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IP Country Fiche
RWANDA





SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Capital:	Kigali
Population:	13 461 888 (2021)
Currency of government (official) fees:	Rwandan Franc (RWF)
Language for filing IP applications:	English, French
GDP per capita (USD):	822.3 (World Bank, 2021)
Human Development Index:	0.4 (World Bank, 2020)
Main exports:	Coffee, tea, niobium, tantalum, vanadium and zirconium ore, and tin ores.
Main imports:	Broadcasting equipment, packaged medicaments, iron structures, vaccines, blood, antisera, toxins and cultures, and non-filleted frozen fish.

1.2 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

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

- Berne Convention for the Protection of Literary and Artistic Works of 9 September 1886;
- Paris Convention for the Protection of Industrial Property of 20 March 1883;
- Convention Establishing the World Intellectual Property Organization of 14 July 1967;
- Agreement establishing the World Trade Organization (WTO) of 15 April 1994;
- WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) of 15 April 1994;
- Swakopmund Protocol on the Protection of Traditional Knowledge and Expressions of Folklore of 8 August 2010;
- Hague Agreement Concerning the International Registration of Industrial Designs of 5 November 1925;





- Treaty establishing the Common Market for Eastern and Southern Africa (COMESA) of 5 November 1993;
- Treaty for the Establishment of the East African Community (EAC) of 30 November 1999;
- Protocol relating to the Madrid Agreement concerning the International Registration of Marks of 27 June 1989;
- Patent Cooperation Treaty of 19 June 1970;
- Lusaka Agreement on the Creation of the African Regional Intellectual Property Organization (ARIPO) of 9 December 1976;
- ARIPO's Harare Protocol on Patents and Industrial Designs of 10 December 1982;
- Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled of 27 June 2013;
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity of 29 October 2010;
- UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage of 16 November 1972;
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage of 17 October 2003;
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 20 October 2005;
- Convention on Biological Diversity of 5 June 1992;
- Abuja Treaty establishing the African Economic Community (AEC) of 3 June 1991.

1.3 REGIONAL AGREEMENTS

Rwanda is a member of the following regional agreements:

- **AfCFTA** (African Continental Free Trade Area). The AfCFTA Agreement includes a protocol on IP rights aiming to advance the effective protection and promotion of IP rights in Africa. Once this enters into force, it may help shape future Rwandan legislation.
- **COMESA** (Common Market for Eastern and Southern Africa). COMESA has no regional IP agreements, protocols or registration systems in place. COMESA is composed of 19 states. They are Burundi, Comoros, Democratic Republic of Congo (DRC), Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia and Zimbabwe.





- **EAC** (East African Community) is a regional intergovernmental organisation of seven Member States, comprising Burundi, Democratic Republic of Congo, Kenya, Rwanda, South Sudan, Tanzania and Uganda. The regional body has an Intellectual Property Policy that aims to encourage technical innovation, and to promote the industrial and commercial use of technical inventions and innovations so as to contribute to the social, economic, industrial and technological development of the Community.

1.4 LEGAL FRAMEWORK OF IP PROTECTION AVAILABLE IN RWANDA

The following IP protection is available in Rwanda:

1. trade marks: national and international (Madrid Protocol);
- 2) patents: national and international (Patent Cooperation Treaty);
- 3) utility models: regional;
- 4) industrial designs: national;
- 5) geographical indications: national;
- 6) layout designs of integrated circuits: national;
- 7) traditional knowledge and expressions of folklore: regional;
- 8) copyright and neighbouring rights: national.

1.5 IP REGISTRATION ROUTES

IP protection in Rwanda can be secured at three levels: regional, national and international depending on the IP rights involved.

National

All the IP titles mentioned above can be protected directly in Rwanda through the Office of the Registrar General, Rwanda Development Board (RDB). More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.

Regional

Rwanda is a contracting party to ARIPO's Harare Protocol on Patents and Industrial Designs of 10 December 1982. Under the ARIPO regional route, patents, utility models and industrial designs can be protected in the member states. Here, a single filing can designate and cover 20 member states including Rwanda. The other 19 member states are Botswana, Cape Verde, Kingdom of Eswatini, The Gambia, Ghana, Kenya, Kingdom of Lesotho, Liberia, Malawi, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Sierra Leone, Sudan, Tanzania, Uganda, Zambia, and Zimbabwe.





International

Rwanda is also a contracting party to the Madrid Protocol and the Patent Cooperation Treaty (PCT). It is therefore possible to register international trade marks and designate Rwanda through the Madrid System. More information is available at: <https://www.wipo.int/madrid/en/>. Patent applications designating Rwanda can also be filed through the PCT system. More information is available at: <https://www.wipo.int/treaties/en/registration/pct/>.

