions, creative results.

Our Portfolio

BULLET
ENERGY DRINK

B.

Booking.com

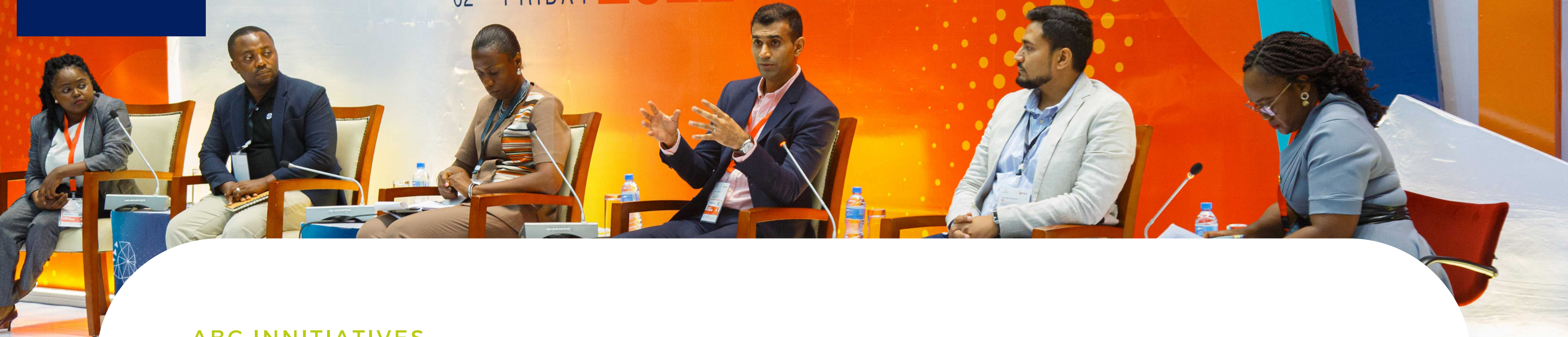




ABC Attorneys®



ABC Annual
Symposium
DECEMBER
02nd FRIDAY 2022



ABC INITIATIVES

ABC Annual Symposium on IP& Tech

We do annual symposium to discuss legal framework around intellectual property and invite stakeholders from government and private sectors as well as exhibitors.

MAGAZINE

Doing Business in Tanzania & Zanzibar



ABC Attorneys®

"ABC PROVIDES A
TIMELY AND EFFICIENT
SERVICE TO CLIENTS
WITH RESPECT TO
TRADEMARK FILINGS.."
WORLD TRADEMARK REVIEW



ABC Attorneys is a member of TAGLAW and AMANI IP Network

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PATENT PROSECUTION IN TANZANIA



BRIEF BACKGROUND ABOUT PATENT

- The primary legislation in Tanzania is the Patents Registration Act 2002 and Patents Regulations (Government Notice No. 190 of 1994) 20.
- The primary legislation in Zanzibar is the Zanzibar Industrial Property Act, 2008, and the Industrial Property Regulations, 2014.
- A Patent for an invention is the grant of property rights to the inventor.
- Rights for a limited period of time (usually 20 years) in exchange for teaching the world how to make & use the invention.
- Patents are country-by-country; no worldwide patents.
- Right, to exclude others from making, using, or selling the invention.
- Tanzania's rights go to the first to file, not the first to invent.

INTERNATIONAL TREATIES

Tanzania is a party to the following international conventions:

1. World Intellectual Property Organization Convention, 1967 (effective for Tanzania as from 30 December 1983);
2. Paris Convention (International Union) 1883–1967 (effective for Tanzania as from 16 June 1963);
3. Patent Cooperation Treaty (PCT) 1970 (effective for Tanzania as from 14 September 1999);
4. Agreement on the Creation of the African Regional Industrial Property Organization, 1979 ((effective for Tanzania as from 12 October 1983);
5. The Protocol on Patent and Industrial Designs within the Framework of African Region Industrial Property Organization (the Harare Protocol), 1982) (effective for Tanzania as from 01 September 1999); and
6. Agreement on Trade Related Aspects of Intellectual Property Rights (Annex 1C of the Marrakesh Agreement Establishing the World Trade Organization), 1994.



