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IP Country Fiche
LIBERIA



SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Capital:	Monrovia
Population:	5.3 million (World Bank 2022)
Currency of government (official) fees:	Liberian Dollar (LRD)
Language for filing IP applications:	English
GDP per capita:	USD 754.5 (World Bank 2022)
Human Development Index:	0.481 (Human Development Report 2021-2022)
Main exports:	Iron ore, gold, rubber, diamonds.
Main imports:	Refined petroleum, iron structures, boat propellers, centrifuges, passenger and cargo ships.

1.2. INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

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

- ARIPO, the Banjul Protocol on Marks, the Harare Protocol on Patents and Industrial Designs, the Swakopmund Protocol on the protection of Traditional Knowledge & Expressions of Folklore;
- Berne Convention for the Protection of Literary and Artistic Works;
- Madrid Agreement Concerning the International Registration of Marks;
- Madrid Protocol;
- Marrakesh VIP Treaty;
- Paris Convention for the Protection of Industrial Property;
- Patent Cooperation Treaty (PCT);
- Patent Law Treaty;
- Convention for the Protection of Producers of Phonograms Against Unauthorized

Duplication of their Phonograms;

- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations;
- Convention Establishing the World Intellectual Property Organization (WIPO Convention);
- Washington Treaty on Intellectual Property in Respect of Integrated Circuits;
- TRIPS Agreement.

Most of Liberia's IP laws are TRIPS-compliant although, in practice, the level of implementation may be different from other countries. This may have an impact on the effectiveness of some IP enforcement issues.

Liberia is not a member of the Nice Agreement (). However, its trade mark classification system is based on the Nice classification system.

1.3 REGIONAL AGREEMENTS

Liberia is a member of the following regional agreements:

- AfCFTA Agreement (Agreement Establishing the African Continental Free Trade Area).
- The Agreement contains a Protocol on Intellectual Property Rights (IP rights) which aims at their effective protection and promotion in Africa and may, therefore, have legal implications for Liberia when it enters into force.
- ECOWAS (Economic Community of West African States)
- ECOWAS headquarters are located in Federal Capital Territory, Nigeria.

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

1.4 LEGAL FRAMEWORK OF IP PROTECTION AVAILABLE IN LIBERIA

The following IP protection is available in Liberia:

- 1) trade marks: national and international (Madrid);
- 2) patents: national and regional (ARIPO);
- 3) utility models: national and regional (ARIPO);
- 4) industrial designs: national and regional (ARIPO);

- 5) geographical indications: national;
- 6) layout designs of integrated circuits: national;
- 7) copyright and neighbouring rights: national.

1.5 IP REGISTRATION ROUTES

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

National

The seven types of IP mentioned above can be protected directly in Liberia through the Liberia Intellectual Property Office (LIPO) of the Ministry of Commerce and Industry.

Regional

Liberia is a contracting party to ARIPO's Banjul Protocol on Marks and the Harare Protocol on patents, utility models and industrial designs.

It is therefore possible to register trade marks, patents, utility models and industrial designs either nationally through LIPO or regionally, through ARIPO.

International

Liberia is also a contracting party to the Madrid System and the Patent Cooperation Treaty (PCT). It is therefore possible, inter alia, to register international trade marks designating Liberia through the Madrid System. More information is available at: <https://www.wipo.int/madrid/en>; <https://www.wipo.int/pct/en>.

Choosing a suitable registration route: trade marks, patents, utility models and industrial designs

A **national** route is suitable when IP protection is required in Liberia only.

A **regional** route through ARIPO is suitable when multi-country protection of the abovementioned IP rights is required.

An **international** route is advisable for trade mark protection only when protection is required in more countries than are covered by the ARIPO regional trade mark system.

Useful information:

Representation

- Foreign applicants whose principal place of business is outside Liberia must appoint a local agent (for local applicants this is optional). LIPO accepts signed powers of

attorney without any need for notarisation. However, you should check with your IP service provider in Liberia whether hard copies are necessary or scanned copies sent by email are acceptable. A list of ARIPO representatives (by country) is available at: <https://www.aripo.org/ip-agents/>.

Trade marks

- Liberian law has been amended to recognise both ARIPO and Madrid trade marks which, as a result, are given the same legal protection as national-route trade marks.
- Liberia is not a signatory to the Nice Agreement but uses the Nice Classification. Classifications based on the latest edition of Nice at the time of filing of an application are accepted.