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

A **national** route is suitable when trade mark, patent or industrial design protection is only required in Rwanda.

A **regional** route through ARIPO can also be used for patents, utility models and industrial designs.

An **international** route is only advisable for trade mark and patent protection when protection is required in more countries than Rwanda.

Useful information:

Professional representation

Foreign applicants whose principal place of business is outside Rwanda must appoint a local agent. (For local applicants this is optional). The RDB accepts signed and notarised powers of attorney without any need for legalisation. However, you should check with your IP service provider in Rwanda whether hard copies are necessary or scanned copies sent by email are acceptable.

SECTION 2: OVERVIEW OF IP ENFORCEMENT

Intellectual property (IP) enforcement in Rwanda is governed by the Rwanda Development Board (RDB) under the Office of the Registrar General. The RDB is responsible for the registration of trade marks, patents, industrial designs and copyrights. The office also works closely with the Rwanda National Police and other enforcement institutions to combat IP violations including counterfeiting.

The Rwandan government has made significant strides to strengthen IP enforcement by enacting laws and regulations, and by educating the public about IP rights. The country's revised IP Policy of 2018 also specifies the actions needed for the adequate enforcement of IP rights. These include:

- provision of equipment for detection of counterfeits and pirated goods, and their destruction;
- cooperation with specialised international and regional bodies;
- capacity building for enforcing organs; and
- publication of reported case-law.





However, there are still challenges with IP infringement and counterfeiting that occur in the country. Besides the enforcement mechanisms available through the criminal justice system, Rwandan IP law also provides for civil remedies for all IP rights, which require the rights holders to pursue lawsuits against infringing parties.

Rights holders are expected to 'police' their work and take action against infringers of their rights. That means that the rights holders should initiate action such as reporting infringements to the police or customs (in the case of the importation of infringing goods) and also seek the intervention of the courts to fight third parties who infringe their rights.

SECTION 3: TYPES OF AVAILABLE IP PROTECTION

3.1 TRADE MARKS

Trade marks are protected under Law No 31/2009 of 26 October 2009 on the Protection of Intellectual Property. Rwanda uses a multi-class filing system.

The country 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.

National and international trade marks can be registered in Rwanda 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.
- Over time a well-maintained trade mark can build the owner's brand and become an asset to their company. 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 Rwanda will need a professional representative.

3.1.2 What are the registration requirements?

A trade mark application must contain the following:

- a request for registration of the mark;





- a reproduction of the mark;
- a signed and notarised power of attorney;
- a list of the goods and/or services, based on the Nice Classification;
- name, nationality and address of the applicant, or full name (as on the Certificate of Incorporation) and address of the company;
- a certified copy of the priority document, if applicable;
- the prescribed application fees.

3.1.3 What qualifies for registration?

The following are suitable for registration as a mark: all forms of denominations including words, proper names, letters, figures and acronyms; figurative elements such as designs, reliefs, product forms or the relevant packaging; colours or combinations of colours, and any combination of the aforementioned signs.

A mark can only be validly registered if:

- it is distinctive;
- it is not confusing;
- it is not misleading or deceptive;
- it is not descriptive.

3.1.4 What cannot be registered?

It is prohibited for any person to adopt or register, in relation with products or services, a trade or service mark which:

- is contrary to public order or morality;
- reproduces, imitates or contains among its features a coat of arms or armorial bearing, flags or other emblems, a name or abbreviation or initials of the name of, official sign or hallmark and guarantee of a State or intergovernmental organisation set up by an international convention (unless authorisation is given by the empowered authority of this State or organisation).





3.1.5 Where can I file an application?

- the Office of the Registrar General, Rwanda Development Board (RDB). More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.
- country designation through the International Bureau (WIPO).

3.1.6 How much does it cost?

Government (official) fees

The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website providing direct access to the official fees.

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three Rwandan and ARIPO-accredited professional representatives. A list is available on this web page: <https://www.aripo.org/ip-agents/>.

Likely overall registration costs

An applicant can expect the cost of registering a trade mark to be in the region of the amounts set out in the table below (in RWF), unless objections and other special circumstances that may increase the costs apply.

Description of Process/ Service	Official Fees (RWF)
Filing and registration fees	30 000
Request of international classes – first class	5 000
<i>Each additional class</i>	3 000
Renewal fees	80 000
Late renewal fees	20 000

3.1.7 How long does registration take?

The trade mark registration process takes 6-12 months from the filing date to complete, assuming that there are no unusual delays. This includes an opposition period of 60 days.

3.1.8 What is the duration of protection?

10 years from the filing date, renewable for similar periods.