PATENT FILLING TANZANIA

- The patents of the invention that can be protected in Tanzania are the national patent, ARIPO patent, and PCT patent.
- United Kingdom patent and European patent designating the United Kingdom are protected in Zanzibar subject to fulfilling local registration requirements.
- The total protection period in Tanzania is twenty(20) years, subject to the payment of annual fees.
- Ten years are given at the time of grant of patent and, afterward, an extension of five(5) years can be made twice.
- The protection period in Zanzibar is also twenty years.

- United Republic of Tanzania has been a party to the Patent Cooperation Treaty since 14 September 1999. As of that date it is possible to designate Tanzania in international patent applications filed under the PCT (Patent cooperation Treaty).
- Also Since 1 September 1999 Tanzania has also become a member of the Protocol on Patent and Industrial Designs within the Framework of African Region Industrial Property Organization (the Harare Protocol), 1982), thus it also possible for a patent protection in Tanzania to be obtained by a ARIPO-PCT application as well).
- The local Patent Office is the competent Receiving Office for international patent applications filed by a Tanzanian citizen or by a person whose private or corporate domicile is in Tanzania.
- International applications filed with the local Patent Office must be filed in triplicate, in compliance with the formal and physical requirements prescribed in the Regulations under the PCT itself.

A patent application must contain the following:

- request for grant of a patent must be made in English on the prescribed form No. P.2;
- 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);
- the patent title, abstract, description, claims, and drawings;
- statement justifying that certain disclosures be disregarded;
- 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);
- the Deed of Assignment, if the applicant is not the inventor;
- claim to priority rights, if appropriate, indicating the number, country, and filing date of the application in 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 prescribed application fees;
- when the patent is accepted: a letter of acceptance together with the publication and grant fees.

Weaknesses

The following inventions cannot be patented:

- a discovery of a plant, animal, microorganism or substance as found in nature, including the human body;
- a scientific theory or mathematical method;
- a literary, dramatic, musical or artistic work or other aesthetic creation;
- a scheme, rule or method for doing business, performing mental acts or playing a game;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised in relation to them, except products for use in any such methods;
- an invention whose commercial exploitation is necessary to protect public order or morality, including the protection of human or animal health, plant life or to avoid prejudice to the environment;
- plants and animals other than microorganisms; essentially biological processes for the production of plants or animals



COURT SYSTEM

We do not have IP High Court. All matters are referred to the Registry and in case of appeal, they go to the High Court. The Judges are normal Judges few with knowledge in IP.



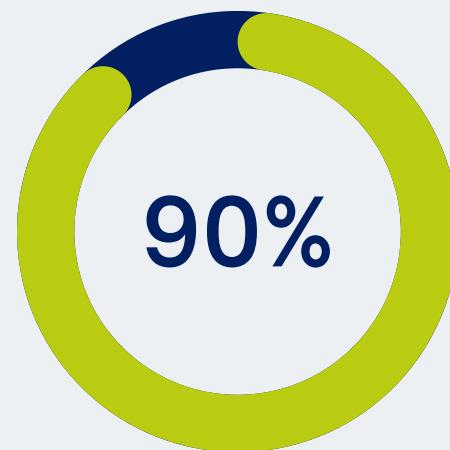
PATENT FILLING IN NUMBERS



NATIONAL



ARIPO



SOURCE WIPO/ARIPO/BRELA

ARIPO 621 IN 2019

ARIPO INDUSTRIAL DESIGN 37 IN 2019

ARIPO UTILITY MODEL 10 IN 2019

NATIONAL 5 IN 2019

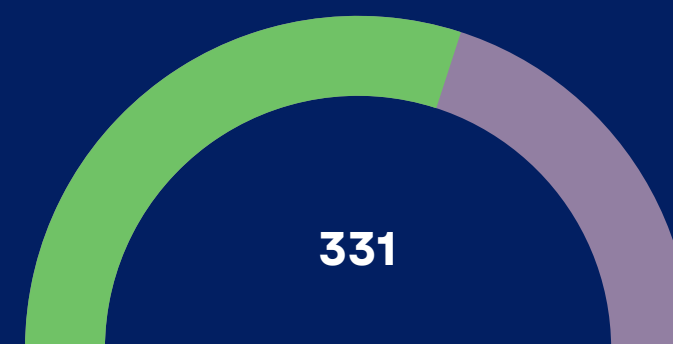
56 JUDGEMENTS ON PATENT MATTER UP TO 2021