SECTION 2: OVERVIEW OF IP ENFORCEMENT

The Liberia Intellectual Property Act 2016 provides for injunctions, payment of damages and the destruction of goods. It also contains provisional measures that are designed to preserve evidence. It provides that, in exceptional circumstances, where there is a real danger of evidence being destroyed, the court may order such measures without prior notice to the alleged infringer. In some countries these measures are called 'Anton Piller' orders.

The Act also has border measures aimed at preventing the importation of goods bearing counterfeit marks or pirated copyright goods.

These border measures provide that a rights holder can apply to the Director General of LIPO for an order requiring the customs authority to suspend the clearance of particular goods. The customs authority must then allow the rights holder to inspect the goods, remove samples for examination and testing. The rights holder must file security to cover any claim for damages that the importer may bring. If the rights holder does not institute proceedings within 10 days, the goods are released.

SECTION 3: TYPES OF AVAILABLE IP PROTECTION

3.1 TRADE MARKS

National, regional and international trade marks can be registered in Liberia, as explained below.

Benefits of registering a trade mark

- A registered trade mark gives the owner exclusive rights to use it to market their products and services; it gives the owner protection against others using the same

mark or a similar mark without authorisation.

- In the long run, a well-maintained trade mark can build the owner's brand and become an asset to their organisation. This can enable them to expand their business by licensing it to others, franchising or obtaining finance.

3.1.1 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 Liberia needs a professional representative.

3.1.2 What are the registration requirements?

A trade mark application must contain the following:

- a request for registration;
- a sufficiently clear reproduction or representation of the mark, as prescribed;
- a list of the goods or services based on the Nice Classification system;
- proof of payment of the prescribed application fee; and
- a copy of priority document if applicable;
- a Power of Attorney, legalised;
- a declaration and statement of case where the applicant is not the owner of the trade mark.

3.1.3 What qualifies for registration?

Any visually perceptible sign, or any combination of signs, capable of distinguishing the goods or services of one undertaking from those of other undertakings can be registered as a trade mark.

3.1.4 What cannot be registered?

A sign may not be validly registered as a trade mark if:

- it is devoid of any distinctive character or is otherwise incapable of distinguishing the goods or services of one enterprise from those of other enterprises;
- it consists exclusively of a sign or indication that may serve in trade to designate the kind, quality, quantity, intended purpose, value, geographical origin, time of production of goods or of rendering of services, or other characteristics of goods or services in respect of which the mark is to be used;
- it consists exclusively of a sign or indication that has become customary in current

language or in the bona fide established practices of the trade to designate goods or services in respect of which the mark is to be used, or that is a usual or recognised technical or scientific name of those goods or services;

- it consists of the shape of a product or of its container or packaging where the shape results from the nature of the product, container or packaging, or it is a shape that provides a technical effect, functional advantage or substantial value to the goods;
- it is not distinct or separable from the goods or services to which it applies, or it consists of a feature or characteristic that results from the nature of the goods or services themselves;
- it is contrary to public order or morality; however, the nature of the goods or services to which a mark is to be applied may not be an obstacle to registration of the mark;
- it is likely to deceive or mislead the public or trade circles, in particular as regards the geographical origin or provenance of the goods or services concerned or their nature, quality or other characteristics;
- it is identical with, or is an imitation of or contains as an element, any sign covered under Article 6ter of the Paris Convention, unless authorised by the competent authority of the State or organisation concerned;
- the use of such mark would conflict with prior third-party rights in force in Liberia, in particular where:
 - the sign is identical with or similar to an earlier registered mark or geographical indication;
 - the sign is a reproduction, imitation or translation of a distinctive sign that is well known in Liberia in respect of identical or similar goods or services of another person;
 - the use of the sign in Liberia is liable to be prevented by virtue of any rule of law, in particular, protecting an unregistered mark, trade name, geographical indication or other sign used in the course of trade, or by virtue of an earlier intellectual property right, in particular the law of copyright or of industrial designs;
- the application for registration has been made in bad faith, or the registration of the sign would consolidate or facilitate an act of unfair competition.

3.1.5 Where can I file an application?

- Liberia Intellectual Property Office (LIPO).
- ARIPO, for regional marks;

- country designation through the International Bureau (WIPO).