3.2 PATENTS

Rwanda Patent Registrations

National and international patents can be registered in Rwanda in the following ways.

National

Applications can be filed at the Office of the Registrar General, Rwanda Development Board. More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.

Regional

Country designation through ARIPO.

International

Through WIPO's International Bureau under the Patent Cooperation Treaty (PCT) route designating Rwanda.

Choosing between a national or international patent registration for Rwanda

The decision about whether to register a patent in Rwanda through the regional, national or international route is usually guided by the following considerations:

- **whether patent protection is required only in Rwanda or in multiple jurisdictions:** applicants will usually opt for the regional or international route if multiple-jurisdiction protection is required;
- **cost-effectiveness:** the ARIPO and PCT routes' centralised patent filing systems are usually considered to be more cost-effective than national applications for more than one jurisdiction.

Choosing between registration routes

Most patent applications for Rwanda are non-resident PCT national phase applications. It is more cost-effective to file a single application via the PCT route to gain patent coverage in more countries including Rwanda.

3.2.1 Who can register a patent?

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





3.2.2 What are the registration requirements?

A patent application must contain the following:

- a signed and notarised power of attorney;
- a request for the grant of a patent, a description of the invention, one or more claims, one or more drawings (where necessary) and an abstract;
- 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.

3.2.3 What qualifies for registration?

All inventions that are new, involve an inventive step and are industrially applicable should be protected. Protectable inventions may involve a product or a method.

A patent must meet the following requirements.

- **New** – an invention is considered novel if it is not included in the prior art. Prior art includes anything that has already been disclosed, anywhere in the world, via publication in a tangible form, by oral disclosure, by use or in any other way, prior to the filing date or, where appropriate, the priority date of the application claiming the invention.
- **Inventive step** – if, for a person skilled in the art and involved in the patent's area of specialism, it is obvious that there is some form of progress from the prior art in the application.
- **Susceptible of industrial applicability** – if its subject matter is liable to be manufactured or used in any type of industry.

The following inventions can also be registered:

- **process inventions** which, in whole or in part, consist of steps that are performed by a computer and are directed by a computer program;
- **product inventions** consisting of elements of a computer-implemented invention, including in particular:
 - machine-readable computer program code stored on a tangible medium such as a floppy disk, or any kind of disk or computer memory;
 - a general-purpose computer whose novelty over the prior art arises primarily due to its combination with a specific computer program.





An applicant who files a patent application for the computer programs or computer-related inventions listed above waives their right to copyright protection.

3.2.4 What cannot be registered?

The following cannot be patented:

- discoveries, scientific theories and mathematical methods;
- schemes, rules or methods for doing business, performing purely mental acts or playing games;
- methods for treatment of humans or animals by surgery or therapy, as well as diagnostic methods practiced on humans or animals; nevertheless, this does not apply to products used in any of those methods;
- substances, even if purified, synthesised or otherwise isolated from nature; nevertheless, this does not apply to the processes of isolating those substances from their original environment;
- known substances for which a new use has been discovered; this does not apply to the use itself, where it constitutes an invention;
- plants and animals, including their parts, other than micro-organisms, and essentially biological processes for the production of plants or animals and their parts, other than non-biological and microbiological processes and products obtained from those processes;
- animal and plant varieties;
- pharmaceutical products, for the purposes of the international conventions to which Rwanda is party;
- inventions whose commercial use is contrary to public order and morality.

3.2.5 Where can I file an application?

National applications, non-Convention, Convention and PCT national phase applications must be filed at the Office of the Registrar General, Rwanda Development Board. More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.

Regional or ARIPO applications can be submitted to the Office of the Registrar General, Rwanda Development Board, 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 or PCT applications designating Rwanda can be filed at WIPO's International Bureau.





3.2.6 How much does it cost?

National (RDB) and PCT national phase fees

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

Government (official) fees

The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website for direct access to the official fees.

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three Rwandan and ARIPO-accredited professional representatives. A list is available on this web page: <https://www.aripo.org/ip-agents/>

Likely overall registration costs for a patent

An applicant can expect the cost of registering a patent to be in the region of the amounts set out in the table below (in RWF), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees (RWF)
Application fees (with formal examination only)	30 000
Publication fees	20 000
Substantive examination fees are determined by the selected examining authority	

ARIPO-route patent registration fees

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

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





Type of Fee	ARIPO Fees (USD)
Application fee, regardless of the number of states designated in the application.	232
State designation fee.	85 per state (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 per state (multiplied by the number of designated states)
Total fees, assuming only Rwanda is designated and payment of first annuity fee has been made.	367
Total fees, assuming all Harare Protocol states, including Rwanda, are designated, and payment of first annuity fee has been made.	2 932

International (PCT) fees

There are basically three types of fees payable to the receiving office in connection with an international application. These are international filing fees, search fees and transmittal fees. For more details about PCT fees, visit this web page: <https://www.wipo.int/pct/en/fees/index.html>

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, among others. It is advisable to obtain comparative quotes of fees from at least three Rwandan or ARIPO-accredited professionals. Professionals can be verified through the Rwanda Bar Association, more information can be found on this web page: <https://www.aripo.org/ip-agents/>.

