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UGANDA



SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Capital:	Kampala
Population:	44.27 million
Currency of government (official) fees:	Shilling (UGX)
Language for filing IP applications:	English
GDP per capita:	484.521 (est.in, 2020)
Human Development Index:	0.363 (est.in, 2020)
Main exports:	Diamonds, copper, nickel, soda ash, beef, and textiles.
Main imports:	Foodstuffs, machinery, electrical goods, transport equipment, textiles, fuel and petroleum products, wood and paper products, metal, and metal products.

1.2 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

Uganda is a contracting state to the following international legal instruments:

- Marrakesh VIP Treaty
- Nairobi Treaty
- Paris Convention
- Patent Law Treaty
- Patent Cooperation Treaty
- WIPO Convention¹
- WTO/TRIPS²

1.4. OVERVIEW OF REGIONAL AGREEMENTS

- The African Continental Free Trade Area (AfCFTA) Agreement
Uganda 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 aimed at effective protection and promotion of IP rights in Africa and may therefore have legal implications for Uganda when it comes into force.

¹ WIPO: World Intellectual Property Organization.

² TRIPS Agreement: Agreement on Trade-Related Aspects of Intellectual Property Rights the World Trade Organization (WTO).

- ARIPO⁽³⁾ Agreements
Uganda is a member of the Lusaka Agreement which created the African Regional Intellectual Property Organization (ARIPO). It is also a contracting party to the Banjul and Harare Protocols which are administered by ARIPO.
- Common Market for Eastern and Southern Africa (COMESA⁽⁴⁾)
Uganda is a member of COMESA.

1.8.2. Regional

- The ARIPO regional route can be used for Uganda for:
 - 1) the registration of trade marks in terms of the Banjul Protocol;
 - 2) the grant of patents and registration of utility models and industrial designs in terms of the Harare Protocol.

Trade marks

Uganda is a signatory of the Banjul Protocol which means it can be designated for the purposes of registering trade marks using the ARIPO trade mark system.

Member states conduct substantive examination of applications after which ARIPO registers the trade marks on behalf of its members and subsequently administers the registrations in terms of the Banjul Protocol. A list of current states that have joined the [Banjul Protocol can be viewed here](#). [ARIPO member states](#) are free to join any of ARIPO's protocols. Not all ARIPO member states are members of the Banjul Protocol and as a result, non-members cannot be designated in an ARIPO trade mark application or in a subsequent designation application. Filing requirements, the registration process, payable fees and a list of current Banjul Protocol member states can be found on [ARIPO's trade mark web page](#).

Once completed, an ARIPO IP registration becomes a 'bundle of national rights' that have the same legal effect as directly registered national rights, and which the rights holder will need to enforce according to the national laws of each designated state. ARIPO IP rights therefore co-exist with, rather than displace, national IP systems.

Advantages of the ARIPO trade mark system

The ARIPO system makes it possible for an applicant to file one application designating one or more Banjul Protocol states for registration of trade mark rights which will be enforceable in those states that are members of the system. In this regard, the ARIPO trade mark system is similar to the Madrid System for the international registration of marks, except that the ARIPO system covers a limited geographical area in Africa (in addition to a few other differences).

When it is used to facilitate multiple state designations, the ARIPO trade mark system aims to reduce costs and to simplify the process of trade mark registration on a regional basis, thus encouraging investment in intellectual property rights (IPR).

When it is used to designate one state, the ARIPO trade mark system is complementary to national trade mark registration systems, providing brand owners with an alternative system to register their trade marks.

³ ARIPO: African Regional Intellectual Property Organisation

⁴ COMESA: Common Market for Eastern and Southern Africa

Another benefit of the ARIPO trade mark system is that if a mark is rejected by one or several of its member states, the trade mark can still proceed to registration in the remaining states designated during the application procedure.

Furthermore, the ARIPO trade mark system has the advantage that a trade mark application or registration can be extended to other Banjul Protocol contracting states (although not to other ARIPO member states who have not joined the Protocol). For this extension, the rights holder needs to file an application (Form M3, which can be downloaded from ARIPO's [e-service platform](#)) to designate the additional state(s).

