



**ZANZIBAR BUSINESS & PROPERTY
REGISTRATION AGENCY.**

(BPRA)

**SUB-REGIONAL WORKSHOP ON THE DEVELOPMENT
AND EFFECTIVE USE OF INTELLECTUAL PROPERTY
STATISTICS**

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BRIEF HISTORY OF INTELLECTUAL PROPERTY IN ZANZIBAR

- The Zanzibar Revolution occurred in 1964 and led to the overthrow of the Sultan of Zanzibar and his mainly Arab government by local African revolutionaries. Zanzibar was an ethnically diverse state consisting of a number of islands off the east coast of Tanganyika which had been granted independence by Britain in 1963, April 1964 merged with Tanganyika to form United Republic of Tanzania (URT), Within the Tanzania constitutional set-up, Zanzibar retains some amount of autonomy and as such it has its own Legislature, Executive and Judiciary. These three organs deal and have jurisdictions over a list of matters which are “non-union matters”. Protection of Intellectual Property is among those matters which are considered as non-union matters and as such each part of Tanzania has its own laws and arrangement to protect intellectual property. International Conventions unless stated otherwise during the signing and ratification, they bind both sides of Tanzania, namely Mainland Tanzania and Zanzibar.

- The IP regime in Zanzibar existed since the colonial administration. It was first introduced into Zanzibar in 1932 through Trademarks Decree Chapter 159; the Patents Decree Chapter 157; and Industrial Design (Protection) Decree Chapter 158. In fact these three decrees were archaic and had been in force since 1930s. For instance, the Trade Marks Decree did not provide for registration or protection of Service Marks. The Patent Decree allowed the Registration of Patent should be done in UK before being registered in Zanzibar. The three Decrees mentioned above were hereby repealed and replaced by the Zanzibar Industrial Property Act No. 4 of 2008 (the new law). The new law came into force on 29th July, 2008.

MEMBERSHIP OF THE CONVENTION AND INTERNATIONAL AGREEMENT

- As Zanzibar is a part of the United Republic of Tanzania (URT), has signed different Intellectual Property-related Agreements and become a member of those agreements. The URT became a member of the TRIPS Agreement (1994) in 1995, the Paris Convention for the Protection of Industrial Property (1883) in 1963, the Convention establishing the World Intellectual Property Organization (WIPO) (1967) in 1983, Berne Convention for the Protection of Literacy and Artist Works (1886) in 1994, Nice Agreement (1957) in 1999, Patent Cooperation Treaty (PCT) (1970) in 1999 and Harare Protocol for the Protection of Patents and Industrial design (1982) in 1999.