3.2.7 How long does registration take?

Patent applications are only formally examined in Rwanda. The law also provides for substantive examination although this does not happen in practice. The registration process takes up to 24 months to complete.

Regional or ARIPO route Rwanda applications are substantively examined by ARIPO and take 2-3 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?

Renewal fees are paid in advance for each year, the first being paid 1 year after the filing date of the application. A grace period of 6 months is granted for late payment of annual fees in return for payment of the prescribed surcharge.

Annuities

The following government (official) fees are currently applicable:

Annuity Year	Official Fees (RWF)
2nd to 19th	100 000

ARIPO-route Rwanda patents

Renewal fees are payable up to the 20th 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 on this web page: <https://www.aripo.org/fee-schedules/>

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

3.3 UTILITY MODELS

An invention in Rwanda will be considered for a utility model certificate provided that it is **new** and **industrially applicable**.

National and regional utility models can be registered in Rwanda in the following ways.

National

Applications can be filed at the Office of the Registrar General, Rwanda Development Board. More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.

Regional

Country designation through ARIPO.

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 20 member states in a utility model application. It is therefore also possible to file an ARIPO utility model application in which Rwanda (or any other member state) 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 since not all ARIPO member states have utility model laws in place. Enforcement of utility model rights will be difficult and almost impossible in those jurisdictions.

Choosing between a national or regional utility model registration for Rwanda

The decision about whether to register a UM in Rwanda through the national or regional route is usually guided by the following considerations:

- **whether UM protection is required only in Rwanda or in multiple jurisdictions:** applicants will usually opt for the regional route if multiple-jurisdiction protection is required;
- **cost-effectiveness:** the ARIPO route's centralised UM filing system is usually considered to be more cost-effective than national applications for more than one jurisdiction.

Choosing between registration routes

Most UM applications for Rwanda are regional applications. It is more cost-effective to file a single application via the ARIPO route to gain UM protection in other ARIPO countries as well as Rwanda.

3.3.1 Who can register a utility model?

An inventor or successor in title of an innovation can apply to register a UM.

3.3.2 What are the registration requirements?

A UM application must contain the following:

- a signed and notarised power of attorney;
- a request for the grant of a utility model, a description of the invention, one or more claims, one or more drawings (where necessary) and an abstract;
- 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.





3.3.3 What qualifies for registration?

All inventions that are new and industrially applicable can be protected. Protectable inventions may involve a product or a method.

A UM must meet the following requirements.

- **New** – an invention is considered new if it is not anticipated by the prior art. Prior art consists of anything that has already been disclosed, anywhere in the world, via publication in a tangible form, by oral disclosure, by use of a utility model or in any other way, prior to the filing date or, where appropriate, the priority date of the application claiming the invention.
- **Susceptible of industrial applicability** – if its subject matter can be made or used in any kind of industry or any human economic activity leading to the production of goods and services.

The following inventions can also be registered:

- **process inventions** which, in whole or in part, consist of steps that are performed by a computer and are directed by a computer program;
- **product inventions** consisting of elements of a computer-implemented invention, including in particular:
 - machine-readable computer program code stored on a tangible medium such as a floppy disk, or any kind of disk or computer memory;
 - a general-purpose computer whose novelty over the prior art arises primarily due to its combination with a specific computer program.

An applicant who files utility model applications for the computer programs and computer-related inventions listed above waives their right to copyright protection.

3.3.4 What cannot be registered?

The following cannot be patented:

- discoveries, scientific theories and mathematical methods;
- schemes, rules or methods for doing business, performing purely mental acts or playing games;
- methods for the treatment of humans or animals by surgery or therapy, as well as diagnostic methods practiced on humans or animals; this does not apply to products for use in any of those methods;
- natural substances, even if purified, synthesised or otherwise isolated from nature; this does not apply to the processes of isolating those natural substances from their original environment;





- known substances for which a new use has been discovered; this does not apply to the use itself, where it constitutes an innovation (or utility model) according to the law;
- plants and animals, including their parts, other than micro-organisms, and essentially biological processes for the production of plants or animals and their parts, other than non-biological and microbiological processes;
- animal and plant varieties;
- pharmaceutical products in accordance with the International Conventions to which Rwanda is party;
- inventions whose commercial use is contrary to public order and morality.