Disadvantages of the ARIPO trade mark system

Despite its advantages, the ARIPO trade mark system does raise some major concerns for brand holders. These concerns include:

- **a poor opposition procedure** which derives from the fact that oppositions have to be dealt with in individual states in a decentralised manner and under different, non-harmonised national laws. This makes it expensive for brand holders and undermines the efficiencies of trade mark registration through a central single application system.
- **a limited number of contracting parties.** The accession of The Gambia as the 12th and most recent Banjul Protocol state from 3 August 2021 was a positive step for the ARIPO trade mark system. However, a system that includes only 12 out of 20 of [ARIPO's current member states](#) may be a concern to brand owners who want to be able to designate a large and diverse number of countries in one trade mark application. Considering that the majority of ARIPO's trade mark system's users are from European and non-African countries, the system suffers heavily in competition with the Madrid System (see 2014 - 2019 statistics in the [ARIPO Annual Reports](#)).
- Concern about the less than optimal level of integration of the Banjul Protocol into national law by member states applies equally to the level of integration of the Madrid Protocol in most low-income states (LICs), a significant number of which are in Africa. This is unlikely to be an attractive feature of the ARIPO and Madrid systems for brand owners.

Tips for making effective use of the ARIPO trade mark system

- **Compare costs** with other registration systems (national and Madrid), if available, for the states that you want. The ARIPO system tends to be cheaper than national routes if designating several countries. It will also be cheaper in comparison with states that operate a single class registration system.
- As well as being generally more expensive, national registration systems do not offer the advantage of extending trade mark rights to other Banjul Protocol states to give wider protection within the ARIPO region.
- **Reduce the list of goods/services** – ARIPO's surcharge of USD 5 per word can become a significant cost if you intend to use a long specification. Aim to designate only the goods/services that you genuinely need.
- **Be strategic with your state designations** – the ARIPO trade mark system is flexible enough to allow you to be strategic. You do not have to designate all Banjul Protocol states in an application. You can leave out some or you can create your own 'sub-

designations' to suit your business needs. Develop the strategy by establishing which states operate a 'first to file' and a 'first to use' system so that you do not jeopardise your rights. You can also 'mix and match' system use approaches, for instance by conducting **national IP office searches** in the states that you wish to designate and then file an **ARIPO application**. The national IP office searches would help to avoid objections during the substantive examination phase of your ARIPO application which is conducted by designated states in accordance with national laws. ARIPO examines formalities only and transmits the application to member states for substantive examination.

- **Invest in quality legal expertise** – the ARIPO trade mark system has its faults, but it also offers significant advantages to brand owners. You will need an experienced professional who can advise you on how to use the ARIPO system to your brand's best advantage.

Patents, utility models and industrial designs

Uganda is a signatory of the Harare Protocol by which ARIPO grants patents and registers utility models and industrial designs on behalf of the member states that are party to the Protocol. Read more about ARIPO's processes and applicable fees here for [patents, utility models and industrial designs](#). A list of current states that have joined the [Harare Protocol can be accessed here](#).

Compared to the trade mark system, the Harare Protocol system works well and is the most utilised of ARIPO's IP registration protocols – see the statistics in [ARIPO's Annual Reports](#). You can also obtain statistics and other related information by conducting searches on the [ARIPO e-service platform](#) or from the [Regional IP database](#).

Information you may need to know regarding the relevance of the ARIPO system to your IP protection strategy in Uganda

Patent filings

- ARIPO is a member of the Patent Cooperation Treaty (PCT) – over 75 % of its applications are PCT based. **Uganda** receives most of its patent applications through its designations under the ARIPO region in PCT applications. The Uganda Registration Services Bureau (URSB), the national IP office, received 0 patent applications in 2019 in contrast with 543 ARIPO patent applications. In 2018 the national IP office received seven patent applications compared to 509 ARIPO patent applications through PCT designations under the Harare Protocol – see [ARIPO's 2019 Annual Reports here](#). The pattern is similar for most ARIPO member states.

Substantive examination of patents and utility models

- ARIPO offers technical support to its member states, including Uganda, for carrying out substantive examination of patents and utility models.

Searches

- Free simple and advanced searches for trade marks, patents, utility models and

industrial designs can be conducted on [ARIPO's e-service platform](#) even if you are not registered for e-services.