3.1.6 How much does it cost?

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar).

However, currently there are no prescribed fees for trade marks in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

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/>.

3.1.7 How long does registration take?

The trade mark registration process takes approximately 12 months from the filing date to complete, assuming that there are no unusual delays and no oppositions. This includes an opposition period of 2 months.

3.1.8 What is the duration of protection?

10 years from the registration date, renewable for further periods of 10 years.

3.2 PATENTS

Liberia Patent Registrations

National and regional (ARIPO) patents can be registered in Liberia in the following ways.

National

- at LIPO.

Regional

- for the Harare Protocol, through ARIPO. ARIPO has 22 member states: Botswana, Cabo Verde, Eswatini (formerly Swaziland), The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, Seychelles, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia and Zimbabwe.

All ARIPO member states except Mauritius and Somalia can be designated in an ARIPO patent application. ARIPO's designation system allows an applicant to choose one, some or all of the remaining member states in a patent application. It is therefore also possible to file an ARIPO patent application in which Liberia (or any other member state) is designated to achieve national patent protection but through a regional registration system.

Choosing between a national or regional patent registration for Liberia

The decision about whether to register a patent in Liberia through the national or ARIPO route is usually guided by the following considerations:

- **whether substantive examination is required or not:** LIPO carries out both a formal and substantive examination of patent applications.
- **whether patent protection is required in Liberia only or in multiple jurisdictions:** applicants will usually opt for the ARIPO route if multiple-jurisdiction protection is required;
- **cost-effectiveness:** ARIPO's centralised regional patent registration system is usually considered to be more cost-effective than a national patent registration approach.

Choosing between registration routes

Most patent applications for Liberia are registered through ARIPO because it allows applicants to designate more than one country. It is more cost-effective to file a single application in ARIPO to gain patent coverage in two or more ARIPO member states.

Choosing a patent filing route

Liberia is a member of the PCT. Patent applications for both the LIPO and ARIPO routes for Liberia can also be filed through the PCT. However, the PCT provides an international patent filing rather than an international patent registration route.

National (LIPO) Patents

3.2.1 Who can register a patent?

An inventor (or successor in title) can apply to register a patent.

Two or more persons can jointly make an invention and the right to patents shall belong to them jointly.

3.2.2 What are the registration requirements?

A patent application must contain the following:

If the patent is a non-PCT application:

- a request made to the Registrar in the prescribed form;
- a patent title, a description, one or more claims, one or more drawings (where required), and an abstract;
- a petition to the effect that a patent be granted, prescribed data about the applicant, including their full name, nationality, legal status and physical address or, if the applicant is a company, its Certificate of Incorporation and the inventor and agent, if any;
- a statement justifying the applicant's right to the patent where the applicant is not the inventor;
- a certified copy of the priority document, if applicable;
- power of attorney (simply signed);
- the prescribed application fees.

If the patent is a national phase PCT application:

- a power of attorney (simply signed);
- a description, claims and abstract and drawings;
- a copy of the international publication;
- a copy of the international search report;
- a copy of the international preliminary report on patentability.

3.2.3 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 technical solution 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;
- susceptible of industrial applicability in that it can be used in any kind of industry, including agriculture.

3.2.4 What cannot be registered?

The following cannot be patented:

- matter that does not comply with the definition of invention;
- discoveries, scientific theories and mathematical methods;
- schemes, rules or methods for doing business, performing mental acts or playing games;
- products of nature and substances obtained or extracted from nature, even if purified or otherwise isolated from nature; this exclusion shall not apply to the processes of isolating those natural substances;
- computer programs and the presentation of information;
- methods for treatment of the human or animal body by surgery or therapy, as well as diagnostic methods practiced on the human or animal body; this provision shall not apply to products for use in any of those methods;
- plants and animals, including parts thereof, other than micro-organisms, and essentially biological processes for the production of plants or animals and parts thereof, other than non-biological and microbiological processes;
- animals and plants varieties; and
- an invention of which the prevention, within the territory of Liberia, of 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;

3.2.5 Where can I file an application?

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

Regional applications can be filed at LIPO 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.

3.2.6 How much does it cost?

National (LIPO) fees

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

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for patents in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

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 and in USD if an applicant chooses to register a patent for Liberia using the ARIPO route. ARIPO's fees are reviewed regularly. The latest fees are available at: <https://www.aripo.org/resources/fee-schedules>.