3.3.5 Where can I file an application?

Applications must be filed at the Office of the Registrar General, Rwanda Development Board. More details can be found on the IP office website: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>.

Regional applications designating Rwanda can be filed at ARIPO. Applications can be filed at the Office of the Registrar General, Rwanda Development Board, 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 Rwanda 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 fees

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

Government (official) fees

The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website for direct access to the official fees.

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three Rwandan and ARIPO-accredited professional representatives. A list is available on this web page: <https://www.aripo.org/ip-agents/>.





Likely overall registration costs for a UM

An applicant can expect the cost of registering a utility model to be in the region of the amounts set out in the table below (in RWF), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees (RWF)
Application fees	10 000
Publication fees	20 000
Substantive examination fees are determined by the selected examining authority	

ARIPO-route utility model registration fees

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

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fees USD
Application fee, regardless of the number of states designated in the application	80
State designation fees	20 per state (multiplied by the number of designated states)
Mandatory annuity fees (per designated state)	20 (1st year) per state multiplied by the number of designated states
Total fees, assuming only Rwanda is designated and payment of 1st annuity fee	120
Total fees, assuming all Harare Protocol states, including Rwanda, are designated and payment of 1st annuity fee	880

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, among others.

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





3.3.7 How long does registration take?

UM applications are only formally examined in Rwanda. The law also provides for substantive examination although this does not happen in practice. The registration process can take up to 12 months to complete.

Regional-route-filed Rwanda 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?

Utility model registration is valid for 10 years from the filing date.

ARIPO-registered utility models have a duration of 10 years from the filing date.

3.3.9 When are renewal fees paid?

National UMs

At the end of the fifth year from the filing date, the owner of the utility model certificate will pay maintenance fees for the following 5 years.

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

Renewal fees

The following government (official) fees are currently applicable:

Annuity Year	Official Fees (RWF)
Renewal fees after 5 years from filing date	250 000

ARIPO-route-filed Rwanda 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 on this web page: <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 (USD)
1	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 AND MODELS

Under Law No 31/2009 of 26 October 2009 on the Protection of Intellectual Property, an industrial design or model may be registered, provided that it is new.

The protection provided for by this law does not extend to the features of an industrial design or model that are only used to obtain a technical effect.

Rwanda Industrial Design and Models Registration

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

National

Applications can be filed at the Office of the Registrar General, Rwanda Development Board.

Regional

- Under the Harare Protocol, through ARIPO.

ARIPO currently has 22 member states: Botswana, Cape Verde, eSwatini, The Gambia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mauritius, Mozambique, Namibia, Rwanda, São Tomé and Príncipe, 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 Rwanda or any other country is designated to achieve national design protection but through a regional registration system.

International

Industrial Designs: Hague Agreement

Rwanda is a signatory of the Hague Agreement, which means it can be designated for the purposes of registering an industrial design under the Hague System for the international registration of industrial designs. Read more about the Hague System: <https://www.wipo.int/hague/en/>

- The Hague System allows applicants to register an industrial design by filing a single application with WIPO's International Bureau. This enables design owners to protect their designs with a minimum number of formalities in multiple countries or regions. The Hague Agreement also simplifies managing an industrial design registration, since it is possible to record subsequent changes and renew the international registration through a single procedural step.
- International design applications may be filed with WIPO's International Bureau, either directly or through the industrial property office of the contracting party of origin, if the law of that contracting party so permits or requires. In practice, however, virtually all international applications are filed online directly with WIPO's International Bureau.
- The Hague Agreement is integrated into Rwanda's national legal framework for the protection of intellectual property. As a result, an international design registration that designates Rwanda enjoys the same force of law as a nationally registered industrial design.

Choosing between a national or regional industrial design registration for Rwanda

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

- **whether design protection is only required in Rwanda or in multiple jurisdictions:** applicants will usually opt for the ARIPO or international route if multiple-jurisdiction protection is required;
- **cost-effectiveness:** ARIPO's and the Hague Agreement's centralised design registration systems are usually considered to be more cost-effective than a national design registration approach;
- **time-effectiveness:** Rwanda, 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 the 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. Considering that





there is no substantive examination of industrial designs in Rwanda, however, the national route might still be a time-effective one.

Examination and novelty of designs for Rwanda

Rwanda does not carry out a substantive examination of design applications. Applications are only examined as to their compliance with the formal requirements.

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

As there is no requirement for a substantive examination of designs under Rwandan law, only a formal examination is carried out, as mentioned above.

National Industrial Designs

3.4.1 Who can register?

The person who has created it or their successor in title can apply to register a design in Rwanda.

