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IP Country Fiche

**SIERRA LEONE**



## SECTION 1: COUNTRY OVERVIEW

### 1.1 GENERAL INFORMATION

Capital:	Freetown
Population:	7.81
Currency of government (official) fees:	Sierra Leonean Leone (SLL)
Language for filing IP applications:	English
GDP per capita:	484.521 (est. in 2020)
Human Capital Index:	0.363 (est. in 2020)
Main exports:	diamonds, cocoa and coffee
Main inports:	machinery, transport equipment, fuel and foodstuffs.

### 1.2. International IP Instruments

Sierra Leone is a contracting state to the following international legal instruments:

- Madrid Agreement
- Madrid Protocol
- Paris Convention
- Patent Cooperation Treaty
- WIPO<sup>1</sup> Convention
- TRIPS<sup>2</sup> Agreement

### 1.3. Regional Legal Instruments

Sierra Leone is a contracting state to the following regional legal instruments:

- African Continental Free Trade Area (AfCFTA) Agreement
- ARIPO Agreements<sup>3</sup>: Lusaka Agreement and Harare Protocol, on patents, utility models and industrial designs

<sup>1</sup> TRIPS Agreement: Agreement on Trade-Related Aspects of intellectual Property Rights the World Trade Organization (WTO).

<sup>2</sup> WIPO: World Intellectual Property Organization.

<sup>3</sup> ARIPO: African Regional Intellectual Property Organisation

### 1.4. Overview of regional agreements

- The African Continental Free Trade Area (AfCFTA) Agreement
- Sierra Leone signed the Agreement and has ratified it. The Agreement can be accessed here:  
<https://au.int/en/treaties/agreement-establishing-african-continental-free-trade-area>. The Agreement contains a Protocol on IP rights which aims for effective protection and promotion of IP rights in Africa and may therefore have legal implications for Sierra Leone when it comes into force.
- **ARIPO Agreements<sup>4</sup>**
- Sierra Leone is a member of the Lusaka Agreement, which created the African Regional Intellectual Property Organization (ARIPO). It is also a Contracting Party to the Harare Protocols that are administered by ARIPO.

#### Available IP protection

### 1.6. Available IP Protection

The following IP protection is available in Sierra Leone:

- 1) trade marks: national, and international (Madrid)
- 2) patents: national and regional (ARIPO)
- 3) industrial designs: national and regional (ARIPO)
- 4) utility models
- 5) copyright and related rights: national

### 1.7. IP protection not available

IP Protection is not available for:

- 1) geographical indications;
- 2) plant variety protection;
- 3) layout designs for integrated circuits;
- 4) traditional knowledge and handicraft.

### 1.8. AVAILABLE IP PROTECTION ROUTES

IP protection in Sierra Leone can be secured at three levels: national, regional and international.

#### 1.8.1. National

The eight types of IP mentioned above can be protected directly in Sierra Leone is administered through Office of Administrator and Registrar General (OARG).

<sup>4</sup> ARIPO: African Regional Intellectual Property Organisation

### 1.8.2. Regional



- The ARIPO regional route can be used by Sierra Leone for:

1) the grant of patents and registration of utility models and industrial designs in terms of the Harare Protocol.

#### Patent filings

- ARIPO is a member of the PCT, over 75 % of its applications are PCT based. Sierra Leone receives most of its patent applications through its designations under the ARIPO region in PCT applications. OARG, the national IP office, received 0 in 2019 against 481 ARIPO patent applications. In 2018 the national IP received 0 patent applications against 436 ARIPO patent applications through PCT designations under the Harare Protocol. See ARIPO 2019 Annual Reports which you access [here](#). The pattern is similar for most ARIPO member states.

### 1.8.3. International



- The WIPO international route can be used by Sierra Leone for 2 IP rights:

1) the registration of trade marks under the Madrid system;  
2) the filing and processing of patents in terms of the Patent Corporation Treaty (PCT).

#### Trade marks: Madrid system

- Sierra Leone is a signatory of the Madrid Protocol, which means it can be designated for purposes of registering a trade mark under the Madrid trade mark system.
- The Madrid system makes it possible for a country to be designated in an international application in order for a brand owner to secure trade mark protection in that country. It is also possible for brand owners to extend their trade mark protection to other countries that are members of the Madrid Protocol.
- A brand owner files one application and pays a single fee to obtain the registration of a trade mark in many other countries that are members of the System. Information about the Madrid trade mark system is available here: [general information](#) and [how to file](#).

