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THE ZANZIBAR INDUSTRIAL PROPERTY ACT No. 4 OF 2008

**THE ZANZIBAR INDUSTRIAL PROPERTY REGULATIONS
[Made Under Section 120]**

L.N. 48 of 2015. **IN EXERCISE** of the powers conferred upon me under Section 120 of the Zanzibar Industrial Property Act, No. 4 of 2008, **I, ABUBAKAR KHAMIS BAKARY**, Minister of Justice and Constitutional Affairs; do hereby make the following Regulations:

**PART I
PRELIMINARY PROVISIONS**

Short title and Commencement. **1.** These Regulations may be cited as the Industrial Property Regulations of 2014 and shall come into operation upon being signed by the Minister and published in the Official Gazette.

Interpretation.

2. In these Regulations, unless the context otherwise requires:

"Act" means the Zanzibar Industrial Property Act, No. 4 of 2008;

"Office" means the Industrial Property Office established under section 115 of the Act;

"Priority date" means the filing date of an earlier application that serves as the basis for the right of priority as provided for by the Act;

"Regulations" means the Regulations of the Zanzibar Industrial Property Act No. 4 of 2008;

"Registrar" means the Registrar of the Industrial Property appointed under Section 115(2) of the Act;

"Section" refers to the specified Section of the Act;

3.-(1) The fees to be paid in respect of matters arising under the Act or these Regulations shall be those specified in the first schedule of these Regulations. Fees.

(2) Payments shall be made in Tanzania currency, but the equivalent amount in a foreign currency that is convertible in Tanzania may be accepted.

4.-(1) The forms referred to in these Regulations are those set out in the second Schedule of these Regulations. Forms.

(2) A requirement under these Regulations to use such a form is satisfied by the use either of a replica of that form.

5.-(1) All applications, notices, statements, paper having representations affixed, or other documents authorized or required to be made by the Act or these Regulations, must be on strong, durable white or light coloured paper and in the case of the declarations and the affidavits, shall be written on one side of the paper only. Applica-
tions paper
requirements.

(2) Each sheet shall be of the same size and be letter or A4 size paper or such other size as the Registrar may permit, which shall on the left hand part of the document a margin of not less than four centimetres.

(3) Applications, notices, statements or other documents required by this Act or these Regulations shall be filed in duplicate.

PART II TECHNICAL CREATIONS

CHAPTER I PATENTS

6. The Registrar shall apply the International Patents Classification System, as adopted under the Strasbourg Agreement of 24th March, 1971 as updated in its subsequent editions, for all purposes relating to the grant and publication of patents, as well as for the maintenance of classified search files. Classifica-
tion of
Patents.

7.-(1) Subject to Section 6 of the Act, an application for a patent shall be made on Form No. 1 and shall be signed by applicants or authorized representatives. Applica-
tion for a
Patent.

(2) The application shall indicate each applicant's name, address, nationality and residence.

(3) Where the applicant is the inventor, the application shall contain a statement to that effect, and where the applicant is not, it shall indicate each inventor's name and address and be accompanied by the statement justifying the applicant's right to the patent.

(4) If the applicant is represented by an agent, the application shall so indicate and state the agent's name and address.

(5) The title of the invention shall be short preferably from two to seven words and precise.

8.-(1) The description shall first state the title of the invention as appearing in the request and shall: Descrip-
tion

- (a) specify the technical field to which the invention relates;
- (b) indicate the background art which, as far as known to the applicant, can be regarded as useful for the understanding, searching and examination of the invention, and preferably, cite the documents reflecting such art;
- (c) disclose the invention in such terms that it can be understood and its advantageous effects be stated, if any, with reference to the background art;
- (d) briefly describe the figures in the drawings, if any;
- (e) set forth the best mode contemplated by the applicant for carrying out the invention; this shall be done in terms of examples, where appropriate, and with reference to the drawings, if any;

(3) A request shall be valid if it is accompanied by the Registrar's certificate authorizing the release of the sample to that person. An application for such a certificate shall be submitted to the Registrar, accompanied by the prescribed fee, together with:

- (i) an undertaking not to make the culture available to any other person until the application for the patent is refused or withdrawn or deemed to be withdrawn or, if a patent is granted, until it ceases to have effect without the possibility of renewal or restoration; and
- (ii) an undertaking to use the culture for experimental purposes only until the application is refused or withdrawn or deemed to be withdrawn or until the date of publication in the Gazette that the patent has been granted.

(3) The Registrar shall send a copy of the request referred to in sub-regulation (2) of this regulation to the applicant for, or owner of, the patent.

Claims.

10.-(1) The number of the claims shall take into account the nature of the invention; if there are several claims, they shall be numbered consecutively in Roman numerals.

(2) The claims shall define the invention in terms of the technical features of the invention.

(3) Whenever appropriate, claims shall contain:

- (a) a statement indicating those technical features of the invention which are necessary for the definition of the invention.
- (b) a characterizing portion-preceded by the words "characterized in that", "characterized by", "wherein the improvement comprises," or any other words to the same effect-stating concisely the technical features which, in combination with the features stated under (a), it is desired to protect.

- (f) indicate explicitly, when it is not obvious from the description or nature of the invention, the way in which the invention is industrially applicable and the way in which it can be made and used, or, if it can only be used, the way in which it can be used.

(2) The manner and order specified in sub-regulation (1) of this regulation shall be followed except when, because of the nature of the invention, a different manner or a different order would result in a better understanding and a more concise presentation.

9.-(1) To the extent that the contents of an application for a patent or of a patent disclose an invention which requires for its performance the use of a micro-organism which is not available to the public at its date of filing, these contents shall, pursuant to Section 6(4) (f) and this Regulation, be treated as disclosing the invention in a manner which is clear and complete enough for the invention to be performed by a person skilled in the art if the following conditions are satisfied:

- (i) a culture of the micro-organism has been deposited in a culture collection not later than the date of filing the application;
- (ii) the application as filed gives such relevant information as is available to the applicant on the characteristics of the micro-organism; and
- (iii) the name of the culture collection, the date when the culture has been deposited and the accession number of the deposit are given in the description of the application.

(2) The information given as specified in paragraph (iii) of sub-regulation (1) of this regulation shall be considered as constituting the unreserved and irrevocable consent of the applicant to the culture deposited being made available to any person who, on or after the date of publication of the application, makes a valid request, therefore to the culture collection with which the micro-organism is deposited.

(4) Claims shall not, except where absolutely necessary, rely in respect of the technical features of the invention on references to the description or drawings; in particular, they shall not rely on such references.

(5) Where the application contains drawings, the technical features mentioned in the claims shall preferably be followed by the reference signs relating to such features; when used, the reference signs shall preferably be placed between parentheses; if inclusion of reference signs does not particularly facilitate quicker understanding of a claim, it should not be made.

(6) Any claim submitted after the filing date of the application and which is not identified with the claims previously appearing in the application shall, at the choice of the applicant, be submitted either as an amended claim or as a new claim.

(7) The deletion of any claim previously appearing in the application shall be made by indicating the number of the previous claim followed by the word "cancelled".

11.-(1) Drawings forming part of an application for a patent shall be on sheets the usable surface area of which shall not exceed 26.2 cm by 17 cm. The sheets shall not contain frames round the usable or used surface. The minimum margins shall be as follows:

- (a) top 2.5 cm;
- (b) left side 2.5 cm;
- (c) right side 1.5 cm; and
- (d) bottom 1.0 cm;

(2) Drawings shall be executed as follows:

- (a) In durable, black sufficiently dense and dark, uniformly thick and well-defined lines and strokes without colouring to permit satisfactory reproduction;
- (b) Cross-sections shall be indicated by hatching which does not impede the clear reading of the reference signs and leading lines;

- (c) The scale of the drawings and the distinctness of their graphical execution shall be such that a photographic reproduction with a linear reduction in size to two-thirds would enable all details to be distinguished without difficulty. If, as an exception, the scale is given on a drawing it shall be represented graphically;
- (d) Numbers, letters and reference signs appearing in the drawings shall be simple and clear and brackets, circles and inverted commas shall not be used in association with numbers and letters;
- (e) Elements of the same figure shall be in proportion to each other, unless a difference in proportion is indispensable for the clarity of the figure;
- (f) The height of the numbers and letters shall not be less than 0.32 cm and for the lettering of drawings, the Latin and, where customary, the Greek alphabet shall be used;
- (g) The same sheet of drawings may contain several figures. Where figures drawn on two or more sheets are intended to form one whole figure, the figures on the several sheets shall be so arranged that the whole figure can be assembled without concealing any part of the partial figures. The different figures shall be arranged without wasting space, clearly separated from one another. The different figures shall be numbered consecutively in Arabic numerals, independently of the numbering of the sheets;
- (h) Reference signs not mentioned in the description or claims shall not appear in the drawings, and vice versa. The same features, when denoted by reference signs, shall, throughout the application, be denoted by the same signs;
- (i) The drawings shall not contain textual matter, except, when required for the understanding of the drawings, a single word or words such as "water", "steam", "open", "closed", "section

(3) Density shall be expressed in metric units.

(4) For indications of heat, energy, light, sound, and magnetism, as well as for mathematical formulae and electrical units, rules in general use shall be observed; for chemical formulae, the symbols, atomic weights, and molecular formulae, in general use, shall be employed.

(5) In general, only such technical terms, signs and symbols shall be used as are generally accepted in the art.

(6) The terminology and the signs shall be consistent throughout the application.

Number of
copies and
physical
require-
ments

14.-(1) Subject to Regulation 18(7), the application and accompanying statements or documents shall be filed in three copies, but the Registrar may require the applicant to supply additional copies.

(2) Elements of the application shall be so presented as to admit of direct reproduction by photography, electrostatic processes, photo offset and microfilming.

(3) Only one side of each sheet contained in the application shall be used.

(4) Elements of the application shall be on paper which is flexible, strong, white, smooth, non-shiny and durable.

(5) The size of the sheets shall be A4 of 29.7cm x 21cm, although the Registrar may accept sheets of other sizes.

(6) The minimum margins of sheets shall be as follows:

(a) upper margin of each page, except the first page: 20 mm

(b) upper margin of the first page: 30 mm

(c) side margin adjacent to the binding: 25 mm

(d) other side margin: 20 mm

(e) bottom margin: 20 mm

on AA" and in the case of electric circuits and block schematic or flow sheet diagrams, a few short catchwords;

(3) Flow sheets and diagrams are considered drawings.

12.-(1) The abstract shall be so drafted that it can efficiently serve as a scanning tool for purposes of searching in the particular art. Abstract.

(2) The abstract shall consist of the following:

- (a) a summary of the disclosure as contained in the description, the claims, and any drawings, indicating the technical field to which the invention pertains and drafted in a way which allows the clear understanding of the technical problem, the gist of the solution of that problem through the invention and the principal use or uses of the invention; and
- (b) where applicable, the chemical formula which, among all the formulae contained in the application, best characterizes the invention.

(3) The abstract shall be as concise as the disclosure permits preferably 50 to 150 words.

(4) The abstract shall not contain statements on the alleged merits or value of the invention or on its speculative application.

(5) Each main technical feature mentioned in the abstract and illustrated by a drawing in the application shall be followed by a reference sign, placed between parentheses.

(6) The abstract shall be accompanied by the most illustrative of any drawings furnished by the applicant.

13.-(1) Units of weights and measures shall be expressed in terms of the metric system. Measures, terminology and signs.

(2) Temperatures shall be expressed in degrees centigrade or celsius.

(7)(a) All sheets shall be numbered at the top of the sheet, in the middle, in consecutive Arabic numerals,

(b) in effecting the sequential numbering of the sheets, the elements of the application shall be placed in the following order: the request, the description, the claims, the abstract, the drawings if any, and

(c) the sequential numbering of the sheets shall be effected by using three separate series of numbering, the first series applying to the request only and commencing with the first sheet of the request, the second series commencing with the first sheet of the description and continuing through the claims until the last sheet of the abstract, and the third series being applicable to the sheets of the drawings only and commencing with the first sheet of the drawings.

(8) The text matter of the application shall be typed; graphic symbols, chemical or mathematical formulae and certain characters, if necessary, may be handwritten or drawn.

(9) Drawings shall be executed in durable, black, sufficiently dense and dark, uniformly thick and well-defined lines and strokes without colourings.

15.-(1) Section 7 shall be construed as permitting, in particular, one of the following three possibilities: Unity of invention

(a) in addition to an independent claim for a given product, the inclusion in the same application of an independent claim for a process specially adapted for the manufacture of the said product, and the inclusion in the same application of an independent claim for a use of the said product; or

(b) the inclusion in the same application of an independent claim for an apparatus or means specifically designed for carrying out the said process; or

(c) the inclusion in the same application of an independent claim for a process specially adapted for the manufacture of the

product, and the inclusion in the same application of an independent claim for an apparatus or means specifically designed for carrying out the process.

(2) Subject to Section 7 it shall be permitted to include in the same application two or more independent claims of the same category which cannot readily be covered by a single generic claim.

(3) Subject to Section 7, it shall be permitted to include in the same application a reasonable number of dependent claims, claiming specific forms of the invention claimed in an independent claim.

Division of
applica-
tion.

16.-(1) A divisional application shall contain a reference to the initial application.

(2) If the applicant wishes a divisional application to benefit from any priority claimed for the initial application, the divisional application must contain a request to that effect; in such a case, the declaration of priority and the documents furnished in accordance with Regulation 18 of these Regulations for the initial application shall be deemed to relate also to the divisional application.

(3) Where the priorities of two or more earlier applications were claimed for the initial application, a divisional application may benefit only from the priority or priorities that are applicable to it.

(4) Section 7(3)(a) shall be construed as permitting the division of the application provided that the divided applications do not go beyond the matter claimed in the initial application.

Disclosures
to be
disregarded
for prior
art
purposes

17. An applicant who wishes a disclosure of the invention to be disregarded, in accordance with Section 4 (2) for prior art purposes, shall so indicate on the application and shall furnish, in writing, with the application or within thirty days of filing the application, full particulars of the disclosure; where the disclosure was made at an exhibition, the applicant shall file, within the same period, a duly authenticated certificate issued by the authority responsible for the exhibition containing particulars of the exhibition and stating that the invention was in fact exhibited there.

18.-(1) The declaration referred to in Section 8 (1) (a) shall be made at the time of filing the application for the patent and shall indicate:

Declaration of priority and translation of earlier application.