- You can also [use this shortcut](#) to access the Regional IP Database.

1.8.3. International

- The WIPO international route can be used for Uganda for one IP right:
 - the filing and processing of patents in terms of the **Patent Corporation Treaty (PCT)**.

Patents: PCT

- The PCT makes it possible to seek patent protection for an invention simultaneously in a large number of countries by filing a single international patent application instead of several separate national or regional patent applications. [Read more about the PCT via this link](#).
- Uganda is a contracting party to the PCT, but is also a member state of ARIPO which, as a region, is also a contracting party to the PCT. Consequently, Uganda can be designated in a PCT application as a country or under the designation of ARIPO as a regional block.

1.9. National/Regional/International: Which route?

- The choice will depend mainly on the nature of the IP right(s) involved. Professional advice may be necessary to establish the most suitable protection route for your IP right(s).

1.9.1. When to use the national route

- When the national route is the only available route for the protection of the IP right** in question. Some IP rights (e.g. geographical indications) can only be protected under national law because protection is not available under regional or international systems.
- When IP protection is required in one country only.** It may not be beneficial as a result to use regional or international routes.
- When used in response to specific national law provisions.** ARIPO confers IP protection as a 'bundle of rights' which an IP holder must enforce in each designated state based on the laws of each state. Some IP rights are not readily accepted in all ARIPO member states, for example pharmaceutical patents.
- When the national route provides special advantages.** For example:

Preferential substantive examination timeframes: It takes an average 18 months for a patent filed through a national IP office to complete substantive examination compared to an average 36 months if filed directly via ARIPO.

Exemption from substantive examination fees and surcharges: Patent applications submitted through national IP offices are currently exempt from

substantive examination fees and surcharges for excess claims and pages which are payable on all other applications. Please note that this situation is being reviewed by ARIPO and is unlikely to remain for long.

1.9.2. When to use the regional (ARIPO) route

- This route is currently available for trade marks, patents, utility models and industrial designs only.
- It is advisable to use the ARIPO regional route when:
 - IP protection is required in multiple ARIPO states.** In this case a single application for the registration of an IP right using the regional system may be more efficient and cost effective than registering in two or more countries.
 - the regional route offers more technical capacity.** For example, ARIPO has a wider capacity to substantively examine patents, especially those of a complicated nature.

1.9.3. When to use the international route

Patents

- 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

Uganda 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.

URSB is mandated by the Trade Marks Act, the Copyright and Neighbouring Rights Act and the [National Intellectual Property Policy](#) to enforce compliance and bring IP infringers to justice.

URSB 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 URSB and State efforts to curb IP infringement, rights holders must play a significant role in policing the use of their IP in Uganda. 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. Ugandan 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. 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.

2.2.2. SPECIALISED POLICE: INTERPOL

The International Criminal Police Organization ([INTERPOL](#)) is one of the stakeholders that has a role in combating IP infringements in Uganda. [INTERPOL's National Central Bureau \(NCB\) in Uganda](#) is the leading police platform for national investigations that requires input from other police forces across the globe.

2.2.3. CUSTOMS AND BORDER CONTROLS

When goods are imported into or exported out of Uganda, they must be declared immediately to the Uganda Revenue Authority (URA) Customs and Excise Department (see [About URA](#)). URA's Customs and Excise Division is the authority responsible for monitoring IP infringements at Uganda's borders. These infringements include counterfeit goods and copyright piracy.

2.2.4. CRIMINAL LAW REMEDIES FOR INFRINGEMENT OF IPR

The police are responsible for enforcing copyright law in Uganda through the efforts of police officers. However, the government may, by order of a designated Minister, appoint and grant investigating powers to any other person who is not a member of the Uganda police force.

An IP rights holder can file a complaint to the police who, acting on behalf of the State of Uganda, will investigate the complaint. If they discover that a criminal offence has been committed, they refer it to the state for prosecution of the accused person(s) or entities.

2.2.5. CIVIL REMEDIES FOR ENFORCEMENT

Under the [terms of the Trademarks Act of Uganda, which can be downloaded here](#), a plaintiff in IP infringement proceedings is entitled to relief.

An IP rights holder can seek both criminal and civil law remedies in respect of the same matter, for example, obtaining seizure of infringing goods under criminal law and damages under civil law.

