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IP Country Fiche SOMALIA





SECTION 1: COUNTRY OVERVIEW

GENERAL INFORMATION

Capital:	Mogadishu
Population:	19.7 million (2024)
Currency of government (official) fees:	Somali shilling (Sh.So)
Language for filing IP applications:	Somali, Arabic, Italian, English
GDP per capita:	597.5 (2023)
Human Development Index:	0.380 (2024, HD Report 2023-2024)
Main exports:	livestock, bananas, skins, fish, charcoal and scrap metal
Main imports:	foodstuffs; manufactures; petroleum products; construction materials

1.2 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

Convention Establishing the World Intellectual Property Organization 1967 (as amended in 1979)

1.3 REGIONAL IP AGREEMENTS

Somalia is a contracting state to the following regional IP legal instruments:

Lusaka Agreement on the Creation of the African Regional Intellectual Property Organization (ARIPO) 1976

Although Somalia is a member of the ARIPO, it is not yet a signatory to any of ARIPO's IP Protocols.



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1.4 MAIN REGIONAL TRADE AGREEMENTS

AfCFTA Agreement (Agreement Establishing the African Continental Free Trade Area)

Somalia has signed and approved the ratification of the Agreement. The Agreement is available [here](#).

The AfCFTA contains a Protocol on Intellectual Property Rights (IPR) which aims at the effective protection and promotion of IPR in Africa and may, therefore, have legal implications for Somalia when it enters into force.

The IP Protocol covers various IP rights including copyright and related rights, trademarks, patents, industrial designs, trade secrets, plant variety protection, geographical indications, utility models, traditional knowledge and cultural expressions, genetic resources and emerging technologies in the field of intellectual property law.

COMESA (COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA)

Somalia is a Member State of COMESA, an Eastern and Southern African regional agreement that, amongst others, serves to promote the use of IP rights by COMESA member states so that they can shift from resource-based economies to knowledge-based and innovation-driven economies. This is pursuant to Article 159(2)(e) of the Treaty which recognises intellectual and industrial property rights as investments.

However, COMESA has no regional IP agreements, protocols or registration systems in place.

EAC Treaty – (the East African Community Treaty):

Somalia joined the EAC on 4 March 2024. Read more here about: [Somalia has joined the East African Community](#).

This Treaty has an EAC Regional Intellectual Property Policy to encourage technical innovation, promote the industrial and commercial use of technical inventions and innovations, and contribute to the social, economic, industrial, and technological development of the East African Community.

SECTION 2: IP PROTECTION IN SOMALIA

The Somalia Intellectual Property Office (SIPO) was previously closed for 28 years, because of the Civil War. The office is currently undergoing a slow but progressive opening. During



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the war, it was possible to protect IP (through patents, trade marks, industrial designs, etc.) by publishing a cautionary notice in a local newspaper due to the closure of the IP Office and a lack of IP legislation in the country. This also explains the country's lack of structures for IP enforcement.

Regarding trade marks, the IP ecosystem awaits a new IP law, which could introduce a simple, modern trade mark registration system, with English as official language and an opposition procedure. In the meantime, in accordance with the Ministry of Commerce and Industry (at: <https://moci.gov.so>, information extracted in November 2024), the law that still governs the regime of trade marks in Somalia is the Trade Mark Law No.3 of 22nd January 1955, as amendment by law No. 33, of 18 January 1975, and Law No. 3, of December 1987.

It is notable that the Trade Mark Office was operating a soft-opening scheme before it was shut again until November 2019 when they re-organised the internal processes. The Ministerial Decree number 17.2019 issued by the Ministry of Commerce and Industry confirms that the Trademark Office resumed operation in Mogadishu in November 2019.

The next section outlines the current information available at the Ministry of Commerce and Industry on the trade mark regime in Somalia.

2.0 TRADE MARKS

WHAT YOU SHOULD KNOW ABOUT SOMALI TRADE MARKS

- Foreigners need to appoint a local agent;
- Customs records are possible;
- The country operates a single-class filing system;
- A mandatory pre-filing search must be conducted by SIPO
- Trade mark applications do not cover alcohol and pork products due to local Islamic background
- Priority claims are not recognised in Somalia
- Cancellation for non-use period is 3 years;
- Appointment of and recordal of licensees at the IP office is advisable;
- Opposition period is 5 days after the advertisement of the trademark application.

2.1 Who can register a trade mark?

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



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2.2 Do I need a local representative?

A person without a business place in Somalia needs a Somali professional representative.

Representation is optional for local applicants.

You can find out more about trade mark applications and local representation by visiting the Somalia IP Office's website, [SIPO](#).

2.3 What qualifies for registration?

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

2.5 What cannot be registered?

A trade mark cannot be registered if it:

- contains false indications or is likely to mislead the public;
- contains false indications concerning a geographical indication;
- contains symbols and insignia, flags, arms or official signs of the state or international organisations;
- contains business emblems that do not belong to the applicant;
- is likely to cause confusion with an earlier registered trade mark or pending application;
- is contrary to morality or the law;
- uses a name or likeness of individuals without their authorisation.

2.5 Where can I file an application?

National applications must be filed at the Somalia Intellectual Property Office, SIPO.

2.6 What do I need to register?

- A trade mark application request letter must contain the following:
- the applicant's full details, namely their name, nationality, physical address and signature;
- a copy of the applicant's national identity document





- a power of attorney, if the applicant is a foreign company;
- the mark proposed to be used;
- the class(es) of goods or services;
- payment of the prescribed fees.

2.7 How do I register?

The national (SIPO) registration process involves the following stages:

- search for the trade mark;
- trade mark application;
- examination;
- advertisement in the local gazette/on the SIPO website for 35 days;
- trade mark registration and issue of certificate.

2.8 How much does it cost to register?

Government/official fees for trademark registration is \$1,000. You must check with [SIPO](#) constantly for updated fees.

2.9 How long does registration take?

The trade mark registration process takes **2-3 months** from the filing date to complete, assuming that there are no unusual delays and no oppositions.

2.10 What is the duration of protection?

10 years from the filing date, renewable upon payment of prescribed renewal fees.

2.11 When are renewal fees paid?

Renewal fees of \$1000 are due on the 10th anniversary of the filing date.





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