

**ZANZIBAR BUSINESS & PROPERTY
REGISTRATION AGENCY.**

(BPRA)

Zanzibar Country Report

**REGIONAL TRAINING WORKSHOP ON
TRADEMARKS EXAMINERS**

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From IP Department

ZANZIBAR FLAG



BRIEF HISTORY OF ZANZIBAR & INTELLECTUAL PROPERTY IN

- Zanzibar got her independence in December, 1963 and in 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.

ZANZIBAR BUSINESS AND PROPERTY REGISTRATION (BPRA)

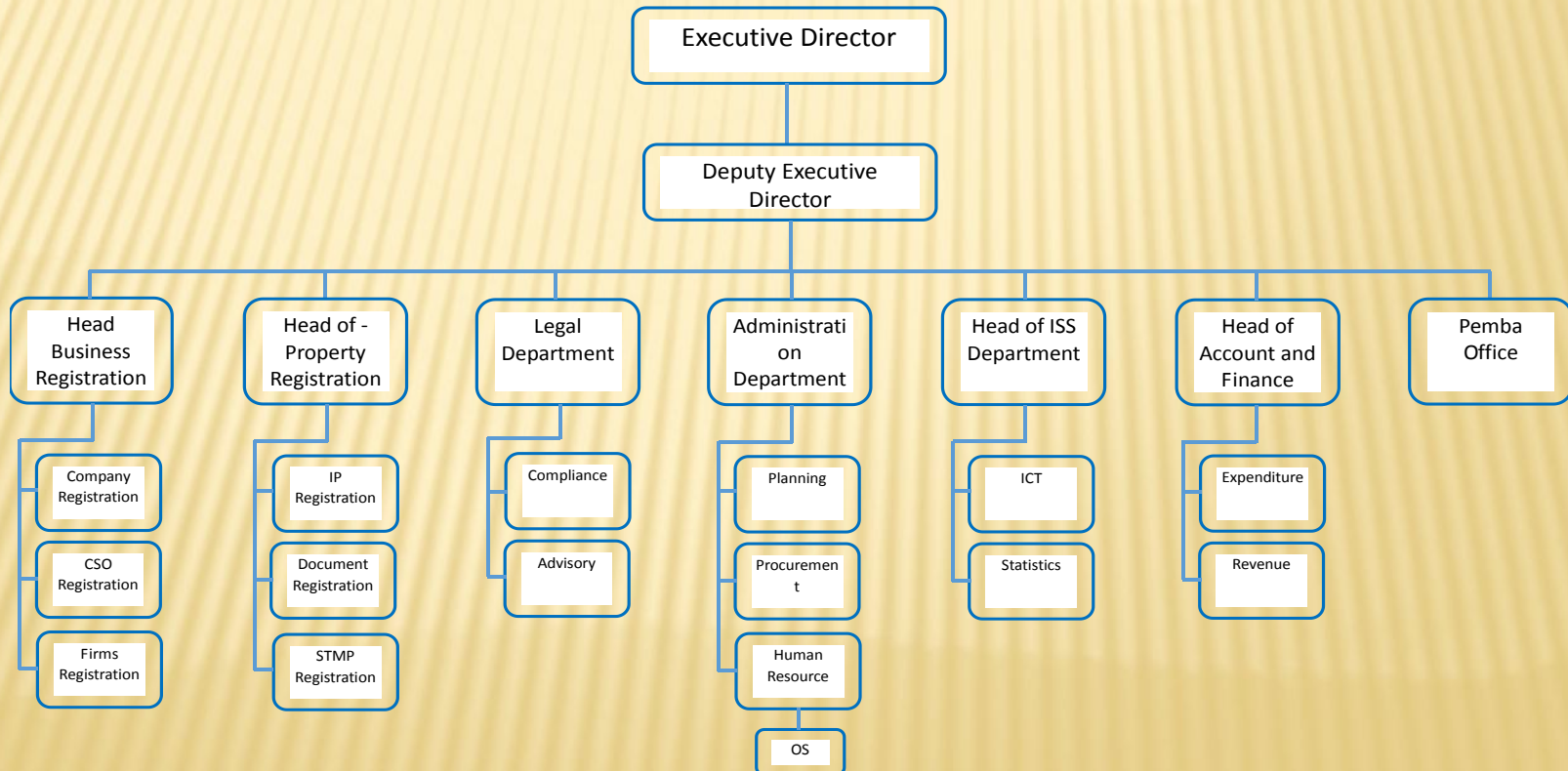
- The Revolutionary Government of Zanzibar established the Registrar General's office (RGO) which was doing Business Registration and Vital Registration but in 2011 Government decide to break up in to two different Office, namely Zanzibar Business and Property Registration Agency (**BPRA**) and we are work under The Ministry of Trade, Industry and Marketing Zanzibar
- 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, Deputy Executive Director, Heads of nine divisions, namely, Company and Business Name Registration Unit, Documents Registration Unit, Industrial Property Registration Unit, Non Governmental Organization Registration Unit, Law Unit, Information system support unit, and Human resources and planning Unit.
- The total number of staffs within BPRA is about 22 staffs and four of them are dedicated to IP matter.
- In term of Industrial Property Registration , it is headed by a Head of IP unit and Documents Registration Department.
- The main activity of this division is to administer the new of Industrial Property Act and all IP works register in Zanzibar.