2.2.6. WHAT TO NOTE IF YOU ARE A FOREIGNER

There are no requirements for foreign applicants to obtain special approvals, engage special agents, or present special documentation to gain access to national courts, customs officials, or police officials for enforcement of their IP rights in Uganda. This means that foreign natural and legal persons enjoy the right to take action in the Courts of Uganda on the same basis as local natural and legal persons, as required under Uganda's international obligations, for example, under the TRIPS Agreement.

2.3. YOUR ROLE (AS AN IP RIGHTS HOLDER) IN IP ENFORCEMENT

Despite the existence of robust legal, regulatory, and administrative frameworks for the protection of IP in Uganda, IP rights owners must be active in protecting their IP. It is advisable to consider implementing some of the following measures:

- **Keep a record of your IP rights** including registration certificates – you will need to produce them in enforcement proceedings to prove your rights.

- **Monitor your IP rights closely** – you can engage an appropriate IP watching service or your lawyer or IP agent can assist you with this.
- **Act promptly to safeguard your rights** if they are being infringed. Administrative, civil and criminal remedies tend to take time, especially in Africa.
- **Promote your brand** so that the public readily associates it with you or your company and can immediately tell the difference when an infringing product enters the market.

SECTION 3: AVAILABLE IP PROTECTION

3.1 TRADE MARKS

3.1.1 Who can register for 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 Uganda needs a professional representative.

3.1.2 Do you need a local representative?

- You must be represented by an agent if you are a foreigner (i.e. not a citizen of Uganda) or if you are applying on behalf of a company whose principal place of business is outside Uganda.
- For local applicants, representation is optional.
- Find a [local agent](#) in Uganda.

3.1.3 What qualifies for registration?

A trade mark that is capable of distinguishing the good or services of one undertaking from those of others and is not in conflict with earlier registrations or pending applications.

3.1.4 What cannot be registered?

A trade mark cannot be registered if it contains:

- the words 'patent', 'patented', 'by letters patent', 'registered', 'registered trade mark', 'registered design', 'copyright', 'certified', 'guaranteed', 'to counterfeit this is a forgery' or words to like effect;
- the words 'Red Cross' or 'Geneva Cross', representations of the Geneva or other crosses in red, or of the Swiss Federal cross in white on a red background or in silver on a red background, or any such representations in a similar colour or colours;
- representations of the armorial ensigns of Uganda or any device resembling them to the extent they are likely to deceive, or of the national flag, or any words, letters, or devices likely to lead to the understanding that the applicant has government patronage or authorisation;

- a representation of armorial bearings, insignia, a decoration or a flag of any state, administration, city, town, place, society, body corporate, institution or person.

3.1.5 Where to file an application

- **National** applications must be filed with the Uganda IP office ([URSB](#)).
- **Regional** applications designating Uganda can be filed directly with [ARIPO](#).

3.1.6 What are the registration requirements?

A search must be completed for the trade mark to be registered after payment of the relevant fees. A trade mark application must contain the following:

- the name, address and the signature of the applicant;
- a list of goods and/or services in accordance with the [Nice Classification](#);
- (for a foreign company) a power of attorney or form of authorisation to an agent (Advocate of the High Court);
- payment of the relevant fees.

3.1.7 How to register

The national (URSB) registration process involves five stages: search, application, examination, publication and registration (see: <https://ursb.go.ug/trademarks/>).

3.1.8 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 (Uganda Shillings). Application forms and information on fees are available through this link: <https://ursb.go.ug/intellectual-property-fees/>

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/>

Regional (ARIPO) Route

- ARIPO's current trade mark fees are calculated as follows:
- Application fees are currently USD 80 per application which can designate one, some or all Banjul Protocol states.
- In addition to the application fees, a state designation fee of USD 50 per state is payable in respect of each designated state.
- In addition to the application fees and designation fees, an additional class fee of USD 10 per class is payable for the second and any additional classes that are included in the application.

- A surcharge of USD 5 per word is applied for each word when a specification of goods or services exceeds 50 words, excluding punctuation marks.
- Latest fees are available through this link: [Fee Schedules – The African Regional Intellectual Property Organization \(ARIPO\)](#).
- If you require help, please email: asscounts@aripo.org.