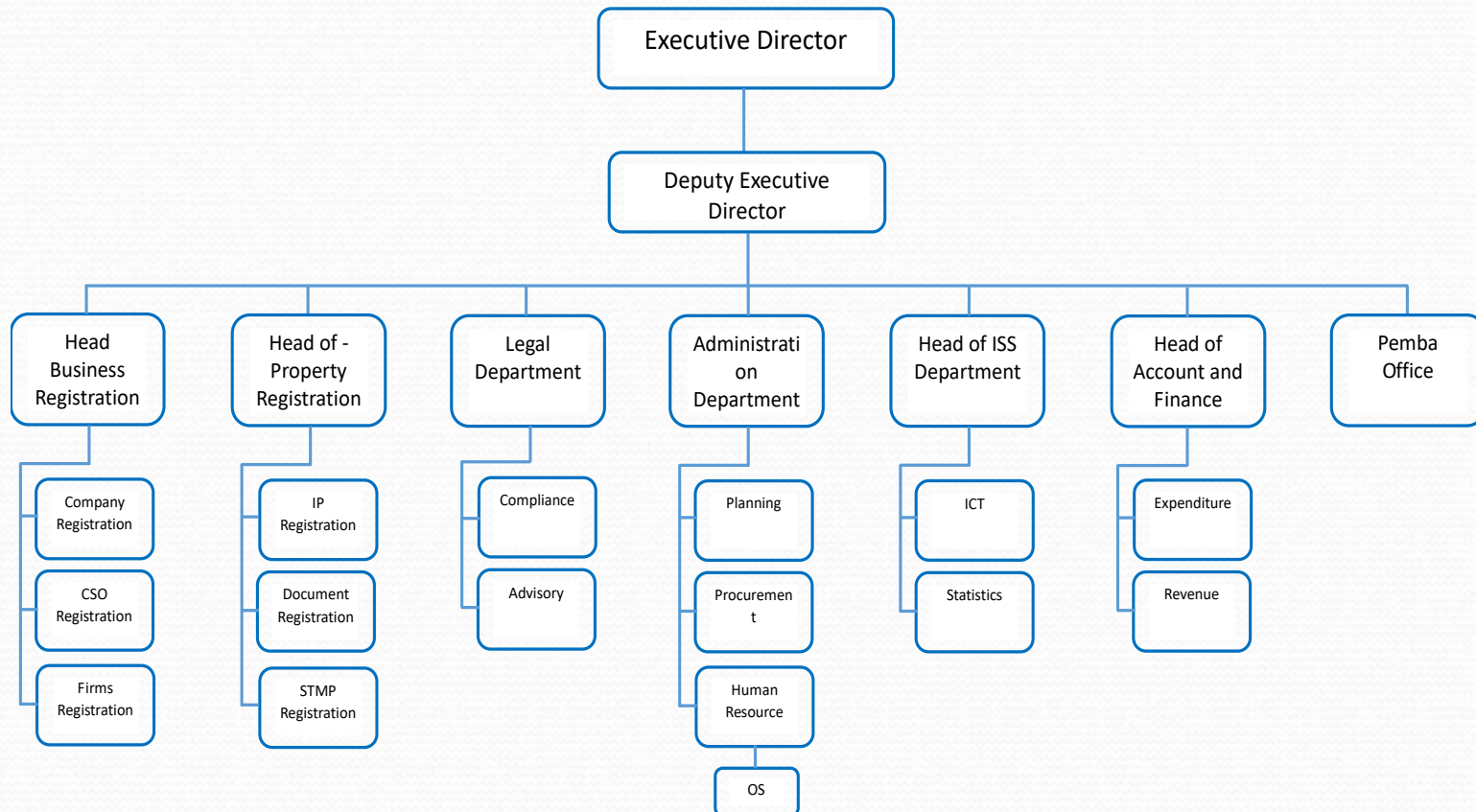
ZANZIBAR BUSINESS AND PROPERTY REGISTRATION (BPRA)

- The Revolutionary Government of Zanzibar established the Registrar General's Office (RGO) which was doing Business Registration and Vital Registration but in 2011 Government decide to break up in to two different Office, namely Zanzibar Business and Property Registration Agency (**BPRA**) Act No. 13 of 2012 which governs the administration of the office and The Office of Registrar of Births and Deaths Zanzibar, all offices was work under the Ministry of Justice and Constitution Affairs Zanzibar, after coming National Election March 2016 BPRA is work under The Ministry of Trade, Industry and Marketing.
- So BPRA has been responsible for the administration of all Business Entities Registration including Intellectual Property issues.

The Zanzibar Business and Property Registration Agency structure


- **BPRA** is headed by the Executive Director, two Assistant Registrar between Business and Property registrations and other units are Legal Unit, Information System Support Unit, and Administration Unit and Branch of Pemba.
- The total number of staffs within BPRA is 39 staffs and four of them are dedicated to IP matter.
- In term of Industrial Property Registration Unit, it is headed by a Head of IP unit and Documents Registration Unit. The main activity of this division is to administer the new Industrial Property Act and register IP works in Zanzibar.

Organization Chart



Automation Level and Feature plan

- Previous BPRA was use traditional way (which was manual based registration system) in registering of Trade/Service mark until WIPO introduce new system known as IPAS Centura which was very helpful in registration of all Industrial Property entities, But in 2012 WIPO was upgrade the System (IPAS) from IPAS Centura to IPAS Java.
- Current BPRA does not provide online registration service but in the future the office has plan to provide it.
- BPRA has start to register Trademark since 1932 and at that time about 88 trademark was registered and up to now we reach 1000 application per year.

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- Current we have 7580 data which have been already in the IPAS and backlog about 22,000 data.
 - Through this WIPO is carrying out and implemented automation and modernization projects in Zanzibar, the estimated file to be capture and processed is approximately 22,000 trademark records.

CHALLENGES

- Un sufficient number of staffs and Lack of Trainings to the enforcement officers and agents.
- Shortage of financial resources.
- Lack of Awareness on IP



Thank You!