- (a) the date of filing of the earlier application;
- (b) the number of the earlier application;
- (c) the symbol of the International Patent Classification which has been allocated to the earlier application;
- (d) the State in which the earlier application was filed or, where the earlier application is a regional or an international application, the State or States in which it was filed;
- (e) where the earlier application is a regional or an international application, the Office with which it was filed.

(2) Where at the time of filing the declaration referred to sub-regulation (1) of this regulation, the number of the earlier application is not known, that number shall be furnished within the period of ninety days after the priority date.

(3) Where a symbol of the International Patent Classification has not been allocated to the earlier application, or has not yet been allocated at the time of filing the declaration referred to in sub-regulation (1) of this regulation, the applicant shall state this fact in the said declaration and shall communicate such symbol as soon as it has been allocated but no later than three months from the filing date, otherwise the Registrar shall proceed with its own indication of the class to which the invention corresponds.

(4) The applicant may, at any time before the grant of the patent, amend the contents of the declaration referred to in sub-regulation (1) of this regulation.

(5) The period for furnishing the certified copy of the earlier application shall be ninety days from the date of the request by the Registrar; where a copy has already been furnished for another application, the applicant may respond by making a reference to that other application or indicate to the Registrar the availability of the Priority document in a digital library.

(6) Where the earlier application is in a language other than English, the applicant shall, within six months from the date of the aforementioned request, furnish an English translation of the earlier application.

(7) Unless the Registrar requests otherwise, the earlier application and any translation thereof shall be filed in one copy.

Time for
furnishing
information
concerning
correspo-
nding
foreign
applications,
patents
and other
titles of
protection.

19.-(1) The time limits to be specified for furnishing the information requested under Section 9 shall not be less than two or more than six months from the date such a request is made; upon a reasoned request by the applicant, the Registrar may extend such time limit.

(2) If the applicant does not furnish the requested information in the dateline indicated in sub-regulation (1) of this regulation, the application shall be considered withdrawn.

Withdrawal
and amend-
ment of ap-
plication.

20.-(1) The application shall be withdrawn by written declaration submitted to the Registrar and signed by each applicant.

(2) The application fee shall not be refunded if the application is withdrawn.

(3) An amendment pursuant to Section 7(2) shall be made together with the payment of the prescribed fee.

(4) Section 7 (2) and (3) shall be construed as permitting the amendment of the application provided that the amended application is made before a substantive examination is undertaken and that it does not go beyond the matter claimed in the initial application.

(5) When an amendment to the description or the claim of a patent application is made, a replacement sheet in the prescribed form shall be submitted, except when the changes refer only to correction of clerical errors or the alteration or deletion for making corrections that amount to few words.

Marking
applica-
tion.

21.-(1) Upon receipt, the Registrar shall mark, on each document making up the application, the actual date of receipt and the application number

consisting of the letters ZN slant, the letter P, slant, the last two numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received,

(2) where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for grant of the patent,

(3) The application number allotted under sub-regulation (1) of this regulation shall be quoted in all subsequent communications concerning the application.

22.-(1) The Registrar shall examine whether the application fulfils the requirements of section 10.

According
and
notifying
filing date

(2) The invitation to file any correction, under Section 10 (1)(b), shall be in writing; it shall specify the correction or corrections required and request that these be filed within two months from the date of the invitation, together with the payment of the prescribed fee.

23.-(1) In addition to the requirements of section 6, the requirements of sections 5(10), 7, 8 and 9 shall be analyzed during a formal examination.

Examina-
tion as to
Form.

(2) Where the Registrar finds that the conditions referred to in sub-regulation (1) of this regulation are not fulfilled, the Registrar shall invite the applicant, in writing, to file the required correction within two months from the date of the invitation, together with the payment of the prescribed fee; where no abstract is provided, the Registrar shall invite the applicant to correct the deficiency.

(3) If the applicant does not comply with the invitation to correct a deficiency under sub-regulation (2) of this regulation, or where, despite the corrections submitted by the applicant, the Registrar is of the opinion that the condition referred to in Sections 5(10), 6, 7, 8 and 9 of the Act are not fulfilled, he shall reject the application and notify the applicant, in writing, stating the reasons.

(4) The invitation made by the Registrar to correct the application as provided in sub-regulation (2) of this regulation shall not affect its filing date which shall still remain valid.

24.-(1) For purposes of the examination under Section 11 (1), the Registrar shall, subject to the payment of the prescribed fee, proceed with the substantive examination of the invention. To take his decisions, the Registrar shall rely on the search of the state of the art and the examination of the patentability conducted by this office, or on international work products conducted by an International Searching Authority (ISA) or International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT), or on search and examination report prepared by an examining Authority with which an arrangement to this effect has been concluded.

(2)(a) where, taking due account of the conclusions of the search and examination report referred to in sub-regulation (1) of this regulation, the Registrar is of the opinion, that the conditions referred to in Section 10 (4) are not fulfilled, the Registrar shall notify the applicant, in writing, inviting the applicant to submit any observations and, where applicable, to amend or divide the application, within a specified period; such specified period shall not be less than two or more than six months from the date of the invitation.

(b) the invitation shall be made on Form No. 2; it may be made several times, if the Registrar deems it necessary.

(c) an amendment under paragraph (a) shall be made together with the payment of the prescribed fee.

(3) Where the applicant does not comply with the said invitation or where, despite any observation, amendments or division submitted by the applicant, the Registrar is of the opinion that the conditions referred to in sections 3 and 4 are not fulfilled, the Registrar shall refuse to grant the patent.

(4) Where the Registrar is of the opinion that the conditions referred to in Sections 3 to 4 are fulfilled, the Registrar shall grant the patent in accordance with Section 11 and regulation 26 of these Regulations.

(5) The applicant shall pay the publication fee to the Registrar of his application in the official Gazette.

(6) The Registrar shall notify the applicant, in writing, of his decision to grant or to refuse to grant a patent, attaching a copy of the search and examination report, upon which the decision is based and, in the case of a decision to grant a patent, requesting the applicant to pay the grant and publication fee within ninety days from the date of the notification.

25.-(1) Where two or more applications for grant of a patent for the same invention, having the same filing or, where applicable, the same priority date, are filed by the same applicant, the Registrar may, on that ground, refuse to grant a patent in pursuance of more than one of the applications.

Decision to grant or refuse to grant patent.

(2) The Registrar shall notify the applicant, in writing, of the Registrar's decision to grant or to refuse to grant a patent, and, in the case of a refusal, stating the reasons thereof, and in the case of a decision to grant a patent, requesting the applicant to pay the grant and publication fee within ninety days from the date of the notification.

26.-(1) Subject to the payment of the grant and publication fee within the period prescribed in regulation 25(2) of these Regulations, the Registrar shall publish the patent on Form No 3 in accordance with Section 11 (2) (i) and this Regulation.

Grant of patent and publication of reference thereto; issuance of certificate.

(2) (a) the Registrar shall allot to each patent that is granted a number in the sequential order of grant.

(b) the patent shall be granted on Form No. 4 and shall contain, in addition to the information indicated in sub-regulation (3) of this regulation, the date of publication of the patent, the documents or references cited of the prior art, the description, the claims and the drawings if any.

(c) the patent shall be deemed to be granted on the date the Registrar publishes a reference to the grant.

(3) The publication of the reference to the grant of the patent shall include:

(a) the number of the patent;

- (b) the name and address of the owner of the patent;
- (c) the name and address of the inventor, except where the inventor has asked not to be named in the patent;
- (d) the name and address of the agent if any;
- (e) the filing date;
- (f) if priority has been claimed and the claim has been accepted, a statement of the priority, the priority date and the name of the country or countries in which or for which the earlier application was filed;
- (g) the effective date of grant of the patent;
- (h) the title of the invention;
- (i) the abstract;
- (j) the most illustrative of the drawings, if any; and
- (k) the symbol of the International Patent Classification.

(4) The certificate of grant shall be issued on Form No.5 and shall be signed by the Registrar and shall contain:

- (a) the number of the patent;
- (b) the name and address of the owner of the patent;
- (c) the filing date and, where applicable, priority date of the application;
- (d) the effective date of grant of the patent; and
- (e) the title of the invention.

Exploitation of patented invention by government or by third persons authorized by government.

27.-(1) The Minister shall, before making a decision under Section 14(7), consult the Registrar and give the owner of the patent, and any other persons whose participation the Registrar considers as necessary at least 21 days' written notice of the date on which they may be heard; the owner of the patent shall be given all notices of the hearing and shall have the right to participate therein.

(2) The Minister shall make a decision after the hearing, in writing, stating the grounds upon which it is based, and, if the Minister has decided that the invention shall be exploited under Section 14(7), stating the terms of exploitation, and shall transmit the decision to the Registrar.

(3) The Registrar shall record and publish the decision of the Minister and, in writing, notify, the owner of the patent and the other participants in the hearing.

(4) If the decision of the Minister is the subject of an appeal, once the matter for Appeal becomes final, the Registrar shall record the decision and publish it.

(5) The terms and conditions of the Decision of the General Council of the WTO, of 30th August, 2003, on the implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health, shall apply, whenever appropriate, in the context of access to pharmaceutical products, in particular those that refer to the waivers from Article 31 (f) and Article 31(h) of the TRIPS Agreement.

28.-(1) A request for a non-voluntary license made under Section 14 of the Act shall be made on Form No. 6, and, in addition to the details therein prescribed, shall specify:

Compul-
sory
licenses.

- (a) the grounds and the evidence upon which the request is based; and
 - (b) the plan according to which the person requesting the non-voluntary license intends to work the patented invention, including evidence that he or she has ability to do so in Zanzibar.
- (2) The Minister shall, on receipt of the request:
- (a) immediately notify the owner of the patent and any existing licensees; and
 - (b) solicit the views of the owner of the patent and any existing licensees, which shall reach the Minister within thirty days of the date of the notification.

(3) The Minister shall, within three months from the expiry of the thirty days referred to in sub-regulation (2)(b) of this regulation, hold a hearing, of which he or she shall give not less than twenty one days' notice to the person requesting the non-voluntary license, the owner of the patent and any existing licensees.

(4) The parties mentioned in sub-regulation (3) of this regulation and any other interested party may be heard or allowed to present written representations at the hearing and they shall comply with the directives issued by the Minister regarding the conduct of the hearing.

(5) The Minister may, before granting a non-voluntary license, consult such a person or an authority as he or she thinks fit.

(6) Where the Minister grants a non-voluntary license, he or she shall state the terms of exploitation and transmit his or her decision to the parties mentioned in sub-regulation (3) of this regulation and any other interested party.

(7) A decision under sub-regulation (6) of this regulation shall be recorded in the patent register and published in the Official Gazette by the Registrar.

(8) The terms and conditions of the Decision of the General Council of the WTO, of 30th August, 2003, on the implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health, shall apply, whenever appropriate, in the context of access to pharmaceutical products, in particular those that refer to the waivers from Article 31 (f) and Article 31(h) of the TRIPS Agreement.

(9) Where the decision of the Minister to grant a license under sub-regulation (6) of this regulation is subject to an appeal, the decision shall be recorded and published once it becomes final.

Annual
fees and
acknowledgement,
notification
and
restoration

29.-(1) Upon payment of an annual fee in accordance with Section 13(2), the Registrar shall, within two weeks from the date payment is received, furnish or send to the applicant or to the owner of the patent an acknowledgement letter.

(2) The Registrar shall record and publish a notification of the lapse of a patent within thirty days after the expiration of the grace period.

(3) Annual fees shall not be refundable.

30.-(1) Where the provisions of sections 3, 4 and 6 apply only to some of the claims or some parts of claim, such claims or parts of a claim shall be invalidated as provided under Section 16. Invalidation.

(2)(a) the patent owner shall, in writing, notify any licensee of any court proceeding instituted for the invalidation of the patent.

(b) the person requesting invalidation may notify any beneficiaries of authorizations granted of the Act.

CHAPTER II UTILITY MODEL CERTIFICATES

31.-(1) These Regulations shall apply, mutatis mutandis, to utility model certificates, in accordance with Sections 17 to 28. Utility model certificates

(2) Where the Registrar grants a utility model certificate in terms of Section 22(5) of the Act, he or she shall issue a copy of a utility model certificate in Form No. 7.

32.-(1) Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person, in writing, of the opportunity to be heard thereon, and indicating a time limit, which shall not be less than thirty days, for filing a request for a hearing. Hearing.

(2) The request for a hearing shall be in writing on Form No. 23 and shall be subject to the payment of the prescribed fee.

(3) Upon receiving such request, the Registrar shall give the person applying, and any other interested persons, at least two week notice, in writing, of the date and time of the hearing.

CHAPTER III INDUSTRIAL DESIGNS

Applica-
tion for
registra-
tion of an
industrial
design.

33.-(1) Subject to section 32 of the Act, the application for the registration of an industrial design shall be made on Form No. 8 subject to the prescribed fee and shall be signed by each applicant.

(2) The application shall indicate each applicant's name, address, nationality, residence and telephone number.

(3) Where the applicant is the creator, the request shall contain a statement to that effect, and where the applicant is not the creator, the request shall indicate each creator's name and address, except where the creator has signed a written declaration indicating that he/she wishes not to be named, and be accompanied by the evidence justifying the applicant's right to register the industrial design.

Number
and size of
representa-
tions and
specimen.

34.-(1) In accordance with Section 32(2), the application shall be accompanied by the following:

- (i) if the industrial design is two-dimensional, by four drawings, photographs or four graphic representations of the article embodying the industrial design;
- (ii) if the industrial design is three-dimensional, by four drawings, photographs or four graphic representations of the article embodying the industrial design.

(2) Drawings, photographs or graphic representations of the article embodying the industrial design shall not exceed 10 centimetres x 20 centimetres.

(3) Such drawings, photographs or graphic representations of the article embodying the industrial design, shall be affixed on four sheets of cardboard of A4 size and shall be in black ink. A specimen shall be of a size not exceeding 20 centimetres x 20 centimetres.

Declara-
tion of
priority
and
translation
of earlier
applica-
tion.

35.-(1) The declaration claiming the priority of an earlier application under Article 4 of the Paris Convention shall be made at the time of filing the application for the industrial design and shall indicate:

- (a) the date of the earlier application;
- (b) the number of the earlier application,
- (c) the State in which the earlier application was filed or, where the earlier application is a regional or an international application, the State or States for which it was filed;
- (d) where the earlier application is a regional or an international application, the Office with which it was filed.