IN AVERAGE NATIONAL IS 15 PER YEAR

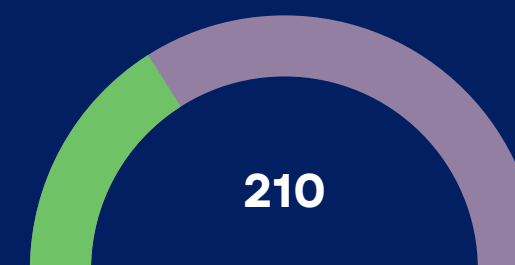
TRADEMARKS WE FILE 2021

TANZANIA IN A UNION OF TANGANYIKA AND ZANZIBAR
HOWEVER EACH HAVE SEPARATE IP REGIMES AND LAWS

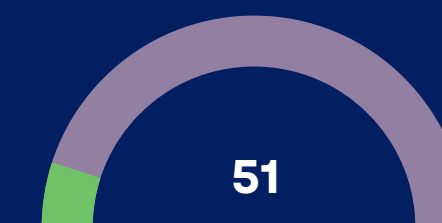
WE ALSO FILE UNDER ARIPO WHICH COVERS 12
COUNTRIES IN AFRICA. WE GET A LOT OF CLIENTS FROM
CHINA UK, USA AND UAE.



TANGANYIKA



ZANZIBAR



ARIPO

OFFICIAL FEES

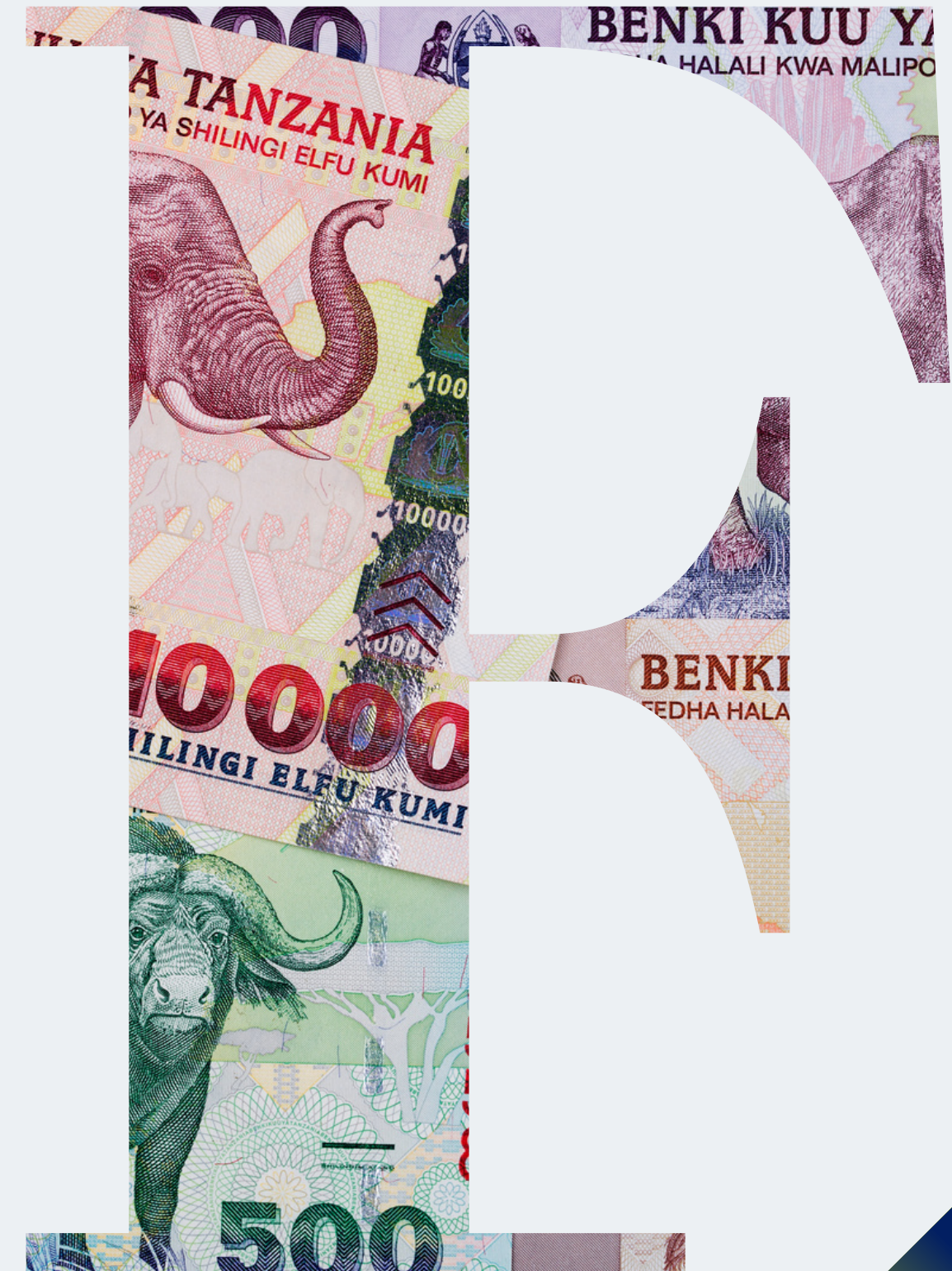
BRELA PATENT FEES (TZS)