### 1.9.3. When to use the international route

You can use this route if you want IP protection which covers Sierra Leone for international trade marks under the Madrid system and for patent filings under the PCT.

#### Trade marks and industrial designs

- In general, it is advisable to use the international route when:
- **you want a wider coverage of IP protection than what is available under the national and regional routes:** the international route can be used to secure and extend protection to multiple countries and continents.

#### Patents

- In addition to most of the above considerations, you may choose the PCT route because it offers a streamlined multi-country patent filing service that is not available under national and regional patent routes. You can read more about PCT services here.

## SECTION 2: OVERVIEW OF NATIONAL IP ENFORCEMENT

Sierra Leone is a signatory of the WTO's TRIPS Agreement, and its laws are substantially TRIPS-compliant in terms of providing a legal framework for the protection and enforcement of IP rights.

OARG is mandated by the Patents and Industrial Act and the Copyright and Neighbouring rights Act to enforce compliance and bring IP infringers to justice.

The Copyright and Neighbouring Rights Act provides that those who are found guilty of infringement may be fined up to Le 60,000,000. 00 or be imprisonment to a term not exceeding 3 years.

OARG engages constantly with other stakeholders who have a role to play in combating IP infringements. These include Interpol, border officials, customs officials, the legal profession, retailers and the general public.

Despite the OARG and State efforts to curb IP infringement, rights holders must play a significant role in policing the use of their IP in Sierra Leone. They must constantly check that the industrial and commercial markets in which they sell their goods or services take appropriate action against the infringement of their IP rights by competitors, retailers or street vendors. Sierra Leone Law entitles rights holders to take civil action against infringers to recover their lost revenue and/or to have the infringing products destroyed.

For copyrights, the Copyright and Neighbouring Rights Act provides for conservatory measures that seek to prevent infringements and also to preserve relevant evidence related to an alleged infringement. In addition, the Act empowers the police to conduct searches of premises where it is suspected that infringing goods are concealed, and to seize any offending goods. Civil remedies include court injunctions, confiscation of offending goods and payment of damages to the rights holder for any economic damage suffered because of an infringement of their rights. Criminal

sanctions include the imposition of substantial fines and the possibility of imprisonment. A copyright owner is expected to 'police' their work and take action against infringers of their rights. That means that the rights holder should initiate action such as reporting infringements to the police or customs (in the case of the importation of infringing goods) and also seek the intervention of the courts to fight third parties who infringe their rights

## SECTION 3: TYPES OF AVAILABLE IP PROTECTION

### 3.1 TRADE MARKS

#### WHAT YOU SHOULD KNOW ABOUT SIERRA LEONE TRADE MARKS

- Foreigners need to appoint a local agent.
- Single- class filing system.
- Member state of Madrid.
- 'First to file' jurisdiction – pre-filing rights clearance searches are advisable.
- Nice Classification is used.
- Cancellation for non-use period is 5 years
- Appointment of and recordal of licensees at the IP office is advisable.
- Opposition period is 3 months.

#### 1. Who can register a trade mark?

A natural person, a company or any other entity can apply to register a trade mark.

However, a person who does not have their place of business in Sierra Leone needs a professional representative.

#### 2. Do I need a local representative?

- You must be represented by an agent if you are a foreigner i.e., not a citizen of Sierra Leone or if you are applying on behalf of a company, its principal place of business is outside Sierra Leone.
- For local applicants representation is optional.
- You can find a local agent for this country.

#### 3. What qualifies for registration?

A trade mark is any word, phrase, symbol, design, shape, group of letters or numbers, or combination of these, used by a company as its brand or logo. Consumers can rely on trade marks to help them distinguish between different goods in the marketplace and to help them identify brands they are loyal to. An organisation's logo and slogan, a T-shirt brand, a family symbol, the name of an event or festival are some of the things that can be registered as trade marks.

#### 4. What cannot be registered?

A trade mark cannot be registered if it:

- is likely to cause confusion with an earlier registered trade mark or pending application;
- is incapable of distinguishing the goods or services applied for;
- is contrary to law, public order or morality;
- contains false indications, is deceptive or is likely to deceive or mislead the public or cause confusion;
- consists of a mark, sign or indication which has become customary in the current language or in the bona fide and established practices of the trade in respect of the goods or services for which registration is sought; and
- contains a likeness to a specific armorial bearing, flag emblem

#### 5. Where can I file an application?

- Administrator and Registrar-General's Department of Sierra Leone, ([OARG](#)).
- International (Madrid) applications can be filed directly through OARG.