(2) Where at the time of filing the declaration referred to in sub-regulation (1) of this regulation the number of the earlier application is not known, that number shall be furnished within ninety days from the date on which the application containing the declaration was filed.

(3) The applicant may, at any time before the registration of the industrial design, amend the contents of the declaration referred to in sub-regulation (1) of this regulation.

(4) The period for furnishing the certified copy of the earlier application, shall be three months from the date on which the application containing the declaration was filed; where a copy has already been furnished for another application, the applicant may respond by making a reference to that other application.

(5) Where the earlier application is in a language other than English or Kiswahili, the applicant shall, within six months from the date on which the application containing the declaration was filed, furnish an English translation of the earlier application.

(6) Unless the Registrar requests otherwise, the earlier application and any translation thereof shall be filed in one copy.

36.-(1) The application may be withdrawn pursuant to Section 32(6) by written declaration submitted to the Registrar and signed by applicant.

(2) The application fee shall not be refunded if the application is withdrawn.

With-
drawal of
applica-
tion.

Marking of
Industrial
Design
applica-
tion.

37-(1) Upon receipt, the Registrar shall mark, on each document marking up the application, the actual date of receipt and the application number consisting of the letters ZN, slant, the letter ID, slant, the numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received.

(2) Where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for registration of the industrial design.

(3) The application number allocated under sub-regulation (1) of this regulation shall be quoted in all subsequent communications concerning the application.

According
and
notifying
filing date;
Examina-
tion;
Decision
to grant or
refuse
applica-
tion.

38.-(1) The Registrar shall examine whether the application fulfils the requirements of Section 33(1).

(2) The invitation to file any correction, under Section 33(2), shall be in writing; and shall specify the correction or corrections required a request that these be filed within sixty days from the date of the said invitation, together with the payment of the prescribed correction fee.

(3)(a) once the Registrar accords a filing date, it shall examine whether the application for registration of an industrial design complies with the requirements set out in Section 32(1) and (2). If the requirements are not fulfilled, the Registrar shall invite the applicant, in writing, to file the required correction within sixty days from the date of the invitation, together with the payment of the prescribed fee. If the applicant does not comply with the invitation to correct a deficiency, the application shall be treated as if it had not been filed.

(b) where despite corrections submitted by the applicant, the Registrar is of the opinion that the said conditions are not fulfilled, the Registrar shall reject the application and notify the applicant, in writing, stating, the reasons.

(4) Refusal of the application shall not affect its filing date which shall remain valid.

(5) The Registrar shall notify the applicant, in writing, of the Registrar's decision to grant or to refuse the application, and, in the case of a decision to grant the application, the Registrar shall request the applicant to pay the registration and publication fee within ninety days from the publication of the notice referred to in Section 33(4) (a) of the Act.

39.-(1) Subject to the payment of the registration and publication fee, the Registrar shall register the industrial design in accordance with Sections 29 to 33.

Registration
of Industrial
Design;
Publication
of reference
thereto;
Issuance of
certificate.

(2) The Registrar shall allot to each industrial design a number in the sequential order of registration.

(3) The registration of an industrial design shall include a representation of the industrial design and shall specify:

- (i) the number of the industrial design;
- (ii) the name and address of the registered owner;
- (iii) the name and address of the agent if any; the name and address of the creator, except where he has asked not to be named in the registration;
- (iv) if the priority has been claimed, and the claim has been accepted, the priority date and the country or countries in which or for which the earlier application was filed; and
- (v) the kind of products for which the industrial design is to be used.

(4) The publication of the reference to the registration of an industrial design, under Section 33(4), shall contain the particulars specified in sub-regulation (3) of this regulation.

(5) The certificate of registration of an industrial design shall be issued on Form No. 9.

Renewal of registration.

40.-(1) The request for the renewal of the registration of an industrial design under Section 34(5) shall be made on Form No. 10 by the registered owner or the agent during the six months period preceding the expiry of the registration.

(2) The renewal shall be made by payment of the renewal fee within the period specified in sub-regulation (1) of this regulation or, upon payment of the prescribed surcharge, within the grace period allowed.

(3) The renewal of an industrial design registration shall be recorded in the register and shall be published.

(4) The Registrar shall issue to the registered owner a certificate of renewal which shall contain:

- (i) the registration number of the industrial design;
- (ii) the date of renewal and the date of expiry;
- (iii) the name and address of the registered owner; and
- (iv) an indication of the kind of products for which the industrial design has been registered

Entries in the register.

41. The Registrar shall cause to be entered in the register in respect of every industrial design in addition to the information indicated in sub-regulation (3) of regulation 40:

- (a) the address for service;
- (b) the date on which the industrial design registration expired or surrendered or invalidated;
- (c) any change in name, or address, or any change in ownership or address for service in accordance with regulations 90 and 91;

- (d) the fact that a license contract has been concluded and recorded.

42. The file relating to a license contract may be inspected and extracts obtained therefrom only with the written permission of the licensor and licensee. Inspection
of License
contracts

43.-(1) Before exercising any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such persons, in writing and where necessary give such persons the opportunity to be heard thereon, and indicate a time limit, which shall not be less than thirty days, for filing a request for a hearing. Exercise of
discretion-
ary
powers.

(2) The request for a hearing shall be in writing and shall be subject to the payment of the prescribed fee.

(3) Upon receipt of such request, the Registrar shall give the person applying, and any other interested persons, at least two week notice, in writing, of the date and time of the hearing.

44.-(1) Where it is not otherwise stipulated in the Act or in these Regulations, all acts by the Registrar or by applicants and interested third parties shall be performed within sixty days from the date of the communication or event that has originated the opportunity for such act. This time period does not apply to the examination of the application under regulation 38 of these Regulations. Time
limits:
Extension
of time
limit.

(2) The time or periods prescribed by these Regulations for doing any act or taking any proceeding thereunder, other than the time prescribed in regulation 36(1), may be extended by the Registrar if he thinks fit, upon such notice to the parties and upon such terms.

45. At any stage of any process or proceedings before the Registrar, the Registrar may direct that such documents, information or evidence as the Registrar may require be furnished within the period of the time established by regulation 44(1) of these Regulations. Directions
as to
furnishing
of
Documents.

46. Any irregularity in a procedure before the Registrar may be rectified, on such terms as the Registrar may direct. Correc-
tions of
irregulari-
ties.

**CHAPTER IV
LAYOUT-DESIGNS OR
TOPHOGRAPHIES OF INTEGRATED CIRCUITS**

Applica-
tion for
registra-
tion of
Layout
design.

47.-(1) Subject to Section 42 of the Act, the application for the registration of Layout design shall be made on Form No. 11 accompanied by prescribed fee and shall be signed by applicant or his authorized agent.

(2) The application shall indicate applicant's name, address, nationality, residence and telephone number.

(3) Where the applicant is the creator, the request shall contain a statement to that effect. Where the applicant is not the creator, the request shall indicate each creator's name and address, except where the creator has signed a written declaration indicating that he or she wishes not to be named, and be accompanied by the evidence justifying the applicant's right to register the industrial design.

(4) The brief and precise designation of the layout-design shall consist of the title of the layout-design indicating the matter to which it relates or indicating the field to which the article in which it is intended to be incorporated, or has been incorporated.

(5) Where the application is accompanied by a copy of the layout-design, the Registrar may request the applicant to file a drawing thereof within a period of thirty days.

(6) The size of the copy of the layout design or drawing shall not be less than 20 times the size of the semi-conductor integrated circuit fabricated using such layout-design, and shall include three sets of a copy of the layout-design or drawings produced with a plotter which describes the layout-design applied for registration.

(7) An application to register the layout-design having been made in another country, which country shall be named, shall state the date of that application and the applicant shall furnish a certificate by the registrar or other registering authority of that country or shall otherwise verify the application made therein to the satisfaction of the Registrar.

48.-(1) Upon receipt, the Registrar shall mark, on each document marking up the application, the actual date of receipt and the application number consisting of the letters ZN, slant, the letter LD, slant, the numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received.

Marking application.

(2) Where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for registration, of the Lay-out design. The application number allocated under sub-regulation (1) of this regulation shall be quoted in all subsequent communications concerning the application.

49.-(1) The Registrar shall examine whether the application fulfils the requirements of Section 42.

According and notifying filing date: Examination: Decision to grant or refuse application.

(2) The invitation to file any correction, under subsection (3) of Section 42, shall be in writing and shall specify the correction or corrections required a request that these be filed within two months from the date of the said invitation, together with the payment of the prescribed fee.

(3) Once the Registrar accords a filing date, it shall examine whether the application for registration of a layout design complies with the requirements set out in Section 42 are not fulfilled, the Registrar shall invite the applicant, in writing, to file the required correction within two months from the date of the invitation, together with the payment of the prescribed fee. If the applicant does not comply with the invitation to correct a deficiency, the application shall be treated as if it had not been filed.

(4) Where despite corrections submitted by the applicant, the Registrar is of the opinion that the said conditions are not fulfilled, the Registrar shall reject the application and notify the applicant, in writing, stating, the reasons.

(5) Refusal of the application shall not affect its filing date which shall remain valid.

(6) The Registrar shall notify the applicant, in writing, of the Registrar's decision to grant or to refuse the application, and, in the case of a decision to

grant the application, the Registrar shall request the applicant to pay the registration and publication fee within two months from the date of the notification.

Registra-
tion,
publica-
tion, and
issuance of
certificate.

50.-(1) Subject to the payment of the registration and publication fee, the Registrar shall register the layout-design in accordance with sub-regulation (1) of regulation 43 and this regulation, publish a reference to the registration and issue a certificate of registration.

(2) Subject to Section 43(2) of the Act, the Registrar shall allot to each layout-design he registers:

- (a) a number in the sequential order of registration;
- (b) the name, address and nationality of the registered owner;
- (c) the name, address and nationality of the agent, if any;
- (d) the name, address and nationality of the creator, except where he has asked not to be named in the registration;
- (e) office of the Registry where the request for registration was filed;
- (f) the date of the first commercial exploitation, anywhere in the world, of the layout-design or an indication that such exploitation has not yet commenced;
- (g) the address of the principal place of business in Zanzibar, if any, of the proprietor of the layout-design or in case of a jointly owned layout-design, of such of the joint proprietors of the layout-design as have a principal place of business in Zanzibar;
- (h) where the proprietor of the layout-design has no place of business in Zanzibar his address for service in Zanzibar as entered in the application for registration together with his address in his home country;
- (i) in case of a jointly owned layout-design, where none of the joint proprietors has a principal place of business in Zanzibar, the address for service in Zanzibar as given in the application

together with the address of each of the joint proprietors in his home country;

(3) The publication of the reference to the registration of a layout-design, under sub-regulation (1) of this regulation, shall contain the particulars specified in sub-regulation (2) of this regulation.

(4) The Certificate of registration of a layout-design shall be issued by the Registrar shall be on Form No.12.

51.-(1) The Registrar shall cause to be entered in the register in respect of every layout-design, in addition to the information indicated in sub-regulation (2) of regulation 50 of these Regulations;

Entries in the register.

- (a) the date on which the layout design registration expired or was surrendered or cancelled;
- (b) any change in name or address, or any change in address for service or ownership in accordance with regulations 90 and 91 of these Regulations; and
- (c) the fact that a license contract has been concluded and recorded pursuant to Section 113 (4).

52. Any irregularity in any procedure before the Registrar may be rectified on such terms as he may direct.

Correction of irregularities.

53. At any stage of any proceedings before the Registrar, he may direct that such documents, information or evidence as he may require be furnished within such period of time as he may fix.

Directions as to furnishing of documents

**PART III
DISTINCTIVE SIGNS**

**CHAPTER I
TRADE MARKS, SERVICE MARKS, COLLECTIVE MARKS,
CERTIFICATION SIGNS AND TRADE NAMES**

Classifica-
tion of
Marks.

54. The Registrar shall apply the International Classification of Goods and Services for the Purposes of the Registration of Marks adopted by the Nice Agreement of 15th June, 1957, as updated subsequently, for all purposes relating to the registration and publication of marks.

Applica-
tion for
registra-
tion of a
Mark.

55.-(1) An application for the registration of a mark shall be made on Form No. 13 upon the payment of the prescribed fee and shall be signed by the applicant.

(2) The application may be made for the registration of a mark in respect of the names of the goods or services for which the registration is sought, grouped according to the classes of the Nice Classification, each group preceded by the number of the class of that Classification to which that group of goods or services belongs and presented in the order of the classes of the said Classification.

Applica-
tion for and
registration
of series of
Marks.

56.-(1) A person may make a single application under Section 47 (1) (a) for the registration of a series of marks in respect of the same goods or services, or of similar goods or services which fall within a single class in accordance with the system of classification referred to in regulation 54.

(2) For the purposes of this regulation, "series of marks" means a number of marks which resemble each other as to their material particulars and which differ only as to matters of a non-distinctive character not substantially affecting the identity of the mark.

(3) If the application meets all the requirements under the Act the Registrar shall register the marks as a series in one registration.

(4) The application for the registration of a series of marks shall be made on Form No. 13. A special reference to the fact that the application

consists of a series of marks shall be mentioned in the field "Additional Information" of Form No. I3. The various marks comprised in the series shall be reproduced in accordance with regulation 58 of these Regulations.

(5) Each additional mark included in one series shall give rise to the payment of an additional fee, in accordance with the first Schedule of these Regulations.

(6) The Rules that apply to the registration of a single trade mark shall apply, mutatis mutandis, to the registration of series of trade marks.

57.-(1) The application shall contain a durable reproduction of the mark in the space provided on Form No. 13.

Reproduction of the Mark

(2)(a) where the applicant has not made a statement that he or she wishes to claim colour as a distinctive feature of the mark, the application shall contain:

- (i) five reproductions of the mark in black and white where the applicant has not made a statement to the effect that he wishes to registered and published the mark in the standard characters used by the Office;
- (ii) one reproduction of the mark in black and white where the application contains a statement to the effect that the applicant wishes the mark to be registered and published in the standard characters used by the Office.

(b) where the applicant has made a statement that he or she wishes to claim colour as a distinctive feature of the mark, the application shall contain five reproductions of the mark in black and white and five reproductions of the mark in colour.

(3) Where the application claims a colour per se, the reproduction of the mark shall consist of sample of the colour that constitutes the colour per se mark accompanied by a designation of the colour, using its common name.

(4) If the Registrar considers any reproduction of a mark unsuitable, the Registrar may, at any time, require a suitable reproduction to be substituted.