The fees that are required at the stage of filing an application are as follows:

Type of Fee	ARIPO Fee (USD)
Application fee, regardless of the number of states designated in the application	290 (paper filing) 232 (e-filing)
State designation fee	85 (multiplied by 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 (1st annual fee) (multiplied by the number of designated states)
Total fees, assuming only Liberia is designated and payment of first annuity fee	317
Total fees, assuming all Harare Protocol states, including Liberia, are designated and payment of first annuity fee	2 662

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/>.

3.2.7 How long does registration take?

National patent applications are examined substantively in Liberia after they have been formally examined by LIPO. Substantive examination is completed on average within 3 years from the filing date of the application. If the applicant does not request the substantive examination within the 3 years, the application is deemed to have been abandoned.

Regional-route Liberia applications are substantively examined by ARIPO and take 3-4 years on

average to complete registration, assuming that there are no objections.

3.2.8 What is the duration of protection?

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

3.2.9 When are renewal fees paid?

National patents

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

Annuities

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for patents in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

ARIPO-route Liberia 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 at: <https://www.aripo.org/resources/fee-schedules>.

ARIPO fees are payable per **designated state**.

The following ARIPO renewal fees are currently applicable:

Annuity Year	ARIPO Fee (USD)
1 (NB: Due the second year after the filing date)	50
2	70
3	90
4	110
5	130

Annuity Year	ARIPO Fee (USD)
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

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.

Liberia Utility Model Registrations

National and regional (ARIPO) utility models can be registered in Liberia in the following ways.

National

- at LIPO.

Regional

- for the Harare Protocol, through ARIPO.

ARIPO has 22 member states: Botswana, Cabo Verde, Eswatini (formerly Swaziland), The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, Seychelles, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia and Zimbabwe.

All ARIPO member states except Mauritius and Somalia can be designated in an ARIPO utility model application. ARIPO's designation system allows an applicant to choose one, some or all of the remaining member states in a utility model application. It is therefore also possible to file an ARIPO utility model application in which Liberia or any other country is designated to achieve national utility model protection but through a regional registration system. However, it is advisable to ensure that utility model protection is available in each state that is designated because it is doubtful that it would be possible to enforce rights in a designated state that does not provide utility model protection in its national laws.

Choosing between a national or regional utility model registration for Liberia

The decision about whether to register a utility model in Liberia through the national or ARIPO route is usually guided by the following considerations:

- **cost:** it may be more cost-effective to proceed through the national route if protection is required in Liberia only;
- **whether utility model protection is required in Liberia only or in multiple jurisdictions:** applicants will usually opt for the ARIPO route if multiple-jurisdiction protection is required.

Most utility model applications for Liberia are registered through ARIPO because it allows applicants to designate more than one country in a utility model application. It is more cost effective to file a single application in ARIPO to gain utility model coverage in two or more ARIPO member states.

National (LIPO) Utility Models

3.3.1 Who can register?

An inventor (or successor in title) can apply to register a utility model.

Two or more persons can jointly make an invention and the right to the utility model will belong to them jointly.

3.3.2 What are the registration requirements?

A utility model application must contain the following:

- a request made to the Registrar on the prescribed form;
- utility model title, a description, one or more claims, one or more drawings (where required), and an abstract;
- a petition to the effect that a utility model be granted, prescribed data concerning the applicant, including their full name, nationality, legal status and physical address or, if the applicant is a company, its Certificate of Incorporation and the inventor and agent, if any;
- a statement justifying the applicant's right to the utility model where the applicant is not the inventor, for example a Deed of Assignment of the invention;
- a certified copy of the priority document, if applicable;
- power of attorney (simply signed);
- the prescribed application fees;

At any time before the grant or rejection of a patent, an applicant may convert a patent application into a utility model application which will be given the filing date of the initial patent application.

For conversion, a request for conversion of the patent application must be submitted together with all the documents filed in the patent application. An application may not be converted more than once.

3.3.3 What qualifies for registration?

Under Section 13.28 of the Liberia Intellectual Property Act 2016, a registrable utility model must meet the following requirements:

- new: the invention must not form part of the state of the art;
- industrially applicable: the invention must be useful in any kind of industry.