3.1.9 How long does registration take?

- The trade mark registration process takes 10–18 months from the filing date to complete, assuming that there are no unusual delays or oppositions. This includes an opposition period of 60 days.
- Regional (ARIPO) trade marks take 12–15 months, including a substantive examination period of nine months and an opposition period of three months.

3.1.10 What is the duration of protection?

- URSB Trademark is valid for 7 years from the filing date of the application and may be renewed indefinitely for successive ten year periods upon payment of the prescribed renewal fee.
- ARIPO trademark has a duration of ten 10 years from filing date

3.1.11 When are renewal fees paid?

- **National** (URSB) trade mark renewal applications can be made for consecutive 10 year periods upon payment of renewal fees of USD 250 per class. It is advisable to confirm these fees at the time of renewal.
- **Regional (ARIPO)** application for renewal fees are available here.

3.2 PATENTS

3.2.1 Who can register a patent?

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

3.2.2 Do I need a local representative?

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

3.2.3 What qualifies for registration??

- A registrable 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; and

3.2.4 What cannot be registered?

The following inventions cannot be patented:

- plant varieties as provided for in law for the protection of plant varieties;
- inventions contrary to public order, morality, public health and safety, public policy principles of humanity and environmental conservation.

3.2.5 Where can I file an application?

National applications must be filed at [Uganda Intellectual Property Office, URSB](#).

Regional applications can be filed at URSB 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.

International applications filed through the [PCT](#) in which Uganda is designated are registered by URSB.

3.2.6 What do I need to register?

National URSB Patents

A patent application must contain the following:

- a request on the prescribed form;
- the patent title, abstract, description, claims and drawings;
- the applicant's details including full name, nationality, legal status and physical address or, if it is a company, its Certificate of Incorporation;
- the Deed of Assignment, if the applicant is not the inventor;
- a certified copy of the priority document, if applicable;
- the prescribed application fees;

Regional (ARIPO) patents

See here for the [ARIPO patent application filing procedure](#).

3.2.7 How to register

The national (URSB) registration process involves four stages: application, filing, examination, and certification – see: [utility models and patents – Uganda Registration Services Bureau \(ursb.go.ug\)](#).

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 (Uganda Shillings). Application forms and information on fees are available through this link: <https://ursb.go.ug/intellectual-property-fees/>

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 Uganda 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 Uganda is designated and payment of first annuity fee	317	1 037
Total fees, assuming all 18 Harare Protocol states, including Uganda, 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/>

3.2.9 How long does registration take?

National applications usual timeframe is between 24 and 36 months on average.

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

3.2.10 What is the duration of protection?

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

3.2.11 When are renewal fees paid?

National patents:

Renewal fees are paid from the second 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.

You can obtain information on the latest fees from [URSB](#).

ARIPO-route Uganda 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:

Annuity Year	ARIPO Fee
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

Annuity Year	ARIPO Fee
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 Uganda

- Substantive examination is done by ARIPO.

3.3.1 Who can register?

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

3.3.8 How much does it cost?

National (URSB) fees

- Contact [URSB](#) for the latest information on application fees or refer to the [Schedule Relating to Forms and Fees](#) available on the ARIPO website.

National (URSB) 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 (Uganda Shillings). Application forms and information on fees are available through this link: <https://ursb.go.ug/intellectual-property-fees/>

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

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/>

3.3.9 How long does registration take?

National utility model applications are examined substantively. The average time frame is 12 -15 months. It is advisable to check applicable processing time frames before starting the registration process.

Regional-route filed URSB 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.

3.3.10 What is the duration of protection?

In Uganda, 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.

3.4 INDUSTRIAL DESIGNS

3.4.1 Who can register?

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

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

3.4.2 Do you need a local representative?

- You must be represented by an agent if you are a foreigner (i.e. not a citizen of Uganda) or if you are applying on behalf of a company whose principal place of business is outside Uganda.

- For local applicants, representation is optional.
- Find a [local agent](#) for this country.

3.4.3 What qualifies for registration?

An industrial design is registrable if it is new. It will be considered new if it has not been disclosed to the public by publication in tangible form anywhere in the world or, in Uganda, by use or any other way, prior to the filing date or where applicable the priority date of the application for registration.