(5) Where a drawing or other reproduction cannot be given in the aforesaid manner, a specimen or copy of the mark may be sent either of full size or on a reduced scale and in such a form as the Registrar may consider appropriate.

Transliteration and Translation of the Mark.

58. Where a mark consists of or contains a word or words in characters other than Roman, the application on Form No.13, and the additional reproductions of the mark shall be accompanied, unless the Registrar otherwise directs, by a sufficient transliteration and translation to the satisfaction of the Registrar of each of such words, stating the language to which each word belongs.

Declaration of Priority and translation of earlier application.

59-(1) The declaration referred to in Section 47(2)(a) shall be made at the time of filling the application for the mark and shall indicate :

- (a) the certified copy of the earlier application, the priority of which is claimed;
- (b) the date of the earlier application;
- (c) the number of the earlier application, subject to sub-regulation (2) of this regulation;
- (d) the State in which the earlier application was filed or, where the earlier application is a regional or an international application, the Office with which it was filed and the country or countries for which it was filed. and
- (e) where the earlier application is in a language other than English, the applicant shall, within three months from the date of the request by the Registrar, furnish an English translation of the earlier application.

(2) Where at the time of filing the declaration referred to in sub-regulation (1) of this regulation, the number of any earlier application is not known, that number shall be furnished within ninety days from the date on which the application containing the declaration was filed.

(3) The Registrar may extend the time limit referred to in this paragraph for an additional period of ninety days, if the applicant supplies evidence that,

due to circumstances beyond his control, he was not able to comply with the prescribed time limit.

(4) Where the priorities of two or more earlier applications are claimed, in accordance with sub-regulation (1) of this regulation, the indication relating to those earlier applications may be included in a single declaration.

(5) The applicant may, at any time before the registration of the mark, amend the contents of the declaration referred to in the preceding paragraphs.

60. Subject to Section 47(2) (a), the period for furnishing the certified copy of the earlier application, certified as correct by the authority which received such application, shall be three months from the date of the request by the Registrar.

Copy of
earlier
applica-
tion.

61.-(1) The withdrawal of the application under Section 47(3) shall be made by a written declaration signed by the applicant and submitted to the Registrar.

Withdrawal
of
application.

(2) The application fee shall not be refunded if the application is withdrawn.

(3) For the purposes of Section 47(2)(a) a subsequent application concerning the mark as a previous first application filed in Zanzibar shall be considered as the first application, of which the filing date shall be the starting point of the period of priority, if, at the time of filing the subsequent application, the said previous application has been withdrawn, abandoned, or refused, without having been published and without leaving any rights outstanding, and if it has not yet served as a basis for claiming a right of priority.

62.-(1) Upon receipt, the Registrar shall mark, on each document making up the application, the actual date of receipt and the application number consisting of the letters ZN, slant, the letter T, slant, the last two numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received.

Marking
application
and filing
date.

(2) Where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in the appropriate place of the request for grant of the mark on Form No. 13.

(3) The applications for registration of marks that form a series, under Regulation 57 of these Regulations, will be marked in the same manner, but a two-letter reference will be added to the five-digit number above mentioned as follows: a series of five marks applied for in Zanzibar in 2014 will be numbered as: ZN/T/14/00000aa; ZN/T/14/00000ab; (ZN/T/14/00000ac; ZN/T/14/00000ad; and ZN/T/14/00000ae).

(4) The application number allotted under sub-regulation (1) of this regulation shall be quoted in all subsequent communications concerning the application.

(5) The Registrar shall accord as the filing date of the application the date on which the following elements are received:

- (i) the name of the applicant;
- (ii) an address to which communications can be directed;
- (iii) a reproduction of the trademark;
- (iv) a specification of goods or services;
- (v) the required filing fee for each class of goods or services.

(6) If the application does not, at the time of its receipt by the office, contain the elements referred to in sub-regulation (5) of this regulation, the office shall invite the applicant to comply with such requirements within thirty days from the date of the invitation where the applicant's address is on Zanzibar or sixty days where the applicant's address is outside of Zanzibar. Compliance with the invitation is subject to the payment of a special fee.

(7) If, within the time limit indicated in the invitation, the applicants complies with the invitation referred to in sub-regulation (5) of this regulation and pays any required special fee, the filing date shall be the date on which all the required indications and elements referred to sub-regulation (5) of this regulation have been received by the office and, where applicable, the required fees have been paid to the office. Otherwise, the application shall be treated as if it had not been filed.

63.-(1) If, upon examination in accordance with Section 48(1), the Registrar objects to the application for registration of a mark, the Registrar shall notify the applicant in writing of his objections with all the relevant details and invite the applicant to amend the application, to submit his observations in writing or to apply for a hearing within sixty days from the date of the notification. If the applicant does not comply with the invitation within the set period, the Registrar shall be deemed to have withdrawn his application.

Objection
to or
Conditional
acceptance
of
application;
and
Hearing.

(2) If, upon examination in accordance with Section 48(1), the Registrar decides to accept the application subject to amendments, modifications; conditions, disclaimers or limitations, the Registrar shall communicate the decision to the applicant in writing. If the applicant objects to the amendments, modifications, conditions, disclaimers or limitations, the applicant shall, within sixty days from the date of the communication, apply for a hearing or submit any observations in writing. If the applicant does not object to such amendments, modifications, conditions, disclaimers or limitations, the applicant shall notify the Registrar in writing and amend the application accordingly. If the applicant does not respond in one way or the other within the set period, the applicant shall be deemed to have waived the right of objection.

(3) The request for a hearing, which shall be accompanied by the prescribed fee, shall be made in writing to the Registrar who, upon receiving same, shall give the applicant at least thirty days' notice in writing of the date and time when he may be heard.

(4) For the purposes of the examination, the Registrar shall take into account the knowledge of the mark in the relevant sector of the public, including knowledge in Zanzibar which has been obtained as a result of the promotion of the trademark and notwithstanding the fact that the mark may have not been put to use in the territory of Zanzibar.

(5) Except as provided under Section 48, an application for the registration of a trademark may be amended either before or after the application is advertised.

(6) An application for the registration of a trademark may not be amended where the amendment would change:-

- (a) the identity of the applicant, except after recognition of a transfer by the Registrar;
- (b) the trade-mark, except in respects that do not alter its distinctive character or affect its identity;
- (c) the date of first use or making known in Zanzibar of the trade-mark to an earlier date, except where the evidence proves that the change is justified by the facts
- (d) the statement of goods or services so as to be broader than the statement of goods or services contained in the application at the time the application was filed pursuant to Section 47(1) of the Act.

Refusal of application or conditional acceptance to which the applicant objects.

64.-(1) Where after a hearing or after consideration of the applicant's amendment or observations in writing, the Registrar refuses the application or accepts it subject to any amendments, modifications, conditions, disclaimers or limitations to which the applicant objects, the Registrar shall communicate the decision to the applicant in writing.

(2) The applicant may within thirty days from the date of such receipt of the Registrar's decision, upon payment of the prescribed fee, request the Registrar to state in writing the grounds of the Registrar's decision.

Acceptance of application; and Publication.

65. If the Registrar accepts the application unconditionally or accepts it subject to any conditions or limitations to which the applicant does not object, he shall proceed to publish the application setting out:

- (i) the filing date and, where applicable, the priority date;
- (ii) the representation of the mark;
- (iii) the goods or services in respect of which the registration of the mark is requested with an indication of the corresponding class or classes of the International Classification;
- (iv) the name and address of the applicant; and
- (v) the name and address of the agent, if any.

66.-(1) The notice of opposition under Section 48(2)(b) shall be given within two months from the date of the publication, as provided on Form No. 14 together with payment of the prescribed fee and accompanied by supporting evidence if any in duplicate. The Registrar may extend this period for a further one month period if the Registrar so deems necessary and appropriate taking into account the particular circumstances of each case.

Opposi-
tion.

(2) The counter-statement referred to in section 48(2)(c) shall be subject to payment of the prescribed fee and shall be given within sixty days from the date the notice of opposition is sent to the applicant, in writing, stating the grounds upon which the applicant relies for his application and accompanied by supporting evidence if any.

(3) The Registrar may extend this period for a further one-month period if the Registrar so deems necessary and appropriate, taking into account the particular circumstances of each case.

(4) Within sixty days after a copy of a statement of opposition has been forwarded to an applicant, the applicant shall file a counter statement with the Registrar and serve a copy of the counter statement on the opponent.

(5) An amendment to a statement of opposition or counter statement shall not be allowed except with the leave of the Registrar and on such terms as the Registrar determines to be appropriate.

67.-(1) The applicant or person opposing the registration, within ninety days of filing the opposition process shall file any evidence considered as necessary in support of the grounds of opposition; and where the opposition is based on an earlier trade mark; shall file evidence supporting the statement of use.

Hearing of
opposi-
tion;
Decision
of
Registrar
in
opposition
proceed-
ings.

(2) Where the person opposing the registration with no evidence, unless the registrar otherwise directs, the application shall be deemed to have been withdrawn.

(3) The Registrar shall notify the applicant of any direction.

(4) The applicant may file any evidence he considers as necessary to adduce in support of the application.

- (a) within ninety days of the evidence being filed; or
- (b) within ninety days of the registrar sending him notification that a direction has been given.

(5) Where the applicant files evidence under sub-regulation (4) of this regulation, the person opposing the registration may, within ninety days of such evidence being filed, file any evidence in reply; such evidence shall be confined to matters strictly in reply to the applicant's evidence.

(6) The Registrar may, give leave to either party to file evidence upon such terms as the Registrar thinks fit.

(7) Under this regulation, evidence shall only be considered filed when it has been received by the Registrar and it has been sent to all other parties to the opposition.

(8) Where the periods for filing evidence under sub-regulations (1) and (4) of this regulation and, if relevant, sub-regulation (5) have expired, the Registrar shall request that the parties give written notice of whether they wish to be heard:

- (a) where any party requests to be heard, the Registrar shall send to the parties notice of a date for the hearing,
- (b) the request for hearing shall be in writing on Form No. 23 and shall be subject to the payment of the prescribed fee,
- (c) before hearing, any party that desires to be heard in any proceedings,
- (d) the Registrar may direct that the parties to the proceedings attend a pre-hearing review at which the Registrar may give such directions as to the conduct of the hearing, and
- (e) the registrar shall give the parties at least fourteen day notice of the date of the pre-hearing review.

(9)(a) When the Registrar has made a decision on the acceptability of an application for registration following the procedure under regulation 68 of these Regulations, the Registrar shall send the applicant

and the person opposing the application written notice of it, stating the reasons for the Registrar's decision.

- (b) For the purpose of any appeal against the Registrar's decision, the date of the decision shall be the date when notice of the decision is sent under sub-regulation (1) of this regulation.
- (c) Any party may, within thirty days appeal against the Registrar's decision in Court.

68.-(1) Where the Registrar finds that the conditions referred to in Sections 47 to 48 are fulfilled, and either;

- (i) the registration of the mark has not been opposed within the prescribed time limit; or
- (ii) the registration of the mark has been opposed and the opposition has been decided in the applicant's favour,

Registra-
tion of
Mark.
Publication
of
reference
thereto;
Issuance of
Certificate.

he shall request the applicant to pay the registration and publication fee within ninety days. Upon payment of the registration and publication fee within the prescribed period, the Registrar shall register the mark in accordance with this Regulation, publish a reference to the registration and issue to the applicant a certificate of registration. Otherwise, he shall refuse the application.

(2) The Registrar shall allot to each mark he registers a number in the sequential order of registration.

(3) The registration of a mark shall include:

- (i) a representation of the mark;
- (ii) the number of the mark;
- (iii) the name and address of the applicant, if any;
- (iv) the name and address of the agent, if any;
- (v) the filing date and date of registration;

- (vi) if priority has been claimed and the claim has been accepted, the state or states in which or for which the earlier application was filed; and
- (vii) The list of goods or services in respect of which the registration of the mark had been made with an indication of the corresponding class or classes of the International Classification.

(4) The publication of the reference to the registration of a mark under paragraph (1) shall contain the particulars specified in sub-regulation (3) of this regulation.

(5) Where the applicant for registration of a trade mark or the proprietor by notice in writing sent to the registrar:

- (a) disclaims any right to the exclusive use of any specified element of the trade mark, or
- (b) agrees that the rights conferred by the registration shall be subject to a specified territorial or other limitation, the Registrar shall make the appropriate entry in the register and publish such disclaimer or limitation.

(6) The certificate of registration of a mark shall be issued on Form No. 15.

Renewal of
registra-
tion.

69.-(1) The request for renewal of the registration of a mark under section 49(7)(b) shall be made on Form No.16 and may be presented at least six months before the date on which the renewal is due and up to six months after that date and shall be signed by the registered owner or his agent.

(2) The request for the renewal shall contain the following indications:

- (i) an indication that renewal is sought;
- (ii) the name and address of the holder;
- (iii) the registration number of the registration concerned;

- (iv) where the holder has a representative, the name and address of that representative;
- (v) where the holder has an address for service, such address;
- (vi) if the renewal of a registration is sought for only some of the goods or services which are recorded in the register of marks, the names of the recorded goods and/or services for which the renewal is requested or the names of the recorded goods and/or services for which the renewal is not requested, shall be grouped according to the classes of the Nice Classification, and presented in the order of the classes of the said Classification; and
- (vii) where a request for renewal to be filed by a person other than the holder or its representative and the request is filed by such a person, the name and address of that person.

(3) The renewal shall be subject to payment of the renewal fee which shall be made within the period specified sub-regulation (1) of this regulation or, upon payment of the prescribed surcharge, within the grace period allowed under Section 49(7)(c).

(4) The renewal of the registration of a mark shall be recorded in the register and shall be published in the official gazette or journal.

(5) The Registrar shall issue to the registered owner a certificate of renewal which shall contain:

- (i) the registration number of the mark;
- (ii) the date of renewal and the date of the expiry;
- (iii) the name and address of the registered Owner; and
- (iv) the list of goods or services in respect of which the mark has been registered with an indication of the

corresponding class or classes of the International Classification.

Collective
Marks.