#### 6. What are the registration requirements?

An application shall be accompanied with the following:

- an application letter containing the full name, nationality and physical address of the applicant, or the full name (represented in a special or particular manner or as it appears on the Certificate of Incorporation) and physical address of the company;
- reproduction of the trade mark
- a list of the goods and/or services, based on the Nice Classification, on which the trade mark will be used;
- a declaration claiming the priority of an earlier national or regional application; and
- the prescribed application fee.

#### 7. How to register

The national OARG registration process involves the following steps:

- examination for compliance with formal requirements only;
- publication in the official gazette after acceptance, oppositions should be filed within 3 months of the date of publication; and
- the Registrar shall register the trade mark, publish a reference to the registration and issue the applicant with a certificate of registration.

#### 8. How much does it cost?

##### Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Sierra Leonean Leone). Application forms and information on fees are available through this link: [Office of Administrator and Registrar General \(OARG\)](#).

##### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

#### 9. How long does registration take?

The trade mark registration process takes 24-36 months from the filing date to complete, assuming that there are no unusual delays and no oppositions. This includes an opposition period of 3 months.

#### 10. How long does protection last

- 10 years from the filing date.

#### 11. When to pay renewal fees

- The registration of a trade mark may be renewed for consecutive periods of 10 years upon payment of the fee for renewal. You can find out the latest renewal fee rates at the [national office](#) or [local agent](#) for each country. The grace period for payment of late renewal fees is 6 months from the due date.

### 3.2 PATENTS

#### WHAT YOU NEED TO KNOW ABOUT PATENTS IN SIERRA LEONE

- The national IP OARG office conducts formal examination of applications only. ARIPO conducts substantive examination as part of its technical assistance to ARIPO member states in terms of the objectives of the Lusaka Agreement. You can read more on these objectives in the Lusaka Agreement which can be accessed from [here](#).
- So far, the applicant does not pay substantive examination fees and surcharges for surplus claims and pages.
- ARIPO examines patent applications submitted by its member states on a preferential basis. Substantive examination is completed on average in 18 months from the receipt date of the application compared to 36 months for other applications.
- The applicant cannot apply for expedited or delayed examination in ARIPO as do other applicants who file directly with ARIPO, but in justified circumstances OARG can request ARIPO to expedite or delay the examination.

#### 1. Who can register a patent?

An inventor (or successor in title) or an assignee of an invention can apply to register a patent.

#### 2. Do I need a local representative?

- You must be represented by an agent if you are a foreigner i.e., not a citizen of Sierra Leone or if you are applying on behalf of a company, its principal place of business is outside Sierra Leone.
- An agent is an attorney who has been enrolled to practise in the Courts of Sierra Leone, or per-

sons prescribed by the Minister.

- For local applicants representation is optional.
- [You can find a local agent](#) for this country.

#### 3. What qualifies for registration?

A patent must meet the following requirements:

- novelty which must be absolute novelty in that the invention must be a new characteristic which is not known in the body of existing knowledge in its technical field. It must not be anticipated by prior art;
- inventive step which means that, having regard to prior art, the invention is not obvious to a person skilled in the art; and
- susceptible of industrial applicability in that it can be used in any kind of industry, including agriculture.

#### 4. What cannot be registered?

The following inventions cannot be patented:

- a discovery of a plant, animal, microorganism or substance as found in nature, including the human body;
- a scientific theory or mathematical method;
- a literary, dramatic, musical or artistic work or other aesthetic creation;
- a scheme, rule or method for doing business, performing mental acts or playing a game;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised in relation to them, except products for use in any such methods;
- an invention whose commercial exploitation is necessary to protect public order or morality, including the protection of human or animal health, plant life or to avoid prejudice to the environment;
- plants and animals other than microorganisms;
- essentially biological processes for the production of plants or animals.

#### 5. Where can I file an application?

National applications, non-Convention, Convention and PCT national phase applications must be filed at OARG.

Regional applications can be filed at OARG or, clearly indicating that they are regional applications, through ARIPO. Applications filed through ARIPO can be filed electronically, by email, registered mail, fax, by courier or in person. Online ARIPO application fees have a 20 % discount to encourage online filings.