Application fees for grant of patent
= 12,000 or 6 USD

Grant of patent fees
= 10,000 or 5 USD

Fee for publication of the patent application
= 3,000 or 2 USD

Total fees = 25 000 or 13 USD



THE UNITED REPUBLIC OF TANZANIA

Form No 12



THE PATENTS (REGISTRATION) ACT CAP 217 R.E. 2002

CERTIFICATE OF GRANT OF PATENT

Regulations 29(3)

In accordance with Sections 28(1) of the Patents (Registration) Act, Cap. 217 R.E. 2002, it is hereby certified that a Patent having the number TZ/P/ 2022/00057 has been granted to:

Name of the owner: GILBERT ABEL MUNISHI

Address of owner: House number 303, Plot 3637, Block 463, Bagamoyo road Mwananyamala, Victoria, Kinondoni, 14108 Dar Es Salaam, Tanzania

Name of the inventor: GILBERT ABEL MUNISHI

Address of the inventor: House number 303, Plot 3637, Block 463, Bagamoyo road Mwananyamala, Victoria, Kinondoni, 14108 Dar Es Salaam, Tanzania.

On April 20, 2023

In respect of an invention described in an application for that Patent Certificate having a

Date of Filing of December 03, 2022

Being an invention for: MOSQUITO REPELLENT CLOTHING TECHNOLOGY




Seka Kasera

THE UNITED REPUBLIC OF TANZANIA

Form No 12A



THE PATENTS (REGISTRATION) ACT CAP 217 R.E. 2002

CERTIFICATE OF GRANT OF UTILITY CERTIFICATE

Regulations 29(3) and 52(a) (c)

In accordance with Sections 28(1) of the Patents (Registration) Act, Cap. 217 R.E. 2002, it is hereby certified that a Utility Certificate having the number TZ/U/ 2020/00001 has been granted to:

Name of the owner : PETRO YALEDY MWAMLIMA

Address of owner : P.O.BOX 35176 Makongo, Dar es salaam Tanzania

Name of the inventor: PETRO YALEDY MWAMLIMA

Address of the inventor: P.O.BOX 35176 Makongo, Dar es salaam Tanzania

On day of March 31, 2021

in respect of an invention disclosed in an application for that Utility Certificate having a date of

Filing of: September 3, 2020

Being an invention for: BRIQUETTER




DEPUTY REGISTRAR OF

Thank You

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GET MORE INFORMATION



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