70. Regulations 56 to 70 shall apply, all together to collective marks subject to the following:

- (a) an application for registration of a collective mark shall not be accepted unless, in the application for registration, the mark is designated as a collective mark, and unless the application is accompanied by a copy of the regulations governing the use of the mark, duly certified by the applicant.
- (b)
 - (i) the regulations governing the use of the collective mark shall define the common characteristics or quality of the goods or services which the collective mark shall designate and the conditions under which and the persons by whom it may be used;
 - (ii) they shall provide for the exercise of effective control of the use of the mark in compliance with those regulations, and
 - (iii) shall determine adequate sanctions for any use contrary to the said regulations;
- (c) a copy of the regulations governing the use of the mark shall be appended to the application form.
- (d) publication of a reference to the registration of the collective mark, in accordance with Regulation 65, shall include a summary of the regulations appended to the application form;
- (e) notification of changes effected in the regulations governing the use of the mark shall be in writing;
- (f) all notifications of such changes shall be recorded in the Register. Changes in the regulations shall have no effect until recorded. A summary of the recorded changes shall be published; and

- (g) for the purposes of use of the collective mark in connection with section 51(1), the registered owner of a collective mark may use the mark himself provided it may also be used by other authorized persons in accordance with the regulations governing such use; use by such other persons shall be deemed to be use by the registered owner.

71.-(1) Regulations 56 to 71 shall apply, all together to Certification marks subject to the following: Certification Marks.

- (a) an applicant for registration of a certification mark must file with the registrar regulations governing the use of the mark;
- (b) the regulations must indicate who is authorized to use the mark, the characteristics to be certified by the mark, how the certifying body is to test those characteristics and to supervise the use of the mark, the fees if any to be paid in connection with the operation of the mark and the procedures for resolving disputes; and
- (c) further requirements with which the regulations have to comply may be imposed by rules.

(2) The regulations governing the use of a registered certification mark shall be open to public inspection in the same way as the register.

(3) An amendment of the regulations governing the use of a registered certification mark is not effective unless and until the amended regulations are filed with and accepted by the Registrar.

(4) Before accepting any amended regulations, the Registrar may, in any case where it appears to him expedient to do so, cause them to be published.

72.-(1) Where the Court invalidates the registration of a mark under section 50, the mark shall be taken off the register in respect of any of the goods or services for which it is registered, the Registrar shall, to that extent, remove the mark from the register. Invalidation; and Removal on the Ground of Non-Use.

(2) The request, under section 50(2) for a removal of a mark from the register on the grounds of non-use, shall be made on Form No. 17 together with the payment of the prescribed fee.

(3) The removal of a mark from the register on the grounds of non-use shall be published in the official gazette or journal within sixty days from the date of removal.

Discretionary Powers of the Registrar.

73.-(1) Before exercising any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person, in writing, and where necessary give the person the opportunity to be heard thereon, and indicating a time limit, which shall not be less than thirty days, for filing a request for a hearing.

(2) The request for a hearing shall be in writing and shall be subject to payment of the prescribed fee.

Change of Classification.

74.-(1) The Registrar may amend an entry in the register which relates to the classification of a registered trade mark so that it accords with the current Nice Classification.

(2) In order to reclassify the specification of a registered Mark founded on an amendment of the International Classification of Goods and Services referred to in sub-regulation (1) of this regulation, the Registrar may make such amendments to entries on the register as the Registrar considers necessary for the purposes of reclassifying the specification of the registered Mark.

(3) The Registrar shall give the proprietor of the Mark written notice of the proposals for amendments and shall advise the proprietor that:

- (a) the proprietor may make written objections to the proposals, within ninety days of the date of the notice, stating the grounds of his objections, and
- (b) if no written objections are received within the period specified, the Registrar will publish the proposals and the proprietor will not be entitled to make any objections thereto upon such publication.

(4) If the proprietor makes no written objections within the period specified in paragraph(a) of sub-regulation (3) of this regulation or at any time before the expiration of that period, gives the Registrar written notice of his intention not to make any objections, the Registrar shall as soon as practicable after the expiration of that period or upon receipt of the notice publish the proposals.

(5) Where the proprietor makes written objections within the period specified in paragraph(a) of sub-regulation (3) of this regulation, the Registrar shall, as soon as practicable after the Registrar has considered the objections, publish the proposals or, where the Registrar has amended the proposals, publish the proposals as amended.

CHAPTER II GEOGRAPHICAL INDICATIONS

75. For the purposes of the registration of geographical indications, goods are categorized in the manner prescribed in the Third Schedule. Categori-
zation of
goods.

76.-(1) An application for the registration of geographical indications shall be made under Section 60 and 61 on Form No. 18 subject to the payment of the prescribed fee. Applica-
tion for
registra-
tion of
Geographi-
cal
Indica-
tions.

(2) In case of a foreign geographical indication, the application shall be accompanied by a document evidencing that the geographical indication is protected in the country of origin.

(3) The application shall be signed by the applicant or an agent appointed by the applicant pursuant to Section 60 (2) (a) and (b) of the Act.

77.-(1) Upon receipt, the Registrar shall mark, on each document marking up the application, the actual date of receipt and the application number consisting of the letters ZN, slant, the letter GI, slant, the numbers of the year in which the initial papers were received, slant, and a five-digit number allotted in the sequential order in which applications are received. Marking of
Geographi-
cal Indica-
tions appli-
cation.

(2) Where any corrections or other later filed documents are received on different dates, the Registrar shall also mark their actual date of receipt in

the appropriate place of the request for registration of the geographical indications on Form No. 18.

(3) The application number allocated under sub-regulation (1) shall be quoted in all subsequent communications concerning the application.

Acceptance
of applica-
tion.

78.-(1) Upon the Registrar being satisfied that the application has complied with the requirements of Section 62(1) of the Act, the Registrar shall notify the applicant in writing.

(2) Where the Registrar finds that the conditions set out in Sections 2, 59, 60(2) and 61 of the Act are not fulfilled and that the deficiency may be corrected, the Registrar shall invite the applicant, in writing, to file the required correction within sixty days from the date of the invitation. If the applicant does not comply with the invitation to correct the deficiency, the application shall be treated as if it had not been filed.

(3) Upon the receipt of the fee referred to in sub regulation (1) within the stipulated time, the Registrar shall proceed to publish the application setting out:

- (i) the geographical indication for which registration is sought;
- (ii) the name, address and nationality of the applicant, and the capacity in which the applicant is applying for registration;
- (iii) the name and address of the agent, if any;
- (iv) the address for service, if any agent has not been appointed in accordance with section 114 subject to regulation 93 (7) of these Regulations.
- (v) the demarcation of the geographical area to which the geographical indication applies;
- (vi) the goods for which the geographical indication is used;
- (vii) the quality, reputation or other characteristic of the goods for which the geographical indication is used.

and the date of receipt of the application and number of the application.

79-(1) Subject to Section 62(2) (b) of the Act, any person may within two months from the date of publication file two copies of his notice of opposition with the Registrar, on Form No. 19 accompanied by the prescribed fee of opposition to the registration and the Registrar shall send a copy of the notice of opposition to the applicant.

Notice of
opposition
to
registra-
tion:
Registrar's
decision.

(2) Subject to Section 62 (2)(c), the Registrar shall publish a notice of the opposition and within ninety days of the receipt of a notice of opposition to the registration, the applicant shall send to the Registrar a counter-statement on Form No. 20 setting out the grounds on which he relies as supporting his application and the facts, if any, alleged in the notice of opposition to the registration; and the Registrar shall at the same time send a copy of the counter-statement to the opponent. If the counter-statement is not filed the application shall be deemed abandoned.

(3) Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving that party a hearing, grant to the other party any reasonable extension of time in which to take any subsequent step.

(4) Subject to Section 62(2) (d) of the Act, the Registrar shall consider the evidence and within sixty days shall communicate to the parties in writing of his decision in the matter and the grounds for his decision.

(5) Where the opponent or the applicant does not reside or carry on business in Zanzibar, the Registrar may require him to give security for the costs of the opposition proceedings for such amount as the Registrar thinks fit.

80. Where the Registrar decides to register the geographical indications, as provided in Section 62(3) of the Act, he shall notify the applicant in writing requesting him to pay the registration fee within thirty days from the date of the notification.

Notifica-
tion.

Registra-
tion and
issuance of
certificate.

81.-(1) Upon payment of the registration fee, the Registrar shall register the geographical indication in accordance with Section 62(3) of the Act and these Regulations.

(2) The registration of the geographical indication shall include:

- (i) the geographical indication registered;
- (ii) the demarcation of the geographical area to which the geographical indication applies;
- (iii) the name and address of the applicant in whose name the indication is registered;
- (iv) the name and address of the agent, if any;
- (v) the address for service if an agent has not been appointed in accordance with section 114.
- (vi) the goods for which the geographical indication is used;
- (vii) the quality, reputation or other characteristic of the goods for which the geographical indication is used, and the date of receipt of the application and number of the application.

(3) The certificate of registration of the geographical indication shall be issued on Form No. 21.

Amend-
ment of the
application.

82. A request to amend an application for registration, whether or not the amendment is made to overcome an objection by the Registrar, shall be made on Form No. 22 accompanied by the prescribed fee.

Hearing

Hearing.

83.-(1) Before exercising adversely to any person any discretionary power given to the Registrar by the Act or these Regulations, the Registrar shall notify such person, in writing, of the opportunity to be heard thereon, and indicating a time limit, which shall not be less than thirty days, for filing a request for a hearing.

(2) The request for a hearing shall be in writing and be made on Form No. 23 and shall be subject to payment of the prescribed fee.

(3) Upon receiving such request, the Registrar shall give the person applying, and any other interested persons, at least two weeks' notice, in writing, of the date and time of the hearing.

(4) After hearing the party or parties desiring to be heard the Registrar shall decide the matter and shall notify all parties of his decision and if any party so desires, shall give his reasons for the decision.

84. At any stage of any proceedings before the Registrar, he may direct that such documents, information or evidence as he may require be furnished within such period of time as he may fix.

Directions
as to furni-
shing of
documents.

85. An irregularity in a procedure before the Registrar may be rectified on such terms as he may direct.

Correc-
tions of
irregular-
ity

PART IV GENERAL PROVISIONS

86. Applications shall be in either English or Kiswahili language, and any document forming part of an application or submitted to the Registrar pursuant to the Act or these Regulations and which is in a language other than English or Kiswahili shall be accompanied by certified English translation.

Language
of
Documents
and
Transla-
tions.

87. (1) Names of natural persons shall be indicated by the person's full name; the names of legal entities shall be indicated by their full, official designations.

Indication
of name:
Address:
Nationality
and
Residence

(2) Addresses shall be indicated in such a way as to satisfy the customary requirements for prompt postal delivery at the indicated address and, in any case, shall consist of all the relevant administrative units, including the house number, if any; addresses shall also indicate e-mail and telex addresses and facsimile and telephone numbers.

(3) Nationality shall be indicated by the name of the State of which a person is a national; legal entities shall indicate the name of the State under whose law(s) they are constituted and their Registered Office.

(4) Residence shall be indicated by the name of the State of which a person is a resident.

Address for
service by
applicant.

88.-(1) There shall be furnished to the Registrar:

- (i) by every applicant for the registration, an address for service in Zanzibar for the purpose of the application; and
- (ii) by every person concerned in any proceedings to which any of these Regulations relate, an address for service in Zanzibar, and the address so furnished or, where another address has been furnished in place thereof that address shall be treated for the purposes of that application or those proceedings as appropriate, as the address of that applicant or, as the case may be, of that person.

(2) An address for service filed under sub-regulation (1) of this regulation shall be an address in Zanzibar unless in a particular case the Registrar otherwise directs.

Signatures
by
partner-
ships,
Companies
and
associa-
tions.

89.-(1) A document purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all or by any partner qualified to sign, stating that he signs on behalf of the partnership, or by any other person who satisfies the Registrar that he is authorized to sign the document; or

(2) A document purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Registrar that he is authorized to sign the document and shall bear the seal of the body corporate; and

(3) A document purporting to be signed for or on behalf of an association of persons may be signed by any person who satisfies the Registrar that he is duly authorized.

(4) The Registrar may, whenever he deems it necessary, request evidence of authorization to sign.

90.-(1) A request by the owner of or applicant for a patent, utility models certificate, industrial design, layout-design, mark and geographical indication for the alteration of a name, nationality, address or address for service on record in respect of the patent, utility models certificate, industrial design, layout-design, mark and geographical indication or application shall be made in writing and shall be accompanied by the prescribed fee.

Change of name; address or address for Service

(2) Before acting on a request to alter a name or nationality, the Registrar may require such proof of the alteration as the Registrar thinks fit.

(3) If the Registrar is satisfied that the request should be allowed, the Registrar shall cause the mark or application, where the name, nationality or address has been recorded in the register, the register to be altered accordingly.

91.-(1) The request, under Section 113(1) to (3) for the recording of a change of ownership of a title granted under the Act or of an application therefor, shall be made to the Registrar on Form No. 24 and subject to the payment of the prescribed fee.

Changes in ownership.

(2) The publication of the change of ownership shall specify:

- (i) the mark or title of protection concerned;
- (ii) the filing date, the priority date, if any, and the date of registration or grant;
- (iii) the owner and the new owner; and
- (iv) the nature of the change of ownership.

(3) Unless the Registrar otherwise directs, an application under sub-regulation (1) above shall be accompanied by:

- (a) a certified copy of any document which establishes the transaction, instrument or event; or
- (b) a certified copy of such extracts from such a document as sufficed to establish the transaction, instrument or event.

92.-(1) A license contract submitted for recording under Section 113(4), shall be accompanied by the prescribed fee.

License contracts.

(2) Regulation 86 shall be construed as not permitting the license or assignment of individual marks that are part of a registered series of marks. Only the series in its integrity can be licensed or assigned.

(3) The Registrar has the authority to request the licensor to submit evidence that he will adopt measures to ensure that the licensee will maintain or enhance the quality of goods or services designated by the mark in question.

(4) The Registrar has the authority to request the parties to strike out from the contract any terms or conditions that may in particular cases constitute an abuse of intellectual property rights, having an adverse effect on competitions in the relevant market, including, but not limited to, undue restrictions to use of licensee's own marks and coercive package licensing.

Registra-
tion,
Appoint-
ment,
Representa-
tion and
Address of
Agent;
Register of
Agents,
Annual
fee

93.-(1) Subject to Section 114 of the Act, the Registrar shall, on application in the prescribed manner as determined by the Registrar and upon the payment of the fee set out in the first schedule, register a person as an Agent who wishes to represent the applicant before the Registrar.

(2) The Registrar shall for the purpose of Section 114 of the Act keep a book called the "Register of Agents" wherein shall be entered all registered agents with their full names and addresses.

(3) The Registrar may, at the request of an Agent, remove from the Register of agents the name of the registered Agent.

