

Opposition systems

Côte d'Ivoire

Article 20 of the Bangui Agreement instituting an African Intellectual Property Organization, Act of December 14, 2015 provides a pre-grant opposition system:

Article 20

Opposition

- (1) Within three months of publication of the application referred to in Article 19 above, any person may oppose the grant of a patent or a certificate of addition by submitting a written statement to the Organization setting out the reasons for the opposition. The reasons must be based on an infringement of the provisions of Articles 2, 3, 4, 5, 9 or 17 of this Annex or on a prior registered right belonging to the opposing party.
- (2) The Organization shall send a copy of the statement of opposition to the applicant or to his agent, who may submit a reasoned reply within three months, renewable once on application. The reply shall be transmitted to the opposing party or his agent.
- (3) Before ruling on the opposition, the Organization shall hear the parties or their agents on request.
- (4) Where the Organization considers the opposition to be well-founded:
 - (a) for certain claims or for the reasons set forth in Articles 9 and 17, it shall reexamine the patent application; and
 - (b) for all claims or for the reasons set forth in Articles 2 to 5, it shall end the examination of the application.
- (5) Where the Organization considers the opposition not to be well-founded, it shall continue the examination of the application for a patent or for a certificate of addition.