3.4.4 What cannot be registered?

- Designs that are contrary to the law, public policy or morality cannot be registered in Uganda.

3.4.5 Where to file an application

National route design applications must be filed at [URSB](#).

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

3.4.6 What are the registration requirements?

A design application must contain the following:

- an application using the prescribed form;
- a power of attorney (where the applicant is represented by an agent);
- drawings, photographs or other adequate graphic representations of the article embodying the industrial design and an indication of the kind of products for which the industrial design is to be used;
- the relevant application fee.

3.4.7 How to register

National URSB designs

The registration process consists of five stages: application, formal examination, substantive examination, publication and certificate of registration.

- Application:** the application is submitted to URSB.
- Formal examination:** the application is checked to determine if all application requirements have been provided and is then given an application number and filing date.
- Substantive examination:** the application is examined to determine if the design is new and original.
- Publication:** if the design is acceptable for registration, a gazette notice is issued to the applicant to advertise in the Uganda Gazette for 90 days.
- Certificate of registration:** if there is no opposition after this 90-day period, the

registrar will issue a certificate of registration upon payment of the registration fee by the applicant.

Regional (ARIPO) designs

- Although an application can be filed through URSB for it to be transmitted to ARIPO, the common practice is to file the application online and register with ARIPO directly. Read more on [how to register an ARIPO industrial design](#).

3.4 8 How much does it cost?

National (URSB) 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 (Uganda shilling). Application forms and information on fees are available through this link: <https://ursb.go.ug/intellectual-property-fees/>

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/>

Application fees consist of three components, as follows:

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 Uganda is designated in the application	50	370
Total fees, assuming that all 18 Harare Protocol states, including Uganda, are designated in the application	220	880
	18	

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/>

3.4 9 How long does registration take?

National-route applications usually take 9-12 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.

3.4 10 What is the duration of protection?

A URSB 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.

3.4 11 When are renewal fees paid and how much do I pay?

In Uganda, [renewal fees](#) must be paid within 6 months after the due date.

In ARIPO, renewal fees are payable 12 months before the registration period expires. Late payment of the renewal fees is possible, with a corresponding surcharge, within a grace period of 6 months after the due date.

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.

3.5 PLANT BREEDERS RIGHTS

About Plant Breeders Rights in Uganda

- Uganda has a dedicated Act for the registration of Plant Breeders Rights (PBRs), namely the Plant Breeders Bill (2013).
- In international framework terms, Uganda is a member of the International Union for the Protection of New Varieties of Plants (UPOV). The bill can be accessed here: https://www.upov.int/meetings/en/doc_details.jsp?meeting_id=29623&doc_id=251263
- Although ARIPO has the Arusha Protocol on the protection on New Plant Varieties, it does not yet have an operational PBR registration system. Currently therefore, PBRs can only be registered through the national route.

3.5.1 Who can register?

- the state or the government of a reciprocating country;
- an individual who is a citizen or resident of Uganda or a reciprocating country; or
- a company or body corporate that conducts business or has its principal office in Uganda or a reciprocating country; where the state or government, individual, company, or body corporate, as the case may be, is a breeder of the new variety concerned.
- In most cases, foreign applications are filed on the basis that the applicant is a citizen or resident of a reciprocating country.
- A local agent must file a power of attorney in support of a PBR application.

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 Uganda) or if you are applying on behalf of a company whose principal place of business is outside Uganda.
- Find a [local agent for this country](#).

3.5.3 What qualifies for registration?

A variety shall be deemed suitable for the protection of a plant breeder right if it is:

- new,
- distinct,
- uniform,
- stable.

3.5.4 What cannot be registered?

The following cannot be registered as a PBR:

- that which does not constitute a new plant variety in terms of the PBR Act;
- that which is not distinctive, uniform, stable and novel.

3.5.5 Where to file an application

- An application for registration must be submitted to the registrar of PBRs through the Registrar General's Department of the Ministry of Justice.

3.5.6 What are the registration requirements?

An application for registration must include the following:

- payment of the relevant fee;
- the name and address of the applicant;
- the name and address of the person who has bred, or discovered and developed a variety if that person is different from the applicant;
- identification of the botanical taxon and the Latin or common name;
- the generic designation proposed for the variety, or a provisional designation;
- a technical description of the variety;
- any information, documents or material required for the purposes of examination.