(4) The appointment of an agent shall be by a power of attorney which shall be signed by the applicant or, if there are more than one, by each applicant. The power of attorney shall be made on Form No. 25

(5) The power of attorney appointing an agent may be filed together with the application or within one month from its filing date; if the appointment is not thus made and is not in accordance with Section 114 any procedural steps taken by the agent, other than the filing of the application, shall be deemed not to have been taken.

(6) Where a party to proceedings before the Registrar appoints an agent for the first time or appoints one agent in substitution for another, the agent appointed shall file Form No. 26 with the Registrar on or before the first occasion on which he acts as an agent for that party in the proceedings.

(7) A person shall not appoint more than one agent to act for him concurrently in respect of the same patent, or utility model, or industrial design, or layout-design, or marks, or geographical indication, whether in respect of the same or different transactions; and where more than one agent is on record, the Registrar shall recognize only the latest agent duly appointed.

(8) The address of the agent shall, for all purposes connected with the Act and these Regulations, be treated as the address to which communications to the person or persons who appointed the agent shall be transmitted.

94. When the last day for doing any act or taking any proceeding falls on a day when the Industrial Property Office is not open to the public for business, it shall be lawful to do the act or to take the proceeding on the day when the Office is next open for business.

Excluded days

95.-(1) Consultation or requests for certified copies of extracts from a Registers or for copies of documents shall be made to the Registrar in writing.

Consultation of registers; Request for extracts; Search reports and for copies of documents.

(2) Any service provided by the Registrar under sub-regulation (1) of this regulation shall be subject to the payment of the prescribed fee.

96.-(1) Corrections of errors in the register, in accordance with Section 117 of the Act, shall be made by the Registrar upon receipt of a request in writing, by an interested person and subject to the payment of the fee set out in the First Schedule.

Corrections of errors and extension of time.

(2) Where in opposition proceedings any extension of time is granted to any party, the Registrar may thereafter, if he thinks fit, without giving that party a hearing, grant to the other party, on payment by him of the prescribed fee on Form No. 27, any reasonable extension of time in which to take any subsequent step.

97. The Registrar shall cause to be entered in the register in respect of every patent, utility model, industrial design, layout-design, mark, collective mark, certification sign, or geographical indication in addition to the information indicated in their respective registration, any changes with respect to

Entries of changes in the register.

such information, relating to the name or address, or address for service indicated therein in Form No. 28 with prescribed fees.

Correspondence and service by Mail.

98.-(1) A correspondence intended for the Registrar shall be in writing and addressed to the Registrar.

(2) Correspondence addressed to the Registrar shall be considered to be received by the Registrar on the day that the correspondence is delivered to the Registry, where the delivery is made during the ordinary business hours of the office.

(3) Correspondence addressed to the Registrar, other than an application for the registration under the Act, may be transmitted to the Registrar by facsimile in which case the facsimile shall be considered to be received by the Registrar on the day it is transmitted.

(4) A notice, application or other document sent to the Registrar by mail shall be deemed to have been given, made or filed at the time when it would be delivered in the ordinary course of the mail.

Provided that, in proving such service, it shall be sufficient to prove that the letter containing such notice, application or other document was properly addressed and sent by registered mail.

(5) An address required to be furnished pursuant to the Act or these Regulations shall be a complete mailing address and shall include the street name and number, where one exists, and the postal code.

(6)(a) Communication addressed to the Registrar shall deal with only one application for the registration of a mark or one registered mark in one class.

(b) Paragraph (a) does not apply in respect of:

- (i) a change in name or address of an applicant for the registration of more than one mark;
- (ii) a change in the name or address of a registered owner of more than one registered mark;
- (iii) an application to cancel a registration;

- (iv) a transfer or other document affecting the rights to an application for the registration of a mark or the rights to a registered mark; and
- (v) an appointment of a representative for service or a change in the name and address of a representative for service.

99.-(1) Where evidence is filed under these , it shall be by statutory Evidence. declaration or affidavit.

(2) The Registrar may, if he or she thinks fit, in any particular case, take oral evidence in lieu of or in addition to such evidence and shall allow any witness to be cross-examined on his affidavit or declaration.

100. The Registrar's Office shall be open to the public from Monday to Friday inclusive, each week, between the hours of 07.30 and 15.30, East Hours of Business. African time.

101. The registrar will record and publish in the official gazette a final Recording and publication of the decision of the court. decision of the court pertaining to invalidation or rectification, as provided for by Sections 16, 26, 35, 44, 50 and 64 of the Act, where that final decision becomes known to the registrar.

102.-(1) A statutory declaration or affidavit filed under the Act or these Statutory declarations and affidavits. Regulations shall be made before any officer authorized by law in any part of Zanzibar to administer an oath for the purpose of any legal proceedings.

(2) Statutory declarations or affidavits made outside Zanzibar shall be made before a Commissioner for Oath or Notary Public.

103. Particulars of patents, utility models, designs, marks, geographic Publication; official gazette or Journal. indications and all decisions, proceedings and acts to which the Act and these Regulations refer as well as any other information required to be published under the Act or these Regulations shall be published, in accordance with the directions of the Registrar, in the Official gazette or Journal, within sixty days from the date the decision or the act in question was made final.

Dispensa-
tion by the
Registrar.

104. Where, under these Regulations, any person is to do any act or thing, or any document or evidence is required to be produced or filed, and it is shown to the satisfaction of the Registrar that from any reasonable cause that person is unable to do that act or thing, or that the document or evidence cannot be produced or filed, the Registrar may, upon the production of such evidence and subject to such terms as he thinks fit, dispense with the doing of any such act or thing, or the production or filing of such document or evidence.

FIRST SCHEDULE - FEES

[Under Regulation 3]

The following fees shall be paid in connection with application, registration and other matters under the Act. Such fees must be paid before or at the time of the doing the matter in respect of which they are to be paid and shall be paid in cash, or by money order or bank draft.

S/No.	Matter of Proceedings	Amount of Fees in Tsh.
Patent and Utility Model Certificates		
1.	Application fee for a Patent	50,000/=
2.	Publication fee for a Patent	20,000/=
3.	Each divisional application for a Patent	35,000/=
4.	Application for a Utility Model Certificate	35,000/=
5.	Each divisional application for a Utility Model Certificate	30,000/=
6.	Amendment for application to submit any observation	20,000/=
7.	On grant and publication fee	70,000/=
8.	Annual fees for patents:	
	1st Anniversary of filing	30,000/=
	2nd Anniversary of filing	40,000/=
	3rd Anniversary of filing	50,000//=
	4th Anniversary of filing	60,000/=
	5th Anniversary of filing	70,000/=
	6th Anniversary of filing	80,000/=
	7th Anniversary of filing	90,000/=
	8th Anniversary of filing	100,000/=
	9th Anniversary of filing	110,000/=
	10th Anniversary of filing	120,000/=
	11th Anniversary of filing	130,000/=
	12th Anniversary of filing	140,000/=

S/No.	Matter of Proceedings	Amount of Fees in Tsh.
	13th Anniversary of filing	150,000/=
	14th Anniversary of filing	160,000/=
	15th Anniversary of filing	170,000/=
	16th Anniversary of filing	180,000/=
	17th Anniversary of filing	190,000/=
	18th Anniversary of filing	200,000/=
	19th Anniversary of filing	210,000/=
	20th Anniversary of filing	220,000/=
9.	Annual fees for utility model certificates:	
	1st Anniversary of filing	20,000/=
	2nd Anniversary of filing	25,000/=
	3rd Anniversary of filing	30,000/=
	4th Anniversary of filing	35,000/=
	5th Anniversary of filing	40,000/=
	6th Anniversary of filing	45,000/=
	7th Anniversary of filing	50,000/=
	8th Anniversary of filing	55,000/=
	9th anniversary of filing	60,000/=
	10th anniversary of filing	65,000/=
10.	Surcharge for late payment of annual fee	20,000/=
11.	Request for extension of duration of a patent	20,000/=
12.	Invitation to file correction	20,000/=
13.	Request for grant of a compulsory license	30,000/=
14.	Request for conversion of a patent application into an application for a utility model certificate and vice versa	20,000/=
15.	On request for hearing	40,000/=
	Industrial Designs	
16.	Application fee	
	(a) For registration of one design in one application	50,000/=
	(b) For registration of each additional design	

	in one application	35,000/=
17.	Amendment of application on request of Applicant	20,000/=
18.	Registration fee	50,000/=
	Publication fee	20,000/=
19.	Renewal fee:	
	(a) First renewal	50,000/=
	(b) Second renewal	80,000/=
20.	Surcharge for late payment of renewal Fee.	20,000/=
21.	Fee for hearing in opposition proceedings (to be paid by applicant and by opponent)	40,000/=
	Marks	
22.	Application fee:	
	(a) For registration of a black and white mark in one class	75,000/=
	(b) For registration of a colored mark in one class	75,000/=
	(c) For registration of additional series of mark in each class	50,000/=
23.	Publication fee	20,000/=
24.	Request for statement of grounds for decision of Registrar	20,000/=
25.	For filing notice of opposition	20,000/=
26.	For filing counter statement	20,000/=
27.	Fee for hearing in opposition proceedings	40,000/=
28.	Registration fee:	
	(a) Registration of a Mark included in one Class	
	(b) For registration of a series of marks included in one Class:	75,000/=
	-For the first mark	50,000/=
	- And for every other mark of the series	50,000/=
29.	Renewal fee:	
	(a) For renewal of registration of a mark included in one class at expiration of last registration	60,000/=

	(b) For renewal of registration of series of marks at the expiration of last registration:	
	- For the first mark of the series	60,000/=
	- And for every other mark of the series	45,000/=
30.	On surcharge for late payment or renewal fee	20,000/=
31.	On amendment of application on request of Applicant	20,000/=
32.	On invitation to file correction	20,000/=
33.	For filing request for removal of mark from Register on grounds of non-use	20,000/=
34.	On operation of the Mark	20,000/=
	Layout design	
35.	On application for a Layout design of Integrated circuits	50,000/=
36.	On amendment of application on request of Applicant	20,000/=
37.	On registration fee	50,000/=
	On publication fee	20,000/=
	Geographical Indication	
38.	On application fee	300,000/=
39.	On publication fee	20,000/=
40.	For filing fee for notice of opposition	20,000/=
41.	For filing fee for counter-statement	20,000/=
42.	On registration fee	300,000/=
43.	On amendment of application on request of Applicant	20,000/=
	General	
44.	For filing request for recording of change in ownership (assignment)	100,000/=
45.	On submission for recording of license contract	100,000/=
	Application fee to cancel the license contract.	70,000/=
	For copies of entry in the Register (per page)	2000/=
46.	For certifying copies of documents (per page)	5000/=
47.	On Entries of changes in the register	20,000/=
48.	For changing of address of proprietor/address for service	30,000/=

49.	Fee for hearing in opposition proceedings (to be paid by applicant and by opponent)	40,000/=
50.	On Sale of Publication (Journal)	20,000/=
	For making a search upon the Register	10,000/=
51.	On correction of errors	20,000/=
52.	On registration of agent	30,000/=
53.	For filing request for extension of time	30,000/=
54.	On application to change the name of a proprietor	20,000/=
55.	For cancelling the entry or part of the entry upon the Register on the Application of the owner	20,000/=

SECOND SCHEDULE**FORMS****[Under Regulation 4]**

FORM No.	APPLICATION
1.	Application for Patent or Utility Model Certificate
2.	Notification of non-compliance with substantive requirements and invitation to submit observations and /or amended application for grant of Patent
3.	Patent Publication
4.	Grant of Patent
5.	Certificate of grant of Patent/Utility model certificate
6.	Request for compulsory license
7.	Grant of utility model certificate
8.	Application for registration of Industrial design
9.	Certificate of registration of Industrial design
10.	Renewal of registration of an Industrial design
11.	Application for registration of Layout design of integrated circuits
12.	Certificate of registration of Layout design
13.	Application for registration of a mark
14.	Notice of opposition for the registration of a mark
15.	Certificate of registration of a mark
16.	Request for renewal of the registration of a mark
17.	Application to remove a mark on grounds of non-use
18.	Application for registration of geographical indication
19.	Notice of opposition to registration of geographical indication
20.	Counter statement
21.	Certificate of registration of Geographical indication
22.	Amendment or request for correction of error in application
23.	Request for hearing by the Registrar
24.	Request for recording of change in ownership
25.	Appointment of Agent
26.	Form of authorization and request to enter, alter or substitute an address for service
27.	Request for extension of time
28.	Entry of changes to the Register.

Nationality:
Country of residence or principal place of business:
Tel. No.:Telegraphic Address: Telex No.: Fax No.:

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney:-

accompanying this Form to be filed within one month from the filing of this form

Full Name:
Address:
.....
Tel. No.: Telegraphic Address:
Telex No.: Fax No.:

IV. INVENTOR

The inventor is the applicant Additional information is contained in the supplementary box

If inventor is not the applicant:

Full name:
Address:
.....

The statement justifying the applicant's right accompanies this Form

V. DIVISIONAL APPLICATION

The application is a divisional application The benefit of the filing date priority date of the initial application is claimed in as much as the subject matter of the present application is contained in the initial application identified below:

Initial Application No.:

Date of filing of initial application:

**VI. DISCLOSURES TO BE DISREGARDED
FOR PRIOR ART PURPOSES**

Disclosure occurred not more than six months before the filing date or priority date of the present application.

by reason or in consequence of acts of the applicant or his predecessor in title.

of an abuse committed by a third party with regard to the rights of the applicant or his predecessor in title.

additional information is contained in a statement accompanying this Form.

VII. PRIORITY DECLARATION (if any)

The priority of (an) earlier application(s) is claimed as follows:

The priority of more than one earlier application is claimed; the data are indicated in the supplementary box

Country (if the earlier application is a regional or international application, indicate the office with which and the countries for which it was filed):

Filing Date:

Application No.:

Symbol of the International Patent Classification:

Not yet allocated

The certified copy of the earlier application accompanies this Form will be furnished upon request by Registrar, as prescribed by Regulation 17 (5).

The English translation of the earlier application accompanies this Form will be furnished upon request, as prescribed by Regulation 17(6).

VIII. SUPPLEMENTARY BOX*

*Use this box if any of the boxes is not large enough to contain information to be furnished.