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?

The application for the registration of an industrial design should contain the following:

- a signed and notarised power of attorney;
- a request for registration of an industrial design or model;
- 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 creator;
- a certified copy of the priority document, if applicable;
- drawings, photographs or other appropriate graphic representations of the subject incorporating the industrial design or model;
- the indication of the kind of products for which the industrial design or model is intended to be used;
- a copy of the subject incorporating the industrial design or model;
- payment of the prescribed fees.





3.4.3 What qualifies for registration?

An industrial design or model that is new.

- An industrial design or model is considered new if it has not been disclosed, in any place in the world, in the form of a tangible publication, by use or by any other means prior to the filing date or, where appropriate, the priority date of the registration request.
- An industrial design or model is considered novel if it is not included in the prior art.

Two or more industrial designs or models may be the subject of the same application, provided that they are part of the same class under the international classification or part of the same set or composition of items.

3.4.4 What cannot be registered?

A design cannot be registered if:

- it is contrary to public order or morality;
- the design is functional and only serves to achieve a technical result.

3.4.5 Where can I file an application?

National route design applications must be filed at the Office of the Registrar General, Rwanda Development Board (RDB).

Regional route design applications can be filed at the Office of the Registrar General, RDB clearly indicating that they are regional applications, or through ARIPO. Design applications filed through ARIPO for Rwanda 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 route design applications may be filed with WIPO's International Bureau, either directly or through the industrial property office of the contracting party of origin, if the law of that contracting party so permits or requires. In practice, however, virtually all international applications are filed online directly with WIPO's International Bureau.

3.4.6 How much does it cost?

National fees

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





Government (official) fees

The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website for direct access to the official fees.

Professional fees

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

Likely overall registration costs for a national industrial design

An applicant can expect the cost of registering an industrial design to be in the region of the amounts set out in the table below (in RWF), unless objections and other special circumstances which increase costs apply.

Type of Fee	Official Fees (RWF)
Application and publication fees	30 000

ARIPO-route design registration fees

These fees are paid through ARIPO. ARIPO's fees are reviewed regularly. The latest fees are available on this web page: <https://www.aripo.org/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.	40 – online filing 50 – paper filing
State designation fees.	10 per state (multiplied by the number of designated states)
Total fees, assuming that only Rwanda is designated in the application.	50
Total fees, assuming that all Harare Protocol states, including Rwanda, are designated in the application.	240

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 on this web page: <https://www.aripo.org/ip-agents/>





3.4.7 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.

3.4.8 What is the duration of protection?

The total duration of validity of the registration of an industrial design or model is 15 years from the filing date. Registration may be renewed for two consecutive periods of 5 years each, during the fifth and tenth years.

ARIPO-route design registrations are valid for 15 years, with no possibility of extension. Except for designated states with a shorter term of protection, the registration will expire at the end of the term of protection provided for under the design laws of that member state.

3.4.9 When are renewal fees paid?

Renewal fees must be paid within 90 days from the due date.

The renewal fees are currently RWF 50 000 for the first renewal if the applicant chooses to extend the duration of the design from 5 to 10 years and RWF 50 000 for the second and final renewal if you choose to extend the duration from 10 to 15 years. Late payment of the renewal fees is possible within a 6-month grace period after the due date.

In ARIPO, renewal fees are payable within 6 months before the registration period expires. Late payment of the renewal fees is possible within a 6-month grace period 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 on this web page: <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 (USD)
1	10
2	12
3	14
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:	
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. It is advisable to compare the fees of different IP agents.

3.5. GEOGRAPHICAL INDICATIONS (GIs)

About GIs in Rwanda

The law defines a GI as an indication that is used to identify the origin of a product as being from a particular province, region or area of the country, in those instances where the product's quality, reputation or any other feature may be attributed essentially to this origin.

GIs are protected in Rwanda irrespective of whether they have been registered in any proceedings under the law. However, a registration establishes the presumption that the registered indication is a geographical indication in accordance with the law.





GIs are registered through the Office of the Registrar General, Rwanda Development Board. Currently, there is no regional or international registration system through which GIs can be registered for Rwanda.

3.5.1 Who can register?

Natural or legal persons who, for the goods indicated in the application, carry out producer activities in the geographical region indicated in the application or to any other interested person.

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. Only national appellations of origin can be filed for registration purposes by Rwandan nationals.

Foreign designations of origin may only be registered as such within the meaning of the applicable law, within the framework of the application of international conventions to which Rwanda is a party and, subject to reciprocity in the member countries of these conventions.