Where the applicant is not resident in Uganda, they will need to appoint a legal representative or agent in the country to process the application.

3.5.7 How much does it cost?

You can contact the [national office](#) or any [agent for this country](#) for the latest information on fees.

3.5.8 How long does registration take?

PBR applications usually take 12-15 months to complete registration. This includes an opposition period of 3 months.

3.5.9 How long does protection last?

- A plant breeder right for varieties of trees and vines expires 25 years after the breeder right has been granted.
- Protection for varieties of all other genera or species expires 20 years after it has been granted.

3.5.10 When are renewal fees paid?

- There are no renewal fees for PBRs during their period of registration. However, this has been raised as an anomaly and it is likely that a new law in the future will require PBR registrations to be renewed annually.

3.6 GEOGRAPHICAL INDICATIONS (GIs)

What you need to know about geographical indications (GIs) in Uganda

- Uganda is a signatory of the WTO's TRIPS Agreement which requires contracting parties to provide legal protection for GIs. In compliance with this international obligation, Uganda's Geographical Indications Regulations, 2018 provides for the registration of GIs. This is done through the Uganda Registration Services Bureau (URSB) via a [registration process for GIs](#).
- It is possible to register foreign GIs in Uganda as collective or certification marks; an applicant may file a single application in one of the contracting states or directly with the ARIPO Office designating the states where protection is sought. [Read more about this here](#).
- Uganda is a member of the African Union (AU) which, in partnership with the Food and Agriculture Organization of the United Nations (FAO), is developing a Continental Strategy for GIs in Africa (2018 - 2023), [Read more about this here](#).
- Uganda is a signatory of the African Continental Free Trade Area (AfCFTA) Agreement and has ratified it. [The Agreement can be accessed here](#): Among other objectives, the AfCFTA seeks to promote economic integration, agricultural development, food security, industrialisation and structural economic transformation among African states, as well as promoting the protection of intellectual property rights.
- It's possible that developments concerning implementation of the goals of the Continental Strategy and the AfCFTA may have an impact on the protection of GIs in Uganda. The questions and answers covered in this literature must therefore be regarded from the perspective that they are based on a summary of what the GI legal framework of Uganda provided rather than how it is implemented in practice. You are advised to obtain professional advice.

3.6.1 Who can register?

The following can apply for the registration of a GI:

- a person who sells or who manufactures, imports or exports for sale a product to which the GI is applied or is to be applied;
- a person who, in the course of business, consumes or uses a product to which the GI is applied or is to be applied;
- any organisation established to represent or further the interests of the persons referred to above.

A GI application can be made individually by any of the above or jointly with others.

3.6.2 Can European GIs be registered?

European GIs do not appear to be registrable under the current national law. For information about the protection of the European GIs in African countries, the Organization for an International Geographical Indications Network should be consulted at: <https://www.origin-gi.com/i-gi-origin-worldwide-gi-compilation-uk.html/>

3.6.3 What qualifies for registration?

To be registrable, a GI must be capable of distinguishing goods originating from a particular territory, region or locality, or possess characteristics attributed to the territory, region or locality from which the goods come.

3.6.4 What cannot be registered?

A geographical indication cannot be registered if it is:

- incapable of distinguishing goods originating from a particular territory, region or locality, or does not possess characteristics attributed to the territory, region or locality from which the goods come;
- is contrary to public order or morality;
- is likely to mislead the public or those in the trade, as regards the geographical origin of the goods concerned, or their nature or characteristics;
- in respect to goods, identical with the term usually used in common language as the common name for such goods in Uganda;
- not protected, has ceased to be protected, or has fallen into disuse in its country of origin.

3.6.5 Where can I file an application?

Applications for registration must be submitted to URSB.

3.6.6 What are the registration requirements

An application for the registration of a GI must include:

- the applicant's name, address, and nationality;
- the geographical indication concerned;
- the product or products to which the geographical indication is to be applied;
- the quality, reputation or characteristic of the product that is attributable to its geographical origin;
- any other particulars and information indicated by the registrar;
- the relevant government/official fees.