#### 6. What are the registration requirements

A patent application must contain the following:

- a request on the prescribed form;
- the patent title, abstract, description, claims and drawings;
- a Power of Attorney, simply signed if an application is filed through an agent;
- the Deed of Assignment, if the applicant is not the inventor;
- a certified copy of the priority document, if applicable; and
- the prescribed application fees;

### 7. How to register

The national OARG registration process involves the following steps:

- formal examination by the Sierra Leone industrial property office;
- search and examination with ARIPO;
- international-type search upon request; and
- granting of patent

### 8. How much does it cost?

#### National (OARG) fees

Registration fees consist partly of government (official) fees and partly of professional fees, as indicated below.

#### Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Sierra Leonean Leone). Application forms and information on fees are available through this link: [Office of Administrator and Registrar General \(OARG\)](#).

#### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

#### ARIPO-route patent registration fees

Fees must be paid through ARIPO if an applicant chooses to register a patent for Sierra Leone using the ARIPO route. ARIPO's fees are reviewed regularly. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fee (USD)	Total Fees (USD)
Application fee, regardless of the number of states designated in the application	232	932
State designation fee	85 per state (Multiplied by the number of designated states)	Depends on the number of designated states
Mandatory annuity fee: for PCT-based applications, the first ARIPO annuity fee will usually be due and must be paid with the application fee	50 per state (Multiplied by the number of designated states)	Depends on the number of designated states
Total fees, assuming only Sierra Leone is designated and payment of first annuity fee	317	1 037
Total fees, assuming all 18 Harare Protocol states, including Sierra Leone, are designated and payment of first annuity fee	2 662	3 722

#### Note on professional fees

Professional fees vary depending on several factors, such as the level of experience of the professional concerned and the time spent on a task, amongst others.

It is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

### 9. How long does registration take?

National applications take 9-15 months to complete formal examination.

**Regional**-route Sierra Leone applications are substantively examined by ARIPO and take 3-4 months on average to complete registration, assuming that there are no objections.

### 10. What is the duration of protection?

Protection lasts 20 years from the filing date, subject to the payment of annual maintenance fees.

### 11. When are renewal fees paid?

#### National patents

Renewal fees are paid from the first anniversary of the filing date up to the 20th year. Late payment is possible, with a corresponding surcharge, within a grace period of 6 months after the due

date.

### ARIPO-route Sierra Leone patents

Renewal fees are payable up to the 19th year. Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

ARIPO fees are payable *per designated state*. The following ARIPO renewal fees are currently applicable:

Type of Fee	ARIPO Fee (USD)
1 (NB: Due the second year after the filing date)	50
2	70
3	90
4	110
5	130
6	150
7	170
8	190
9	210
10	230
11	250
12	270
13	290
14	310
15	330
16	380
17	430
18	480
19	530
Late renewal fees consist of 2 parts:	
I. Surcharge for late payment of annual maintenance fee	100
II. Penalty fee for each month or fraction of a month for which the fees remain unpaid	50

### 3.3 UTILITY MODELS

What you need to know about Utility models in Sierra Leone

Substantive examination is done by ARIPO.

In some jurisdictions utility models are referred to as 'petty patents' because they are similar to patents but require less stringent conditions for registration and are registered for a shorter term than a conventional patent.

#### 1. Who can register?

An inventor or assignee of an invention can apply to register a utility model.

#### 2. Do you need a local representative

- You must be represented by an agent if you are a foreigner i.e. not a citizen of Sierra Leone or if you are applying on behalf of a company, whose principal place of business is outside Sierra Leone.
- For local applicants representation is optional.
- You can find a **local agent** for Sierra Leone here

#### 3. What qualifies for registration?

A registrable utility model must meet following requirements:

- **novelty**: the invention must be a new characteristic and must not be anticipated by the prior art; and
- **industrial applicability**: the invention must be useful in any kind of industry.

#### 4. What cannot be registered?

The following inventions cannot be registered as utility models in Sierra Leone :

- utility models related to the treatment of humans or animals or to pharmaceutical inventions. These inventions are not registrable to avoid undue restriction to access to medical care and medicines by people or animals in need.
- inventions whose commercial exploitation would be contrary to public policy or morality, public health and safety, and principles of humanity and environmental conservation;
- a discovery of a plant, animal, microorganism or substance as found in nature, including the human body;
- a scientific theory or mathematical method;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised on them (as opposed to medical products);
- a scheme, rule or method for doing business, performing mental acts or playing a game;
- presentations of information; and

- software.