For information about the protection of European GIs in African countries, the Organization for an International Geographical Indications Network should be consulted at: <https://www.origin-gi.com/>

3.5.3 What are the registration requirements?

An application for registration of an appellation of origin must include:

- the name, address and nationality of the natural or legal person making the filing, as well as the capacity in which this person is applying for registration;
- the geographical indication for which registration is requested;
- the geographical region for which the registration of the indication applies;
- the goods to which the indication applies;
- the quality, reputation or other feature of the goods for which the indication is used;
- payment of the prescribed fees.





3.5.4 What qualifies for registration?

An indication that is used to identify the origin of a product as being from a particular province, region or area of the country, in those instances where the product's quality, reputation or any other feature may be attributed essentially to this origin.

3.5.5 What cannot be registered?

The following geographical indications are excluded from protection:

- geographical indications that are not consistent with the definition under the law;
- geographical indications that are contrary to public order and morality;
- geographical indications that are not protected in their country of origin or cease to be so;
- geographical indications that have lapsed.

3.5.6 Where can I file an application?

Applications for registration must be submitted to the Office of the Registrar General, Rwanda Development Board (RDB).

3.5.7 How much does it cost?

National fees

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

Government (official) fees

The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website for direct access to the official fees.

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three RDB-accredited professionals. Professionals can be verified through the Rwanda Bar Association, more information can be found on this web page: <https://www.rwandabar.org.rw/>.





Likely overall registration costs for an RDB geographical indication registration

An applicant can expect the cost of registering a GI to be in the region of the amounts set out in the table below (in Rwandan Francs), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees (RWF)
Application and registration fees	10 000

3.5.8 How long does registration take?

Unless substantive objections are raised or there are unusual delays, a GI application takes on average 9-12 months to complete registration.

3.5.9 What is the duration of protection?

There is no provision for the actual duration for the protection of GIs. The law, however, provides that only producers performing their activities in the geographical region indicated in the register should be entitled to use, for commercial purposes and for the goods indicated in the register, the registered geographical indication, **insofar as the goods in question have the quality, reputation or other feature indicated in the register.**

3.6 LAYOUT DESIGNS OF INTEGRATED CIRCUITS

About Layout Designs of Integrated Circuits in Rwanda

The law provides for the protection of layout designs of integrated circuits that are original.

- A layout design is considered to be original if it is the result of an intellectual effort on the part of its creator and if, at the time it is created, it is not known among the creators of layout designs and manufacturers of integrated circuits.
- A layout design, which consists of a combination of elements and interconnections that are common, is protected only if the combination, taken as a whole, is original.

A registration for a layout design can only be applied for if it has not yet been used for commercial purposes, or if it has been the subject of such use for a maximum of 2 years anywhere in the world.





3.6.1 Who can register?

A creator or successor in title can apply to register a design.

It is possible for two or more persons or companies to jointly own and apply for the registration of layout designs of integrated circuits.

3.6.2 What are the registration requirements?

An application for the registration of a layout design must include:

- a request for registration of the layout design, and a brief and accurate description of the design;
- the name, address and any other prescribed information relating to the applicant;
- a signed and notarised power of attorney;
- specification of the date of first commercial use of the layout design, anywhere in the world, or an indication that this use has not yet begun;
- information establishing the right to protection.

Applications should be accompanied by a copy or diagram of the layout design and, where the integrated circuit has been used commercially, by a sample of the integrated circuit, as well as information defining the electronic function that the integrated circuit is intended to carry out.

3.6.3 What qualifies for registration?

Layout designs of integrated circuits can be registered if they are original.

Examination

Rwanda does not carry out a substantive examination of applications. According to the law, the registration should be made without examining the originality, the right of the filing party to protection or the correctness of the information included in the application.

3.6.4 What cannot be registered?

Designs that consist of a composition of familiar elements and connections or designs that have been circulated among creators and manufacturers of integrated circuits. These are not considered original and new.

Any designs whose use would be contrary to the law, public policy or morality.





3.6.5 What acts are not permitted in relation to protected layout designs of integrated circuits?

The protection granted under the law should entitle its owner to prevent others from performing the following actions without their approval:

- reproducing, either by incorporation in an integrated circuit or otherwise, the whole of the protected layout design or any part thereof, except the act of reproducing any part that does not satisfy the requirement of originality referred to in this law;
- importing, selling or otherwise distributing, for commercial purposes, the protected layout design, an integrated circuit in which the protected layout design is incorporated, or an article incorporating such an integrated circuit, insofar as it continues to contain a layout design reproduced unlawfully.