3.3.4 What cannot be registered?

The following cannot be registered as utility models in Liberia:

- discoveries, scientific theories and mathematical methods;
- schemes, rules or methods for doing business, performing mental acts or playing games;
- products of nature and substances obtained or extracted from nature, even if

purified or otherwise isolated from nature; this exclusion shall not apply to the processes of isolating those natural substances;

- computer programs and the presentation of information;
- methods for treatment of the human or animal body by surgery or therapy, as well as diagnostic methods practiced on the human or animal body; this provision shall not apply to products for use in any of those methods.
- plants and animals, including parts thereof, other than micro-organisms, and essentially biological processes for the production of plants or animals and parts thereof, other than non-biological and microbiological processes;
- animals and plants varieties; and
- an invention the prevention within the territory of Liberia of commercial exploitation which 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.

3.3.5 Where can I file an application?

National applications for utility models must be filed at LIPO.

Regional applications can be filed at LIPO 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 Liberia on the basis of an international application, this must be indicated in the international application when filed.

3.3.6 How much does it cost?

National (LIPO) fees

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

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for utility models in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

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 Liberia using the ARIPO route. ARIPO's fees are reviewed regularly. The latest fees are available at: <https://www.aripo.org/resources/fee-schedules>.

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fee USD
Application fee, regardless of the number of states designated in the application	100 (paper filing) 80 (e-filing)
State designation fees	85 20 (multiplied by the number of designated states)
Mandatory annuity fees (per designated state):	20 (1st year), multiplied by the number of designated states 2nd to 7th year: increases by USD 5 Each year thereafter: increases by USD 10
Total fees, assuming only Liberia is designated and payment of 1st annuity fee	120
Total fees, assuming all Harare Protocol states, including Liberia, are designated and payment of 1st annuity fee	800

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/>.

3.3.7 How long does registration take?

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

Regional-route filed LIPO 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.

3.3.8 What is the duration of protection?

In Liberia, the duration of utility models is 10 years from the filing date. It is not renewable.

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

3.3.9 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.

Late payment of the annual fees, with a corresponding surcharge, is possible within a grace period of 6 months after the due date.

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for utility models in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

ARIPO-route filed Liberia 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 at: <https://www.aripo.org/resources/fee-schedules>.

ARIPO fees are payable per designated state.

The following ARIPO renewal fees are currently applicable:

Annuity Year	ARIPO Fee (USD)
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

Unlike South African law, in Liberia designs are registered without being classified as either aesthetic or functional designs.

Liberia Industrial Design Registrations

National and regional (ARIPO) industrial designs can be registered in Liberia in the following ways:

National

- at LIPO, see below.

Regional

- for the Harare Protocol, through ARIPO.

ARIPO has 22 member states: Botswana, Cabo Verde, Eswatini (formerly Swaziland), The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, Seychelles, Sierra Leone, Somalia, Sudan, Tanzania, Uganda, Zambia and Zimbabwe.

All ARIPO member states except Mauritius and Somalia can be designated in an ARIPO industrial design application. ARIPO's designation system allows an applicant to choose one, some or all of the remaining member states in an industrial design application.

It is therefore possible to file an ARIPO design application in which Liberia or any other country is designated to achieve national design protection but through a regional registration system.

Choosing between a national or regional industrial design registration for Liberia

The decision about whether to register a design in Liberia through the national or ARIPO route is usually guided by the following considerations:

- **whether design protection is required in Liberia only or in multiple jurisdictions:** applicants will usually opt for the ARIPO route if multiple-jurisdiction protection is required;
- **cost-effectiveness:** ARIPO's centralised regional design registration system is usually considered to be more cost-effective than a national design registration approach;
- **time-effectiveness:** Liberia, like some other ARIPO member states, does not receive a lot of design applications to justify staff training and deployment into industrial design sections of the IP Office. As a result, in comparison to ARIPO, national offices tend to be considerably slower to process design applications. Time is usually of essence to proprietors because designs are often short-lived. As a result, time-conscious applicants usually tend to prefer to register their designs through the ARIPO route instead of the national route.

Examination and novelty of designs for Liberia

Liberia carries out substantive examination of design applications. Applications are examined as to compliance with formal requirements and as to substance.

Similarly, ARIPO carries out a formal examination of designs, and member states are given the opportunity to carry out a substantive examination if their national laws require it.