### 5. Where can I file an application?

**National** applications for utility models must be filed at OARG.

**Regional** applications can be filed at OARG or, clearly indicating that they are regional applications, through ARIPO. Applications filed through ARIPO can be filed electronically, by email, registered mail, fax, by courier or in person. Online ARIPO application fees have a 20 % discount to encourage online filings. If an applicant wishes to obtain a utility model instead of a patent in Sierra Leone on the basis of an international application, this must be indicated in the international application when filed.

### 6. What are the registration requirements?

You must submit the following documents to OARG:

A utility model application must contain the following:

- a request for registration (Form 1);
- full details of the applicant, including name(s), nationality and physical address;
- where the applicant is a company, full details of the company;
- utility model title, abstract, description, claims and drawings;
- power of attorney simply signed if the applicant is represented- this is mandatory of you are a foreigner and do not have a business presence in the country; and
- the Deed of Assignment, if the applicant is not the inventor; and
- the prescribed application fee

### 7. How to register

- OARG carries out formal examinations to check if an application complies with formal and legal requirements and substantive examinations are referred to ARIPO depending on the technical content of the application.

### 8. How much does it cost?

#### National (OARG) fees

Registration fees consist partly of government (official) fees and partly of professional fees, as indicated below.

#### Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Sierra Leonean Leone). Application forms and information on fees are available through this link: [Office of Administrator and Registrar General \(OARG\)](#).

#### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/ARIPO-route-utility-model-registration-fees>

- Fees must be paid through ARIPO if an applicant chooses to register a utility model in Sierra Leone using the ARIPO route. ARIPO's fees are reviewed regularly. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fee (USD)	Total Fees (USD)
Application fee, regardless of the number of states designated in the application	80	580
State designation fees	20 per state (multiplied by the number of designated states)	Depends on the number of designated states
Mandatory annuity fees (per designated state): 1st year: USD 20 2nd to 7th year increases by USD 5 Each year thereafter: increases by USD10	20 (1st year) per state multiplied by the number of designated states	Depends on the number of designated states
Total fees, assuming only Sierra Leone is designated and payment of 1st annuity fee	120	640
Total fees, assuming all 18 Harare Protocol states, including Sierra Leone, are designated and payment of 1st annuity fee	800	1520

#### Note on professional fees

- Professional fees vary depending on several factors, such as the level of experience of the professional concerned and the time spent on a task, amongst others.
- It is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

### 9. How long does registration take?



National, OARG utility model application average timeframe is between 12-15 the months. It is advisable to check applicable processing time frames before starting the registration process.

Regional route filed OARG applications are substantively examined by ARIPO and take longer than national utility model applications to reach registration. These applications can take 24-36 months to complete registration, assuming that only minimal official actions are needed and there are no objections.

#### 10. What is the duration of protection?

- In Sierra Leone, the duration of utility models is 7 years from the filing date. It is not renewable.
- ARIPO-registered utility models have a duration of 10 years from the filing date.

#### 11. When are renewal fees paid?

##### National Utility models

Renewal fees must be paid each year, starting one year after the filing date of the application or the grant of the utility model.

##### ARIPO-route filed Sierra Leone utility models

Renewal fees are payable up to the 10th year. Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

ARIPO fees are payable *per designated state*. The following ARIPO renewal fees are currently applicable:

Annuity Year	ARIPO Fee
1 (NB: Due the second year after the filing date)	20
2	25
3	30
4	35
5	40
6	45
7	50
Each year thereafter	10
Late renewal fees consist of 2 parts:	
I. Surcharge for late payment of annual maintenance fee	30
II. Penalty fee for every month or fraction of a month for which the fees remain unpaid	5

### 3.4 INDUSTRIAL DESIGNS

#### 1. Who can register?

A creator or assignee of an industrial design can apply to register a design in Sierra Leone.

It is possible for two or more persons or companies to jointly own and apply for the registration of an industrial design.

#### 2. Do I need a local representative?

- You must be represented by an agent if you are a foreigner i.e., not a citizen of Sierra Leone or if you are applying on behalf of a company, its principal place of business is outside Sierra Leone.
- For local applicants' representation is optional.
- You can find a local agent for this country.