ORGANIZATION CHART

In the BPR structure, under the Executive Director, there are different experts and Departments as shown below:

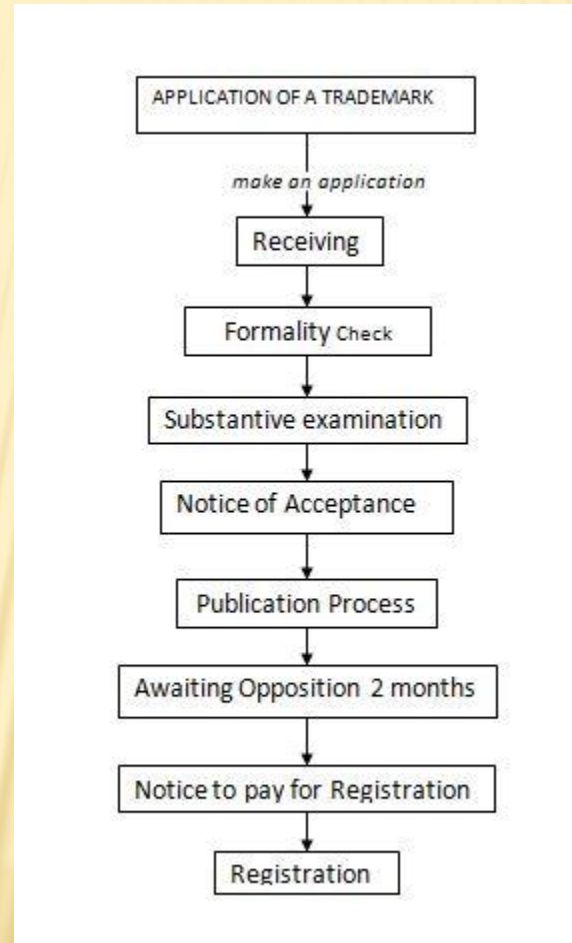


- ✘ The IP regime in Zanzibar existed since the colonial administration. It was first introduced into Zanzibar in 1932 through Trademarks Decree Chapter 159; the Patents Decree Chapter 157; and Industrial Design (Protection) Decree Chapter 158. In fact these three decrees were archaic and had been in 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.