National (LIPO) Industrial Designs

3.4.1 Who can register?

A creator of an industrial design (or successor in title) can apply to register a design in Liberia.

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 What are the registration requirements?

A design application must contain the following documents:

- a request for registration on the prescribed form
- the applicant's full details, including full name, nationality, legal status, physical address and full company details if the applicant is a company;
- an indication of the product or products in respect of which each design is to be used;
- proof of payment of the prescribed application fee for each design;
- where the applicant is not the designer, a statement justifying the applicant's right to the registration of the industrial design.
- The application may contain up to one hundred industrial designs provided they all refer to products that belong to the same class of the International Classification.
- The application may contain a request that the publication of the industrial design be deferred for a specified period not exceeding 30 months from the date of filing or, if priority is claimed, from the date of priority, of the application.
- A copy of the priority document claiming the priority of one or earlier applications filed for the same industrial design by the applicant or their predecessor in title.

3.4.3 What qualifies for registration?

- An industrial design is protected and registrable if it is independently created new or original.
- An industrial design will not be regarded as new if it does not significantly differ from designs disclosed to the public anywhere in the world, by publication, exhibition, use in trade or in any other way, prior to the filing date or, where applicable, the priority date of the application for registration.

- An industrial design applied to or embodied in a product that is a component part of a complex product will only be considered to be new if the component part remains visible during the normal use of the complex product. To this effect 'normal use' means use by the end user and does not include maintenance, servicing or repair works in relation to the product.

Multiple design applications are possible in Liberia, provided that all refer to products that belong to the same class of the international classification.

3.4.4 What cannot be registered?

The following cannot be registered:

- designs the commercial exploitation of which would be contrary to the law, public policy or morality;
- designs the features of which are dictated solely by technical or functional considerations.
- 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.

3.4.5 Where can I file an application?

National-route design applications must be filed at LIPO.

Regional-route design applications can be filed at LIPO or, clearly indicating that they are regional applications, through ARIPO. Applications filed through ARIPO for Liberia 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.

3.4.6 How much does it cost?

National (LIPO) fees

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

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar. LRD).

However, currently there are no prescribed fees for designs in Liberia in any statutory instrument. Application forms and information on fees can be found through this link:

<https://www.moci.gov.lr/index.php>.

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 at: <https://www.aripo.org/resources/fee-schedules>.

Application fees are as follows:

Type of Fee	ARIPO Fee (USD)
Application fees, regardless of the number of states designated in an application	50 (paper filing) 40 (e-filing)
State designation fees	10 (multiplied by the number of designated states)
Total fees, assuming that only Liberia is designated in the application	50
Total fees, assuming that all Harare Protocol states, including Liberia, are designated in the application	220

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/>.

3.4.7 How long does registration take?

National-route applications usually take 15-18 months to complete registration. The deadline to

file missing documents is 2 months from the date of notification.

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.

3.4.8 What is the duration of protection?

A LIPO industrial design has a duration of 10 years from the filing date, with the possibility of an extension of 10 additional years.

ARIPO-route design registrations are valid for 15 years from the filing date, except for designated states with a shorter term of protection.

3.4.9 When are renewal fees paid?

Renewal fees must be paid within 6 months from the due date.

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for designs in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

In ARIPO, annual maintenance fees are payable; they fall due on the eve of each anniversary of the date of filing of the application and shall be paid in advance to the Office. Late payment of the renewal fees is possible 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 at: <https://www.aripo.org/resources/fee-schedules>.

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

Annuity Year	ARIPO Fee (USD)
1	10
2	12
3	14

Annuity Year	ARIPO Fee (USD)
4	16
5	18
6	20
7	24
8	28
9	32
10	36
11	42
12	48
13	54
14	60
Late renewal fees consist of 2 parts:	
• Surcharge for late payment of annual maintenance fee	15
• 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. It is advisable to compare the fees of different IP agents.

3.5. GEOGRAPHICAL INDICATIONS (GIs)

About GIs in Liberia

GIs are registrable in Liberia under Section 11 of the Intellectual Property Act 2016.

GIs are registered through LIPO. Currently, there is no regional or international registration system through which GIs can be registered for Liberia.