#### 3. What qualifies for registration?

An industrial design is registrable if it is new. For a creation to qualify for design registration it must clearly identify novel features of the design in terms of:

- shape;
- configuration;
- pattern and/or ornament; and
- It is not a requirement that a design should have an objectively noticeable aesthetic quality.

#### 4. What cannot be registered?

The following cannot be registered:

- designs that are contrary to the law, public policy or morality;
- designs for articles that are primarily literary or artistic in character, such as paintings, sculptures, drawings, enamelling, engravings, embroidery, photographs, sculptures, architecture and works of artistic craftsmanship;
- designs consisting solely of a change in the colour of already known designs;
- designs whose features correspond to or are determined by functions to be performed by the products.

#### 5. Where can I file an application?

National-route design applications must be filed at OARG.

Regional-route design applications can be filed at OARG or, clearly indicating that they are regional applications, through ARIPO. Applications filed through ARIPO for Sierra Leone designs can be filed electronically, by email, registered mail, fax, by courier or in person. Online ARIPO application fees have a 20 % discount to encourage online filings.

## 6. What are the registration requirements

A design application must contain the following documents:

- a formal application on a prescribed form;
- drawings depicting different views of the design;
- photographs of the design;
- an indication of the kind of products for which the industrial design is to be used;
- a specimen of the article embodying the industrial design where the industrial design is two-dimensional;
- a power of attorney, simply signed if the application is filed through an agent;
- a deed of assignment if the creator is not the applicant;
- a priority document (original or certified copy) if priority is claimed;
- the prescribed application fees;

## 7. How to register

### National OARG design

The registration process consists of the following steps:

- filing registrar;
- search;
- formal examination; and
- registration.

• Copyright is registrable in Sierra Leone. The publisher of a work in Sierra Leone may submit their work for registration by the registrar within 3 months after its production and two copies of the best edition shall be deposited at the registry for that purpose. Work is submitted to the Ministry of Culture and Tourism (Cultural Division), Sierra Leone Intellectual Property Organisation (SLIPO).

## 8. How much does it cost?

### National (OARG) fees

Registration fees consist partly of government (official) fees and partly of professional fees, as indicated below.

### Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Sierra Leonean Leone). Application forms and information on fees are available through this link: [Office of Administrator and Registrar General \(OARG\)](#).

### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>

## ARIPO-route design registration fees

These fees are paid through ARIPO. ARIPO's fees are reviewed regularly. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

Type of Fee	ARIPO Fee (USD)	Total Fees (USD)
Application fees, regardless of the number of states designated in an application	40	340
State designation fees	10 per state (multiplied by the number of designated states)	Depends on the number of designated states
Total fees, assuming that only Sierra Leone is designated in the application	50	370
Total fees, assuming that all 18 Harare Protocol states, including Sierra Leone, are designated in the application	220	880

Application fees consist of three components, as follows:

### Note on professional fees

Professional fees vary and it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

## 9. How long does registration take?

- National route applications usually take 12-18 months to complete registration.
- Regional-route applications usually take 8-12 months to complete registration. This includes a period of 6 months for states to examine and decide if a design will have legal effect in their territories after ARIPO has issued them with a notice of intention to register a design.

## 10. What is the duration of protection?

- A OARG industrial design has an initial duration of 5 years from the filing date, with the possibility of two further consecutive 5-year terms, a total of 15 years.
- ARIPO-route design registrations are valid for 10 years, with no possibility of extension.

### 11. When are renewal fees paid? National OARG Renewal

The registration may be renewed for two further consecutive periods of five years on the payment of the prescribed fee.

#### ARIPO-registered design renewal fees

Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

ARIPO fees are payable per designated state. The following ARIPO renewal fees are currently applicable:

Annuity Year	ARIPO Fee
1	10
2	12
3	14
4	16
5	18
6	20
7	24
8	28
9	32
Late renewal fees consist of 2 parts:	
I. Surcharge for late payment of annual maintenance fee	15
II. Penalty fee for each month or fraction of a month for which the fees remain unpaid	2

#### Professional services renewal fees

These are usually payable as a flat-rate fee per annuity payment, regardless of the number of designated states. They range between USD 150 to USD 250 per renewal. It is advisable to compare the fees of different IP agents.