Indicate the boxes continued in this box by their roman numerals and title (e.g., "II, APPLICANT(s) (continued)")

IX. CHECKLIST (TO BE FILLED IN BY THE APPLICANT(S))	
<p>A. This application contains the following:</p> <p>1. requestsheet(s)</p> <p>2. description.....sheet(s)</p> <p>3. claim (s).....sheet(s)</p> <p>4. abstractsheet(s)</p> <p>5. drawing (s)sheet(s)</p> <p>Total <input type="checkbox"/> sheet(s)</p> <p>B. Figure number of the drawings (if any) is suggested to accompany the abstract for publication.</p>	<p>C. This Form, as filed, is accom- panied by the items ticked below:</p> <p><input type="checkbox"/> Separate signed power of attorney.</p> <p><input type="checkbox"/> Statement justifying the applicant's right.</p> <p><input type="checkbox"/> Statement that certain disclosu- res be disregarded.</p> <p><input type="checkbox"/> Priority documents(s) (certified copy of earlier application(s)).</p> <p><input type="checkbox"/> English translation of earlier application(s) on which priority declaration is based.</p> <p><input type="checkbox"/> Application fee.</p> <p><input type="checkbox"/> other document(s) (specify)</p>
<p>X. SIGNATURE(S)*</p> <p>.....Applicant(s)/Agent) (Date)</p> <p>.....Applicant(s)/Agent) (Date)</p>	
<p>TO BE FILLED IN BY THE REGISTRAR</p> <p>1. Date of receipt of corrections or later filed documents completing the application:</p> <p>2. Date fees received:</p>	

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**NOTIFICATION OF NON-COMPLIANCE WITH SUBSTANTIVE
REQUIREMENTS AND INVITATION TO SUBMIT OBSERVATIONS AND
/OR AMENDED APPLICATION FOR GRANT OF PATENT
[Under Regulation 24(2) (a)]**

To: The Registrar [Address]	Official Use
	Fee received on:
	Applicant's or Representative's File Reference:
<p>In the matter of Patent Application No.:..... the Registrar hereby notifies the applicant (s) that the following substantive requirements have not been fulfilled with respect to the above-identified application for the following reasons:*</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>The applicant (s) is/are hereby invited to submit, within..... (specified period**) his/their observations and, where applicable, an amended application. The amendment shall be made to the Registrar, together with the prescribed fee.</p>	
SIGNATURE:	
Registrar	Date

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

PATENT PUBLICATION

[Under Regulation 26(1)]

(11) Publications Number:	
(45) Publication Date:	
(51) IPC:*	
(12)** PATENT/UTILITY MODEL ****	
(21) Application Number:	(73) Owner (s) Name:.....
(22) Filing Date:	Address:
(31) Priority Number:	(72) Inventor(s) Name:
(32) Priority Date:	Address:
(33) Priority Country:	(74) Agent: Name:.....
Address:	
(54) Title:	
(57) Abstract: (with the most illustrative of the drawings, if there are any):	

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

GRANT OF PATENT

[Under Regulation 26 (2) (b)]

(11) Publications Number:	
(45) Publication Date:	
(51) IPC:*	
(12)** PATENT/UTILITY MODEL****	
(21) Application Number:	(73) Owner (s) Name: Address:
(22) Filing Date:	(72) Inventor(s) Name: Address:
(31) Priority Number:	(74) Agent Name: Address:
(32) Priority Date:	
(33) Priority Country:	
(54) Title:	
(57) Abstract: (with the most illustrative of the drawings, if there are any):	
(57) Claims:	

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**CERTIFICATE OF GRANT OF PATENT/UTILITY
MODEL CERTIFICATE***

[Under Regulation 26(4)]

In accordance with section 11(2) (ii) of the Zanzibar Industrial Property Act, No. 4 of 2008, it is

hereby certified that a patent/utility model certificate* having the number has been granted to:

Full name:

Address:

on.....(date), in respect of an invention disclosed in an application for that patent/utility model certificate* having the following:

Filing date:

Priority date:

Being an invention for:
(title)

Dated this, day of, 20

.....
Registrar

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

APPLICATION FOR COMPULSORY LICENSE

[Under Regulation 28(1)]

To: The Registrar (Address)	For Official Use Received on: Applicant's Representative's File Reference:
I. IN THE MATTER OF: Patent Application No.: Filing Date:	
Application for Utility Model Certificate No.: Filing Date:	
Patent No.: Filing Date:	
Utility Model Certificate No.: Filing Date:	
II. APPLICANTS (s)/OWNERS(s)* Name: Address:	
III. REQUEST The Registrar is hereby requested to grant the compulsory license for the above identified..... * The applicant(s)/owner(s) * is/are identified above. The licensor is/are identified below.	

IV. LICENSOR(S)

Full name:
Address:
Nationality:
Country of residence or Principal place of business:
Tel. No.:Telegraphic address:Telex No.:Fax No:.....

V. ADDITIONAL INFORMATION

The following items accompany this form:

- Scope and function of the license
- Documents evidencing time limit for the exploitation of the patent
- Documents evidencing the conditions and amount of remuneration to be paid to the patentee.
- Documents evidencing refusal to issue a license by the patent owner

VI. SIGNATURES**

.....(Licensor) (Date).....
.....(Licensor) (Date).....
.....(Licensor) (Date).....

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

GRANT OF UTILITY MODEL CERTIFICATE

[Under Regulation 31(2)]

" Logo" (11) Publications Number:.....	
(45) Publication Date:	
(12)* UTILITY MODEL CERTIFICATE	
(21) Application Number:	(73) Owner(s):
(22) Filing Date:	(72) Inventor(s):
(31) Priority Number:	(74) Agent:
(32) Priority Date:	
(33) Priority Country:	
(54) Title	
(57) Abstract:	

*The numbers in parentheses before the bibliographic data are the internationally agreed Numbers for the Identification of Data (INID codes), as defined in WIPO Standard ST.9, whereby the various bibliographic data appearing on the first page of a patent document can be identified without knowledge of the language used and the industrial property laws applied.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

APPLICATION FOR REGISTRATION OF INDUSTRIAL DESIGN

[Under Regulation 33(1)]

To: The Registrar [Address]	For Official Use Date of Receipt by Registrar's Office: Application No.:
	(Office's Stamp) Filing Date:
Applicant's or Representative's File Reference:	
THE APPLICANT(S) REQUEST(S) THAT THE ACCOMPANYING INDUSTRIAL DESIGN BE REGISTERED IN RESPECT OF THE FOLLOWING PARTICULARS:	
<p>I. APPLICANT(s)*</p> <p>Additional information is contained in supplementary box</p> <p>Full name:</p> <p>Address:</p> <p>Nationality:</p> <p>Country of residence or principal place of business:</p> <p>Tel. No.: Telegraphic address: Telex No.: Fax No.:</p>	

II. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

accompanying this Form to be filed within one month from the filing of this Form

Full name:

Address:

Tel. No.: Telegraphic Address: Telex No.: Fax No.:

III. PRESENTATIONS OF THE INDUSTRIAL DESIGN; SPECIMEN

This Form is accompanied by:

four graphic representations

four drawings or tracings

a specimen of the industrial design

IV. CREATOR

The creator is the applicant Additional information is contained in supplementary box

If creator is not the applicant:

Full name:

Address:

Tel. No.: Telegraphic Address: Telex No.: ... Fax No.:

The statement justifying the applicant's right accompanies this form

<p>V. PRODUCTS</p> <p>The kind of products for which the industrial design is to be used is (are) the following:</p> <p>.....</p> <p>.....</p>
<p>VI. PRIORITY CLAIM (if any)</p> <p>The priority of an earlier application is claimed as follows:</p> <p>Country:</p> <p style="text-align: right;">Filing Date:.....</p> <p style="text-align: right;">Application No.:.....</p> <p>The priority of more than one earlier application is claimed; the data are indicated in the supplementary box</p> <p>The certified copy of the earlier application</p> <p><input type="checkbox"/> accompanies this Form</p> <p><input type="checkbox"/> will be furnished within three months of the filing of this Form.</p>
<p>VII. FEES accompany this Form <input type="checkbox"/></p>
<p>VIII. SUPPLEMENTARY BOX*</p>

*Use this box if any of the boxes is not large enough to contain information to be furnished.

Indicate the boxes continued in this box by their Roman numerals and title (e.g, "II. APPLICANT(s) (continued)")

SUPPLEMENTARY BOX (cont'd)

IX. SIGNATURE(s)

..... (Applicant(s)/ agent*)
(Date)

..... (Applicant(s)/ Agent*)
(Date)

TO BE FILLED IN BY THE REGISTRAR

1. Date of application received:

2. Date of receipt of corrections, later filed papers completing the application:

3. Date of fees received:

*Type name(s) under signature and delete whichever does not apply.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

CERTIFICATE OF REGISTRATION OF INDUSTRIAL DESIGN

[Under Regulation 39(5)]

In accordance with section 33 (4) (a) of the Zanzibar Industrial Property Act, No. 4, 2008, it is hereby certified that an industrial design having registration Number.....has been registered for:

Full name:

Address:

On.....(date), in respect of an industrial design disclosed in an application for registration of that industrial design, having the following:

Filing date:

Priority date:

Being an industrial design for:

(Products)

Created by:

Full name:

Address:

Tel. No.: Telegraphic Address: Telex No.: Fax No.:

A copy of the reproduction of the industrial design accompanies this Certificate.

Dated this.....day of20.....

.....

Registrar

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

RENEWAL OF REGISTRATION OF AN INDUSTRIAL DESIGN

[Under Regulation 40 (1)]

1. Applicant reference:
2. Design number:
3. Full name of the registered proprietor:
4. Renewal date:
5. Amount of renewal fee:
6. Amount of late renewal fee*
7. Total fees:
8. If you would like confirmation of renewal sent to an address that is not the address of the registered proprietor, please give details here. Designs Application Number:
9. Signature:
10. Full name:
11. Date:
12. Name and phone number of the person we should contact in case of query. You may also provide your e-mail address:

*You must pay this if you are renewing up to six months after the renewal date.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

APPLICATION FOR REGISTRATION OF LAYOUT DESIGNS OF INTEGRATED CIRCUITS

[Under Regulation 47 (1)]

To: The Registrar [Address]	For Official Use
	Date of Receipt by Registrar's Office: Application No.: (Office's Stamp) Filing Date:
Applicant's or Representative's File Reference:	
THE APPLICANT(S) REQUEST(S) THAT ACCOMPANYING LAYOUT DESIGN BE REGISTERED IN RESPECT OF THE FOLLOWING PARTICULARS:	
I: APPLICANTS (s)* Additional information is contained in supplementary box <input type="checkbox"/> Full name: Address: Nationality: Country of residence or principal place of business: Tel. No.: Telegraphic Address: Telex No.: Fax No.:	

*Data concerning each applicant must appear in this box or, if the space is insufficient, in the supplementary box.

II. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

Accompanying this Form to be filed within one month from the filing of this Form

Full name:

Address:

Tel. No.: Telegraphic Address:

Telex No.: Fax No.:

III. REPRESENTATIONS OF THE LAYOUT DESIGN; SPECIMEN

This Form is accompanied by:

- four graphic representations
- four drawings or tracings
- a specimen of the layout design

IV. CREATOR

The creator is the applicant. Additional information is contained in supplementary box

If creator is not the applicant:

Full name:

Address:

Tel. No.: Telegraphic Address:

Telex No.: Fax No.:

The statement justifying the applicant's right accompanies this form

V. PRODUCTS

The kind of products for which the layout design is to be used is (are) the following:

.....
.....

VI. EXPLOITATION

Date of first exploitation:

Country of first exploitation:

V. PRIORITY CLAIM (if any)

The priority of an earlier application is claimed as follows:

Country: Filing Date:

Application No.:

The priority of more than one earlier application is claimed; the data are indicated in the supplementary box

The certified copy of the earlier application.

accompanies this Form

will be furnished within three months of the filing of this Form

VII. FEES

accompany this Form

VII. SUPPLEMENTARY BOX*	
VIII. SIGNATURE (s)**	
..... (Applicant (s)/Agent**) (Date)
..... (Applicant (s)/Agent**) (Date)
TO BE FILLED IN BY THE REGISTRAR	
1. Date application received:	
2. Date of receipt of corrections, later filed papers completing the application:	
3. Date fees received:	

* Use this box if any of the boxes is not large enough to contain information to be furnished.

Indicate the boxes continued in this box by their Roman numerals and title (e.g., "II, APPLICANT(s) (continued)")

**Type name(s) under signature and delete whichever does not apply.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

CERTIFICATE OF REGISTRATION OF A LAYOUT DESIGN

[Under Regulation 50 (4)]

In accordance with section 43(1) of the Zanzibar Industrial Property Act, No. 4 of 2008, it is hereby certified that the layout design having the registration No.:
..... has been registered for:

Full name:

Address:

on.....(date)

in respect of the layout design disclosed in an application for registration of that the layout design, having the following:

Filing date:

Priority date:

being the layout design for:
(products)

created by:

Full name:

Address:

A copy the reproduction of the layout design accompanies this Certificate.

Dated this, day of 20

.....
Registrar

FORM No. 13**THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE****APPLICATION FOR REGISTRATION OF A MARK****[Under Regulation 55]**

To: The Registrar [Address]	For Official Use Date of Receipt by Registrar's Office: Application No.: (Office's Stamp) Filing Date: Applicant's or Representative's File Reference:.....
<p>I. THE APPLICANT(S) REQUEST(S) THE REGISTRATION OF A MARK IN RESPECT OF THE FOLLOWING PARTICULARS:</p> <p>Full name:</p> <p>Address:</p> <p>Nationality:</p> <p>Country of residence or principal place of business:</p> <p>Tel. No.: Telegraphic Address:</p> <p>Telex No.: Fax No.:</p>	
<p>II. AGENT</p> <p>The following agent has been appointed by the applicant(s) in the power of attorney accompanying this Form to be filed within one month from the filing of this Form</p> <p>Full name:.....</p> <p>Address:</p> <p>Tel. No.: Telegraphic Address:.....</p> <p>Telex No.: Fax No.:</p>	

III. COLLECTIVE MARK

This application for registration concerns a collective mark

The regulations governing the use of the collective mark are attached

IV. REPRODUCTION OF MARK

Three additional reproductions on separate sheet are affixed

Transliteration accompanies application

Translation accompanies application

Fees accompany application

V. CLASSES

Registration is requested in respect of the following goods and/or services, listed under the applicable classes of the International Classification:*

.....
.....
.....