3.5.1 Who can register?

The following can apply for the registration of a GI:

- a grouping of producers or a legal entity that groups producers that operates in a specified geographical area and with respect to specified goods;
- any competent authority on behalf of the persons or the legal entity indicated above.

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

3.5.2 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/worldwide-gi-compilation>.

3.5.3 What are the registration requirements?

An application for the registration of a GI must include:

- the name, address and domicile of the persons or legal entity filing the application;
- the GI for which registration is sought;
- the geographical area to which the GI applies;
- the goods designated by the GI;
- a specification describing in sufficient detail the specific characteristics of the goods for which the GI is used, the area and method of production of the goods, the link between the characteristics of the goods and the area and method of production, the manner in which the specified characteristics are controlled and other prescribed particulars;
- payment of the prescribed fee;
- an indication of the manner in which the continued compliance of the conditions laid down in the specification will be controlled by an independent body or authority;

3.5.4 What qualifies for registration?

Indications that identify goods as originating in the territory of a Member State or a region or locality in that territory, where a given quality, reputation or other characteristic of the goods is essentially attributable to its geographical origin.

3.5.5 What cannot be registered?

An indication cannot be registered if it is:

- not an indication that identifies goods as originating in the territory of a Member State or a region or locality in that territory, where a given quality, reputation or other characteristic of the goods is essentially attributable to its geographical origin;
- an indication whose use must be prevented on grounds of public order or morality;
- a geographical indication that is not, or that ceases to be, protected, or that has fallen into disuse in its country of origin;
- an indication that is identical with the term customary in common language in Liberia as the common name for the relevant goods or for related services.

3.5.6 Where can I file an application?

Applications for registration must be submitted to LIPO.

3.5.7 How much does it cost?

National (LIPO) fees

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

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for GIs in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

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/>.

3.5.8 How long does registration take?

Unless substantive objections are raised or there are unusual delays, a GI application takes on average 15 months to complete registration. This includes an opposition period of 3 months.

3.5.9 What is the duration of protection?

The term of a GI registration in Liberia is 10 years. It is not renewable.

3.6. LAYOUT DESIGNS OF INTEGRATED CIRCUITS

About Layout Designs of Integrated Circuits in Liberia

Layout designs of integrated circuits ('layout designs') are registrable in Liberia under Section 14 of the Intellectual Property Act 2016.

Currently, there is no regional or international registration system through which layout designs can be registered for Liberia.

3.6.1 Who can register?

An application for registration of a layout design can be made by, or on behalf of, the following:

- a person claiming to be the proprietor of the design;
- a person claiming to be the proprietor's assignee or successor in title.

3.6.2 What are the registration requirements?

An application for the registration of a layout design must:

- contain a request for registration of the layout design and a brief and precise designation of it;
- indicate the applicant's name, address, nationality and habitual residence, if different from the address supplied;
- be accompanied by a copy or drawing of the layout design together with information defining the electronic function which the integrated circuit is intended to perform;
- specify the date of the first commercial exploitation of the layout design anywhere in the world or indicate that such exploitation has not commenced;
- specify the date of creation of the layout design;
- include a statement justifying the applicant's right to the registration;
- include proof of payment of the prescribed fee.

3.6.3 What qualifies for registration?

A layout design is registrable if:

- it is original, which means that it is the result of its creator's own intellectual effort and is not commonplace among creators of layout designs and manufacturers of integrated circuits at the time of its creation; and

- it has not yet been exploited commercially anywhere in the world or has not been exploited commercially anywhere in the world for more than 2 years prior to the application for its registration.

A layout design consisting of a combination of elements and interconnections that are commonplace is only registrable if the combination, taken as a whole is, considered original.

3.6.4 What cannot be registered?

Any layout design whose use would be contrary to the law, public policy or morality is not registrable.

A layout design that is not original and has been exploited commercially for more than 2 years prior to the application for its registration is also not registrable.

3.6.5 Where can I file an application?

An application must be submitted on the prescribed form to the Registrar of LIPO in Liberia.

3.6.6 How much does it cost?

National (LIPO) fees

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

Government (official) fees

The fee schedule is usually published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Liberian dollar, LRD).

However, currently there are no prescribed fees for trade or layout designs in Liberia in any statutory instrument. Application forms and information on fees can be found through this link: <https://www.moci.gov.lr/index.php>.

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/>.