3.6.7 How to register

The registration process has 3 stages: 1) application, 2) publication and 3) registration (sealing). Fees are paid at each of these stages.

Application stage

- The application, required documents and relevant fees are submitted. The registrar will examine whether the application complies with the requirements of GIs to determine if it can be accepted or rejected.

Publication of the geographical indication

- Where the registrar is satisfied that the application for registration of a geographical indication meets the legal requirements, the application is published in the Gazette or in any media prescribed by the registrar.
- The geographical indication will be published in the journal for a period of 60 days.

Registration Stage

- On notification of the grant to register a geographical indication, the applicant must pay the required fees for its registration.
- On payment of the fees, the registrar will publish the geographical indication in the register and issue a certificate of registration.

3.6.7 How much does it cost?

National (URSB) 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 (Uganda shilling). Application forms and information on fees are available through this link: <https://ursb.go.ug/>

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/>

3.6.8 How long does registration take?

Unless substantive objections are raised or there are unusual delays, a GI application takes on average 12-15 months to complete registration. This includes an opposition period of 2 months.

3.6.9 What is the duration of protection?

The term of a GI registration in Uganda is 10 years.

3.6.10 When are renewal fees paid?

- An application for the renewal of a geographical indication must be made to the registrar three months before the expiry date of the last registration and upon payment of the relevant fees.
- You can contact the [national office](#) or any [agent for this country](#) for the latest information on fees.

3.6 COPYRIGHT AND NEIGHBOURING RIGHTS

About copyright and neighbouring rights in Uganda

- Uganda has a dedicated law for the protection of copyright and neighbouring rights, namely the Copyright and Neighbouring Rights Act, 2006. The Act came into force on 4 August 2006.
- The Act is administered by the Registrar of Copyrights at the Uganda Registration Services Bureau (URSB).

3.7.1 Can I register?

- A copyright is registrable in Uganda.
- Uganda 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.

3.7.2 What qualifies for protection?

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

- literary works;
- dramatic, dramatic-musical and musical works;
- audio-visual works;
- choreographic works and pantomimes;
- computer programmes and electronic data banks;
- artistic works;
- illustrations, maps, plans, sketches and three dimensional works relative;
- derivative work; and
- traditional folklore and knowledge.

3.7.3 What cannot be protected?

- Any work whose subject matter does not qualify for legal protection.
- Any work whose author is not Ugandan by:
 - citizenship;
 - domicile;
 - virtue of being located in Uganda.

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

3.7.4 What are the requirements for legal protection?

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

- literary works;
- dramatic, dramatic-musical and musical works;

- c) audio-visual works;
- d) choreographic works and pantomimes;
- e) computer programmes and electronic data banks;
- f) artistic works;
- g) illustrations, maps, plans, sketches and three dimensional works relative;
- h) derivative work; and
- i) traditional folklore and knowledge.

In addition to the above, the author or in the case where the work is authored by two or, at least one of the authors was:

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

3.7.5 What are examples of acts permitted in relation to copyright works?

Permitted acts that do not infringe copyright include:

- fair use: copyright in a work is not infringed by any fair dealing for the purposes of research or private study by the person using the work. Fair dealing does not apply if the person who reproduces the work knows or has reason to believe that it will result in copies of substantially the same material being provided to more than one person at substantially the same time.
- fair use for purposes of criticism, review or news reporting;
- educational use;
- copies made to replace or conserve library or archival copies of works;
- use of anonymous or pseudonymous works, subject to conditions;
- use of work for parliamentary or judicial proceedings or inquiries;
- quotations from copyright works;
- public readings and recitations.

3.7.6 What acts are not permitted in relation to copyright works?

Unpermitted/restricted acts include:

- reproducing the work;
- publishing the work;
- importing the work into Uganda or exporting it from Uganda, 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.

3.7.7 What is the duration of protection?

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

- joint ownership: the lifetime of the author (or of the last surviving author in the case of jointly authored works) plus 50 years;
- performers and recording rights: 50 years from the end of the calendar year in which the performance took place;
- audio-visual works, sound recordings or broadcasts: 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;
- computer programmes: 50 years from the date of making the programme and it being made available to the public;
- photographic works: 50 years from the date of making the work.

3.7.8 Can I renew copyright after its term of protection expires?

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