VI. ADDITIONAL INFORMATION accompanies this Form (specify)

VII. SIGNATURES (s)

..... (Applicant(s)/Agent)**
(Date)

..... (Applicant(s)/Agent)**
(Date)

*Continue on a separate sheet, if the space provided is insufficient.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

NOTICE OF OPPOSITION FOR THE REGISTRATION OF A MARK

[Under Regulation 66 (1)]

<p>To: The Registrar (Address)</p>	<p align="center">For official Use</p> <p>Notice received on:.....</p> <p>No. of opposition:</p> <p>Opponent's or Representative's File Reference:</p>
<p>In the matter of Application No. : for registration of a mark.</p> <p>I/We*ofgive notice of our opposition to the registration of the above identified mark published for Class (es)</p> <p>.....in the Official Journal of theday of20.....</p> <p>No. :, page.....</p> <p>The grounds for this <input type="checkbox"/> opposition are as follows:** <input type="checkbox"/>.....</p>	

Full name of the Agent (If any).....

Address of Agent.....

Supporting evidence accompanies this Form

Power of Attorney accompanies this Form

Fees accompanies this Form

Signature:.....(Opponent(s)/Agent)*
(Date)

Signature:(Opponent(s)/Agent)*
(Date)

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

CERTIFICATE OF REGISTRATION OF A MARK

[Under Regulation 68(6)]

In accordance with section 48 (3) (ii) of the Zanzibar Industrial Property Act, No. 4 of 2008, it is hereby certified that the mark (being a collective mark)* shown below:

**

has been registered under No.as

of the in Class(es).....in
(Date)

respect of the following goods or services:***

.....
.....

in the name of:

address

.....

Dated this.....day of20

.....

Registrar

Registration is for ten years from the date first above-mentioned and may then be renewed for consecutive periods of seven years. This certificate is not for use in legal proceedings or for obtaining registration abroad.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

REQUEST FOR RENEWAL OF THE REGISTRATION OF A MARK

[Under Regulation 69(1)]

<p>To: The Registrar (Address)</p>	<p align="center">For Official Use</p> <p>Date of Receipt by Registrar's Office:</p> <p>Application No.: (Office's Stamp)</p> <p>Filing Date:</p> <p>Applicant's Representative's File Reference:</p>
<p>I. THE APPLICANT(S) REQUEST(S) THE RENEWAL OF THE REGISTRATION OF A MARK IN RESPECT OF THE FOLLOWING PARTICULARS:</p> <p>Full name:</p> <p>Address:</p> <p>Nationality:.....</p> <p>Country of residence or principal place of business:</p> <p>Tel. No.: Telegraphic Address: Telex No.: Fax No.:</p>	

II. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney accompanying this Form to be filed within one month from the filing of this Form

Name:

Address:

Tel. No.: Telegraphic Address:

Telex No.: Fax No.:

III. COLLECTIVE MARK

This application for registration concerns a collective mark

The regulations governing the use of the collective marks are attached

IV. REPRODUCTION OF MARK

Three additional reproductions on separate sheet are affixed

Transliteration accompanies application

Translation accompanies application

Fees accompany application

V. CLASSES

Registration is requested in respect of the following goods and/or services, listed under the applicable classes of the International Classification:*

.....

VI. ADDITIONAL INFORMATION accompanies this Form (specify).....

VII. SIGNATURE(s)

.....(Applicant(s)/Agent)**
 (Date)

.....(Applicant (s)/Agent)
 (Date)

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

APPLICATION TO REMOVE A MARK ON GROUNDS OF NON-USE

[Under Regulation 72(2)]

<p>To: The Registrar (Address)</p>	<p style="text-align: center;">For official Use</p> <p>Notice received on:</p> <p>No. of Opposition:</p> <p>Opponent's or Representative's File Reference:</p>
<p>In the matter of application No. : for registration of a mark</p> <p>I/We* of</p> <p>..... make an application to remove</p> <p>from the register a mark of the above identified mark published for Class (es)</p> <p>..... in the Official Journal of the day of 20.....,</p> <p>No. : page.....</p> <p>The grounds for removal of a mark for non-use are as follows:**</p> <p>.....</p> <p>.....</p> <p>.....</p>	

Full name of Agent (if any):

Address of Agent:

Tel. No.: Telegraphic Address: Telex No.: Fax No.:

Supporting evidence accompanies this Form

Power of attorney accompanies this Form

Fees accompany this form

Signature: (Opponent(s)/Agent)*
(Date)

..... (Opponent(s)/Agent)*
(Date)

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**APPLICATION FOR REGISTRATION OF GEOGRAPHICAL
INDICATION**

[Under Regulation 76 (1)]

To: The Registrar	<p>For Official Use [Address]Date of Receipt by Registrar`s Office: </p> <p>Application No: (Office`s Stamp)</p> <p>Filling Date:</p> <p>Applicant's or Representative`s File Reference: </p>
<p>I. APPLICANTS(s)</p> <p>Name:</p> <p>Address:</p> <p>Nationality:</p> <p>Country of residence or principal place of business:</p> <p>Tel. No: Telegraphic Address:</p> <p>Telex No.: Fax No:</p>	
<p>II. DULY AUTHORIZED AGENT</p> <p>The following has been appointed by the applicant as duly authorized Agent:</p> <p>Full name:</p> <p>Address:</p> <p>Tel. No.: Telegraphic Address:</p> <p>Telex No.: Fax No.:</p>	

GEOGRAPHICAL INDICATION

The geographical indication for which registration is sought is the following:

.....
.....

III. GEOGRAPHICAL AREA

The following is the demarcation of the territory of the country, region or locality in the territory, to which the geographical indication applies, and from which the goods for which the geographical indication is used originate:

.....
.....

Additional information, possibly in graphic form, maps, etc. accompanies this Form

IV. GOODS

The goods for which the geographical indication is used are the following:*

.....
.....

V. QUALITY, REPUTATION OR OTHER CHARACTERISTICS

The quality, reputation or other characteristics of the goods for which the geographical indication is used, and any condition under which the indication may be used, are the following:

.....
.....

Additional information accompanies this form

VI. FEES Accompany this Form

VII. SIGNATURE (s)** Applicant/Agent
Date

VIII. TO BE COMPLETED BY THE REGISTRAR

Date of receipt of corrections and later filed papers completing the application:

.....

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**NOTICE OF OPPOSITION TO REGISTRATION OF GEOGRAPHICAL
INDICATION**

[Under Regulation 79 (1)]

To: The Registrar: [address]	FOR OFFICIAL USE Notice of opposition received on: Fees received on:
I. IN THE MATTER OF: Application No: Filing Date of Application:	Published in.....of the.....day of....20..... No. : page:.....
II. Name(s) of the person opposing to the Registration: Address (es) Address for service in:	
III. GROUNDS FOR OBJECTION: The grounds for opposition are as follows: Additional information: <input type="checkbox"/> Supporting evidence accompanies this Form <input type="checkbox"/>	
IV. ATTORNEY -AT- LAW The following Attorney-at-law has been appointed by the applicant as his duly Authorized Agent. Name: Address: Tel. No:Telegraphic Address:Telex No.:Fax No:	

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

COUNTER-STATEMENT

[Under Regulation 79 (2)]

I. Your reference:
II. Give details of the application to which this counter-statement relates:
III. Full name of the Applicant:
IV. Grounds for Notice of Opposition:
V. Name of Agent: (If appropriate):
VI. Grounds relied on for making the application:
VII. Supporting evidence (if available):

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

CERTIFICATE OF REGISTRATION OF GEOGRAPHICAL INDICATION

[Under Regulation 81 (3)]

In accordance with section 62 (3) (b) of the Act is hereby certified that a geographical indication having the Registration No.: has been registered in the name (s) of :

Name (s):

.....

Address (es):

.....

on in respect of a geographical indication registered pursuant to an application filed on: (Date)

..... being a geographical indication used for: (date)

..... and which applies to: (goods) (Geographical area)

A description of the quality, reputation or other characteristic of the goods for which the geographical indication is used and any conditions under which the indication may be used accompanies this certificate.

Dated this day of, 20.....

.....

Registrar

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**AMENDMENT OR REQUEST FOR CORRECTION OF
ERROR IN APPLICATION**

[Under Regulation 82]

To: The Registrar: [Address]
In the matter of a Geographical Indication in the name of: (Applicant)
It is hereby requested that the entry in the register in respect of the above men- tioned application for a Geographical Indication be amended or be corrected in the following manner: Dated this.....day of20..... Name: Signature
Full name of person to be contacted:
Address for Service:
Tel. No: Telegraphic Address: Telex No.: Fax No:
Number of sheets attached to this form <input type="checkbox"/>

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

REQUEST FOR HEARING BY THE REGISTRAR

[Under Regulations 32(2), 67(9), 83(2)]

Sir,

In reply to your notice dated the.....day of20.....giving

.....of a date on which you will hear the arguments in the case of

(a) opposition No.to application No.or (b) application that

the entry on the Register in respect of.....* No.may be

rectified or removed, I beg to say that I intend to appear before you on the date
you fixed, namely the

.....day of20.....

Yours faithfully,

Full name:

.....
Signature

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

REQUEST FOR RECORDING OF CHANGE IN OWNERSHIP

[Under Regulation 91 (1)]

To: The Registrar [Address]	For Official Use
	Received on:.....
	Applicant's or Representative's File Reference:.....
<p>I. IN THE MATTER OF:</p> <p>.....</p>	
Patent Application No.: Filing Date:	
Application for Utility Model Certificate No.: Filing Date:.....	
Application for Registration of Industrial Design No.: ... Filing Date:.....	
Application for Registration of Mark No.: Filing Date:	
Patent No.: Date of Grant:.....	
Utility Model Certificate No.: Date of Grant:	
Industrial Design No: Date of Registration:	
Mark No.: Date of Registration:.....	
<p>I. APPLICANT (s)/OWNER(s)*</p> <p>Full name:</p> <p>Address:</p>	
<p>II. REQUEST</p> <p>The Registrar is hereby requested to record the change in ownership of the above identified.....**</p> <p>The present applicant (s)/owner(s)* is/are identified above.</p> <p>The new applicant(s)/new owner (s)* is/are identified below.</p>	

III. NEW APPLICANT(s)/NEW OWNER(s)*

Full name:

Address:

Nationality:

Country of residence or principal place of business:

Tel. No.: Telegraphic Address:

Telex No.: Fax No.:

IV. ADDITIONAL INFORMATION

The following items accompany this form:

- The original or a certified copy of the document evidencing the change of ownership, signed by or on behalf of the contracting parties.
- other documents evidencing the change in ownership (specify)
- fees
- other (specify)
- approval of the Minister**

V. SIGNATURE

..... (New Applicant(s)/New Owner(s) ***)
(Date)

..... (New Applicant(s)/New Owner(s) ***)
(Date)

..... (Applicant(s)/Owner(s) ***)
(Date)

..... (Applicant(s)/Owner(s) ***)
(Date)

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

APPOINTMENT OF AN AGENT

[Under Regulation 93 (4)]

To: The Registrar [Address]	For Official Use Received on:
	Applicant's or Agents File Reference:
Name and address of person appointing agent	
Name and address of agent	
Matter in respect of which agent is appointed (see note 1)	

I/We, the person(s) identified above, have appointed the above agent to act on my/our behalf in the matter described above, and request that all communications relating thereto be sent to the agent at his/their address given above.

I/We revoke all previous authorizations in respect of the same matter.

Dated at this..... day of, 20.....

.....
Signature

NOTES:

State the application or other matter in respect of which the appointment is made, quoting the application number as appropriate.

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

**FORM OF AUTHORISATION AND REQUEST TO ENTER, ALTER OR
SUBSTITUTE AN ADDRESS FOR SERVICE**

[Under Regulation 93 (6)]

To: The Registrar [Address]	<p style="text-align: center;">For Official Use</p> Received on: Applicant's or Agents File Reference:
1. In the matter of : *	
2. Application No.	
3. Class (if any).....	
4. Full name of the proprietor: Address of the proprietor: Tel. No.: Telegraphic Address: Telex No.: Fax No.:	

5. Full name and address of Agent (if any):

Agent's Registration No. (if known):

Agent's own Reference:

Tel. No.: Telegraphic Address:

Telex No.: Fax No.:

6. I request that all communications concerning the above mentioned matter be sent to the address indicated, which is the address for service.

Name of the signatory (in block letters) :

Dated this.....day of20.....

.....
Signature

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

REQUEST FOR EXTENSION OF TIME

[Under Regulation 96(2)]

To: The Registrar [Address]	<p align="center">For Official Use</p> Received on: Applicant's or Agents File Reference:
In the matter of : * Application No. : Class (if any): Extension of time: No. of month (s)/year (s) requested:	
Please state the circumstances justifying the applications: (If the space provided is insufficient , please continue on a separate sheet which must be firmly annexed to this Form)	
Name/Firm: Tel. No.: Telegraphic Address: Telex No.: Fax No.: Dated this.....day of20..... Signature**	

For Official use only

Decision (a) Your request for extension of time is approved formonth(s)/year(s)

from.....until.....upon payment ofTsh/-

Full name:

Dated this.....day of20.....

Authorized signature:

(a) Your request for extension is rejected.

Full name:

Dated this.....day of20.....

Authorized signature:

THE ZANZIBAR INDUSTRIAL PROPERTY OFFICE

ENTRY OF CHANGES TO THE REGISTER

[Under Regulation 97]

I.	To: The Registrar [Address]
II.	In the matter of a.....*
	No. :registered in the name ofin class..... (if applicable).
III.	It is hereby requested that the entry in the register in respect of the above mentioned.....*
IV.	may be (removed) (rectified) in the following manner:
VI.	The Registrar will make any rectification or amendment in default of a response to this notice within the required time. Dated this.....day of20..... Name**..... Address for Services**
	Tel. No.: Telegraphic Address:
	Telex No.: Fax No.:

THIRD SCHEDULE

**CATEGORIZATION OF GOODS FOR THE PURPOSE OF THE
REGISTRATION OF THE GEOGRAPHICAL INDICATION**

[Under Regulation 75]

CATEGORY OF GOODS

CATEGORY 1

Spices and herbs

CATEGORY 2

Fruits and vegetables

CATEGORY 3

Manufactured/processed goods

CATEGORY 4

Mineral

CATEGORY 5

Tea and Coffee

CATEGORY 6

Miscellaneous:

Others not included in category 1 to 5

Dated this 25th day of December, 2014

.....
ABOUBAKAR KHAMIS BAKARY
Minister of Justice and Constitutional Affairs