3.6.7 How long does registration take?

Unless substantive objections are raised or there are unusual delays, an integrated circuit layout design takes 15-18 months to complete registration. This includes an opposition period of 3 months.

3.6.8 What is the duration of protection?

- 10 years from the filing date of the application for registration of the layout design in Liberia, if the layout design has not been previously exploited commercially anywhere in the world;
- 10 years counted from the date of the first commercial exploitation of the layout design anywhere in the world, by or with the consent of the rights holder;
- 15 years counted from the date of creation of the layout design.

3.6.9 When are renewal fees paid?

There are no prescribed renewal fees that must be paid after the 10-year registration term.

3.7. COPYRIGHT AND NEIGHBOURING RIGHTS

Liberia has many famous traditional dance styles, including the vai, kru, kpelle and bassa. These dance styles are unique, rhythmic and expressive. Apart from for entertainment, they are also used for healing and storytelling.

About Copyright and Neighbouring Rights in Liberia

Liberia has a dedicated law for the protection of copyright and neighbouring rights, namely the Intellectual Property Act 2016 [Section 9].

Liberia is also a signatory to the WIPO Phonograms Convention.

3.7.1 Can I register?

Copyright is not a registrable right in Liberia. It exists automatically when any original work is created in one of the categories that is protected by the Intellectual Property Act.

Liberia is a member of ARIPO, which adopted the Kampala Protocol on Voluntary Registration of Copyright and Related Rights (the Kampala Protocol) in August 2021 for the creation of a voluntary copyright registration system for its Member States. The Protocol, which will only enter into force once five Member States have deposited their instruments of ratification or accession, provides for the establishment of a regional copyright database and offers presumption as to authorship and ownership. Implementing Regulations were adopted in November 2022 and the e-copyright system is under development to facilitate the voluntary registration of copyright and related rights.

3.7.2 What qualifies for protection?

An original literary or artistic work (i.e. a work created independently without copying another work) qualifies for protection.

These include:

- books, pamphlets, articles and other writings;
- speeches, lectures, addresses, sermons and other oral works;
- dramatic, dramatico-musical works, pantomimes, choreographic works and other works created for stage productions;
- musical works, with or without accompanying words;
- audiovisual works and sound recordings;
- works of architecture;
- drawings, paintings, sculpture, engraving, lithography, tapestry and other works of fine art;
- photographic works;
- works of applied art, including handicrafts and those produced on an industrial scale;
- computer programs;
- illustrations, maps, plans, sketches and three-dimensional works relative to geography, topography, architecture or science.

3.7.3 What cannot be protected?

- Any idea, procedure, system, method of operation, mathematical concept, principle, discovery or mere data;
- any official legislative, judicial or administrative text, including the Laws of the Government of Liberia, as well as any official translation thereof;
- news of the day or miscellaneous facts having the character of mere items of press information;
- political speeches and speeches delivered in the course of legal proceedings.

3.7.4 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 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;
- ephemeral recordings by broadcasters;
- quotations from copyright works;
- public readings and recitations.

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

Unpermitted/restricted acts include:

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

3.7.6 What is the duration of protection?

The duration of copyright protection is as follows:

- **literary and artistic works, other than photographic works:** the lifetime of the author (or last surviving author in the case of co-authored works) plus 50 years;
- **audiovisual works and sound recordings:** 50 years from the date on which the work was made, or first made available to the public, whichever date is the latest;
- **broadcasts:** 50 years from the year in which the broadcast took place;
- **works published anonymously or under pseudonym:** 50 years from the date on which the work was made or first made available to the public;
- **works of applied art:** 50 years from the year in which the work was made;
- **photographs:** 50 years from the year in which the work was made or first made available to the public by publication, whichever date is the latest;

- **performers:** 15 years from fixation of the performance;
- **producers of sound recordings:** 15 years from publication or from fixation if the work was not published;
- **broadcasters:** 20 years from the moment in which the broadcast took place.

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

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

Links to legislation: <https://www.aripo.org/member-states/liberia/>

ARIPO: <https://www.aripo.org/resources/ip-case-laws>

Links to institutions:

AfCFTA – African Continental Free Trade Area Secretariat: <https://au-afcfta.org/>

ARIPO – African Regional Intellectual Property Organization: <https://www.aripo.org/>

LIPO – Liberia Intellectual Property Office: <https://www.moci.gov.lr/index.php>

