

Industrial Designs Registration System (Botswana)

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Industrial Designs

What is an Industrial design?

- An Industrial design is the ornamental or aesthetic appearance of a product.

Administration of IP in Botswana

- In Botswana, Intellectual Property Legislation is administered by the Companies and Intellectual Property Authority (CIPA). CIPA is a parastatal under the Ministry of Trade and Industry, whose mandate is to register companies and business names as well as to protect intellectual property.
- Industrial Property is administered through the Industrial Property Act 2010 and its implementing Regulations of 2012.

How ID's are protected in BW

- In BW an Industrial design must be registered in order to be protected.

Requirements and Processes

Registrable requirements

- Novelty
- Individual character
- Originality
- Designs that are considered to be dictated exclusively by the technical function of a product shall not be registered.

Cont..

- Designs incorporating official symbols or emblems (such as the national flag) shall not be registered.
- Designs which are considered to be contrary to public order or morality shall not be registered.

Contents of the application

- The application shall contain
 - ✓ Request for registration of a design (letter)
 - ✓ Complete application form 7
 - ✓ Reproduction of the design
 - ✓ Prescribed fees

Filing date shall be accorded upon submission of the application

Examination of the application

- The design shall be examined to check if it complies with the definition of an industrial design and the registration requirements.
- If accepted, the design shall be registered.

Registration and Publication

- Register and issue the registration certificate
- Record and publish

Duration of protection

The registration shall expire five years after the filing date of the application for its registration, but may, upon payment of such renewal fee, be renewed for two further consecutive periods of five years each.

Protecting Designs Abroad

- Harare Protocol (Regional)
- Hague System (International)

5 years statistics on IDs

Year	National Applications
2022	3
2021	18
2019	17
2018	27
2017	15

Thank you!

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