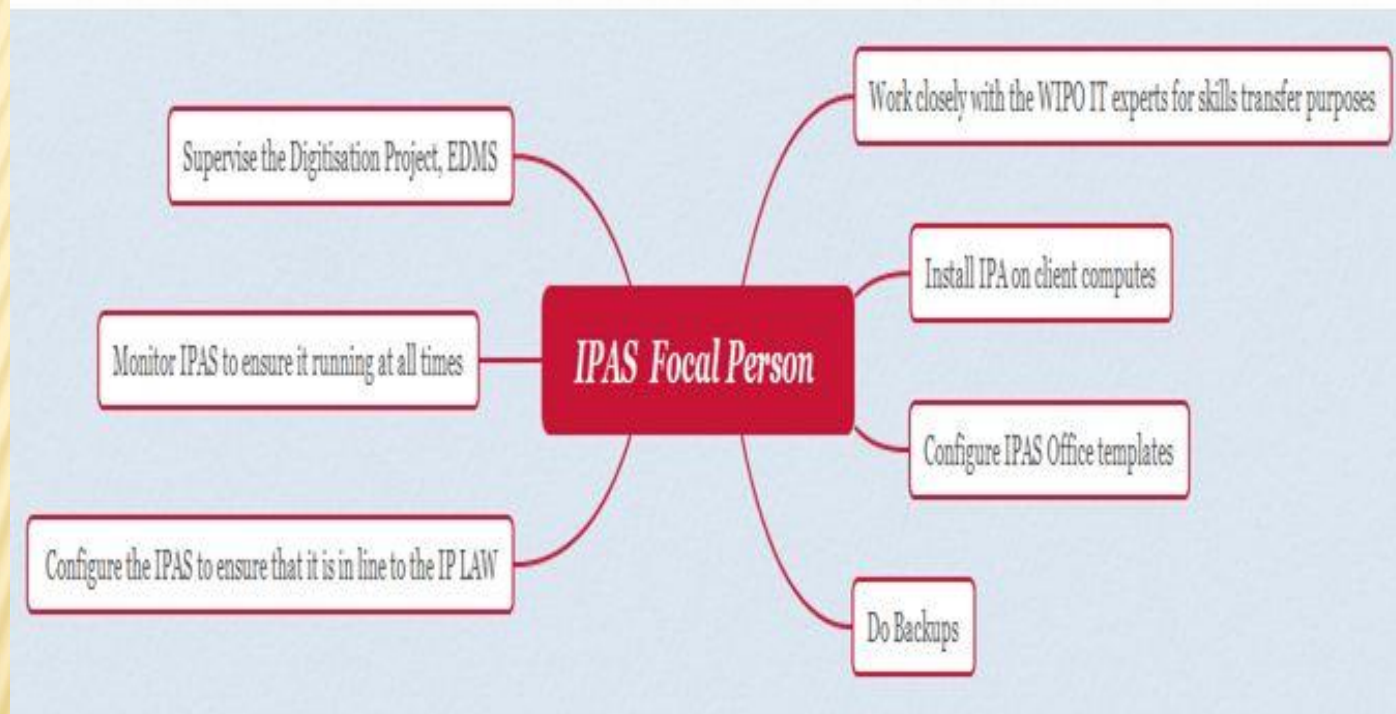
MEMBERSHIP OF THE CONVENTION AND INTERNATIONAL AGREEMENT

- 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.

BELOW IS AN ILLUSTRATION OF THE AUTOMATED PROCESSES HANDLED BY THE IP ADMINISTRATION SYSTEM (IPAS).



In regard to IPAS the following are some of the responsibilities:



DEPARTMENT OF INFORMATION SYSTEM SUPPORT

- ✘ The Information Technology division is headed by the Head Department, IT who reports directly to the Executive director of BPRA and seats in the Executive Management meetings.
- ✘ The Information Technology team works together with the end-users to understand the system issues and if need arises then it is escalated to the WIPO support team. In other terms, the agreed procedures is that, the BPRA IT team offers receive support from WIPO support team for assistance especial online Support.

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 9675 data which have been already in the IPAS and backlog about 23,500 data.
 - ✘ In term of Business entity, BPRRA has start to develop new online system for registering Business entities and secured Transaction on movable property.

CURRENT PROJECT

- ✘ Through this WIPO is carrying out and implemented automation and modernization projects in Zanzibar for trademark and Patent records, the project now has start, and estimated file to be capture and processed is approximately 23,500 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