



BRAZ
& ASSOCIATES
intellectual property agents

Volume I - Issue I

Mozambique IP Newsletter!

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Top IP Agent for **10** consecutive years.

In May 2009 Mozambique celebrated 10 years of Industrial Property Legislation and 5 years since the establishment of the Industrial Property Institute (IPI). During the ceremony one of our Partners, Sergio Braz, received an award for the most dynamic Industrial Property Agent over the 10 year period.



Sergio Braz acknowledging the IPI's recognition.

Filing of PCT Applications

Until recently the IPI required that a certified copy of the Priority Document be attached to a PCT Patent application entering into Mozambican National Phase.

The Registrar of IPI has confirmed that it is no longer required to include a certified copy of the Priority Document, provided that the applicant provides a copy of the notification that the Priority Document was already filed (Form PCT/IB/304).

IPI concerned about growing IPR infringement in Mozambique

Addressing a round table in Maputo on Intellectual Property in small and medium companies the head of the Legal Department of Industrial Property Institute of Mozambique, Acacio Foia, raised his concerns regarding the growing number of incidences of counterfeiting in Mozambique.

According to Mr Foia, IPI receives numerous formal complaints against local companies that apply for the registration of well known trademarks, sell counterfeit goods, and various other Intellectual Property right infringements.

Mr. Foia further stated that because of the lack of knowledge of Intellectual Property rights among the local entrepreneurs, disputes are also on the increase.

Since the establishment of IPI in 2003, it has intervened in at least 30 cases of counterfeiting of various products. Complaints of this kind currently filed with IPI involve counterfeit washing detergents, household appliances, vehicle spare parts, and biscuits.

The uncovering of these offenses occurs in different stages, and some of them are discovered during attempts to import fake merchandise.

“There are instances where the holders of the registered brand learn that their product has been falsified, when the merchandise is still in the South African port of Durban, for instance”, said Foia. “In other cases it is the Customs officials who detect the counterfeit goods when the merchandise enters the country”.

Overview of IPR registration trends in Mozambique

Year	Marks	Patents	Utility Model	Logo	Industrial Design	Names	Insignias
1999	3167	20	0	36	4	15	1
2000	1800	7	10	39	7	24	20
2001	962	1	3	49	5	26	0
2002	761	12	32	30	1	21	4
2003	1090	16	2	0	1	15	1
2004	1131	5	17	4	4	28	3
2005	1683	14	1	13	0	21	2
2006	1265	12	1	69	5	38	6
2007	759	43	1	62	53	48	2
2008	1599	16	1	76	15	22	5

Source: IPI

The adoption of the Industrial Property Code Decree No 18/99 was responsible for the huge number of Trademark applications filed at IPI in 1999. Since then, the average number of applications lodge was stabilised at approximately 1200 annually. In 2008, the number of trademark applications reached almost 1600.

Patent and industrial designs represent a far smaller portion of the IPR registration, but they are significant for Mozambique's economic and industrial development.

The IPI is determined to further increase these figures by implementation the IP strategy of Mozambique (2008-2018). The strategy aims to use intellectual property as an instrument to promote economic, scientific, technologic and cultural development of Mozambique.

Logo and Device searches not possible in Mozambique

Mozambique is currently not a member of the Vienna Agreement that provides an international classification for figurative elements of trade marks such as images or designs and therefore the IPI is unfortunately at this stage still not able to conduct logo and device searches. We will keep you posted on any developments in this regard.

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