**Secretariat: 11 Natal Road, Belgravia, Harare, Sierra Leone**

### 3.4 COPYRIGHT AND NEIGHBOURING RIGHTS

About Copyright and Neighbouring rights in Sierra Leone

Sierra Leone has a dedicated law for the protection of copyright and neighbouring rights, namely the Copyright Act, 2011 (Act No. 8 of 2011).

Sierra Leone is also a signatory to the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty.

#### 1. Can I register?

- Copyright is registrable in Sierra Leone. The publisher of a work in Sierra Leone may submit their work for registration by the registrar within 3 months after its production and two copies of the best edition shall be deposited at the registry for that purpose. Work is submitted to the Ministry of Culture and Tourism (Cultural Division), Sierra Leone Intellectual Property Organisation (SLIPO).
- Sierra Leone is a member of the African Regional Intellectual Property Organization (ARIPO) which is currently considering the possibility of creating a voluntary copyright registration system for its Member States. It remains to be seen if this system becomes a reality.

#### 2. Do I need a local representative?

- You must be represented by an agent if you are a foreigner i.e., not a citizen of Sierra Leone or if you are applying on behalf of a company, its principal place of business is outside Sierra Leone.
- An agent is an attorney who has been enrolled to practise in the Courts of Sierra Leone, or persons prescribed by the Minister.
- For local applicants representation is optional.
- You can [find a local agent](#) for this country.

#### 3. What qualifies for protection?

Any original work in the categories listed below qualifies for protection:

- literary works;
- artistic works;
- musical works;
- sound recordings;
- audio-visual works;
- choreographic works;
- derivative works; and
- computer software and programmes

#### 4. What cannot be protected?

- Any work whose subject matter that does not qualify for legal protection.
- Any work whose author is not Sierra Leonean by:

- 1) citizenship;
- 2) domicile; or
- 3) by virtue of being incorporated in Sierra Leone.

Any work that is contrary to law, public order or morality.

### 5. What are the requirements for legal protection?

The original work must be in one of the following categories:

- a) literary works;
- b) artistic works;
- c) musical works;
- d) sound recordings;
- e) audio-visual works;
- f) choreographic works;
- g) derivative works; and
- h) computer software and programmes

In addition to the above, the author or, where a work is co-authored, at least one of the authors must be:

- 1) a citizen of Sierra Leone or a designated country;
- 2) domiciled or ordinarily resident in Sierra Leone or a designated country; or
- 3) in the case of a corporation, incorporated under the law of Sierra Leone or a designated country.

### 6. What are examples of acts permitted in relation to copyright works?

Permitted acts that do not infringe copyright include:

Acts that do not infringe copyright include:

- private reproduction for personal purposes;
- reproduction in the form of quotation;
- reproduction for teaching;
- temporary reproduction;
- reprographic reproduction by libraries and archives;
- reproduction broadcasting and other communication to the public;
- publication of portrait in events of public interest;
- reproduction and adoption of computer programmes;
- ephemeral recordings;
- importation for personal use; and
- display of works.

### 7. What acts are not permitted in relation to copyright works?

Unpermitted/restricted acts include:

- reproducing the work;
- publishing the work;
- importing the work into Sierra Leone or exporting it from Sierra Leone, otherwise than for personal and private use;
- causing the work to be transmitted in a cable programme service, unless the service transmits a lawful broadcast and is operated by the original broadcaster;
- making an adaptation of the work.

### 8. What is the duration of protection?

The duration of copyright protection (economic and moral rights) is as follows:

- **joint authorship works:** the lifetime of the author, (or last surviving author in the case of co-authored works) plus 50 years after death;
- **collective works:** 50 years from the date on which the works was either made available to the public or published;
- **anonymous or under pseudonym works:** 50 years from the date on which the works was either made available to the public or published;
- **applied art works:** 25 years from the date on which the works was either made;
- **public cooperation and other body cooperate owned works:** 50 years from the date on which the works was made public;
- **an audio-visual work,** sound recording and broadcasting works – 50 years from the end of the year in which the work is made available to the public with the consent of the owner of the copyright or, failing such an event within 50 years from the making of the work or 50 years from the end of the year in which the work is made;
- **photography works:** 50 years from the date of the making of the work;
- **a programme-carrying signal:** 50 years from date of the making of the signal; and
- **folklore works** it exists in perpetuity.

### 9. Can I renew copyright after its term of protection expires?

- Copyright cannot be renewed once its term has expired. The work lapses into the public domain at the end of the term of protection.