3.6.6 What acts are permitted in relation to protected layout designs of integrated circuits?

The protection granted under the law does not include the following activities:

- reproduction of the protected layout design for private purposes or for the sole purpose of evaluation, analysis, research or education;
- incorporation in an integrated circuit of a layout design created on the basis of such an analysis or evaluation and itself exhibiting originality;
- performance of any of the acts not permitted for an integrated circuit incorporating a layout design reproduced unlawfully, or of any article incorporating such an integrated circuit;
- performance of any of the acts not permitted for integrated circuits, where the act is performed in relation to an original identical layout design which has been created independently by a third party.

3.6.7 Where can I file an application?

Applications must be filed at the Office of the Registrar General, Rwanda Development Board (RDB).

3.6.8 How much does it cost?

National fees

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

Government (official) fees





The fees are published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Rwandan Franc). However, there is no link available on the RDB website for direct access to the official fees.

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three RDB-accredited professionals. Professionals can be verified through the Rwanda Bar Association, more information can be found on this web page: <https://www.rwandabar.org.rw/>.

Likely overall registration costs for a layout design of an integrated circuit

An applicant can expect the cost of registering a layout design to be in the region of the amounts set out in the table below (in RWF), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees (RWF)
Application and registration fees	10 000

3.6.9 How long does registration take?

Unless substantive objections are raised or there are unusual delays, an integrated circuit layout design takes an average of 3-6 months to complete registration.

3.6.10 What is the duration of protection?

The duration of a figurative design or an integrated circuit layout design registration in Rwanda is 10 years.

3.6.11 When are renewal fees paid?

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

3.7. TRADITIONAL KNOWLEDGE AND EXPRESSIONS OF FOLKLORE

According to Law No 31/2009 of 26 October 2009 on the Protection of Intellectual Property, expressions of folklore are part of the national culture and heritage. The law, however, provides for the protection of derivative works from folklore under copyright.





3.7.1 Who can register?

There are no provisions for registration of traditional knowledge and expressions of folklore. Article 289 of the same law on protection of plants discovery, genetic resources, traditional knowledge and folklore provides that:

'The protection of discovery of plants, genetic resources, traditional knowledge and folklore is granted by a related special law.'

3.8 COPYRIGHT AND NEIGHBOURING RIGHTS

About Copyright and Neighbouring Rights in Rwanda

Copyright is also protected under Law No 31/2009 of 26 October 2009 on the Protection of Intellectual Property.

3.8.1 Can I register?

The protection of copyright in Rwanda is automatic and does not require any formalities, this is in line with the Berne Convention for the Protection of Literary and Artistic Works. However, there is an opportunity for authors of works recognised by the law to register their work.

3.8.2 What qualifies for protection?

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

- **literary and artistic works;**
 - works expressed by writing (books, pamphlets and other writings) including computer programs;
 - conferences, speeches, lectures, addresses, sermons and other oral works;
 - musical works with or without accompanying words;
 - dramatic, dramatico-musical works;
 - choreographic works and pantomimes;
 - audiovisual works;
 - works of drawing, painting, sculpture, engraving, lithography, tapestry and other works of fine art;
 - works of architecture;





- photographic works; including works made by means similar to the photographic process;
- works of applied art like handicraft works;
- illustrations, maps, plans, sketches and three-dimensional works relating to geography, topography, architecture or science;
- works deriving from Rwandan national folklore.
- **translations, adaptations, arrangements and other transformations or modifications of works and the works of expression of folklore;**
- **collections of works, works of expression of folklore or of simple facts or mere data like encyclopedias, anthologies, collections of data, whether in machine readable or other form, provided that such collections are original intellectual creations by reason of the selection or arrangement of their content.**

The protection of any derivative work should be without prejudice to any protection of a pre-existing work or expression of folklore incorporated in or utilised for the making of such a work.

3.8.3 What cannot be protected?

Any work whose subject matter does not qualify for legal protection. This includes the following:

- any official texts of a legislative, administrative or judicial nature, as well as any official translations;
- published daily news or news communicated to the public;
- any idea, procedure, system, method of operation, concept, principle, discovery or mere data, even if expressed, described, explained, illustrated or embodied in a work;
- any work that is contrary to law, public order or morality.

3.8.4 What are the requirements for legal protection?

The original work must be in one of the categories mentioned in section 3.8.2.

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

Permitted acts that do not infringe copyright include:

- private reproduction for personal purposes;





- temporary reproduction;
- free reproduction in the form of quotations;
- free reproduction for teaching;
- free reprographic reproduction by libraries and archives;
- free reproduction for judicial and administrative purposes;
- free use of works for informative purposes;
- free use of pictures of works permanently located in public places;
- free reproduction and adaptation of computer programs;
- free ephemeral recording by broadcasting organisations;
- free public performance;
- free importation of a work for personal purposes; and
- free reproduction of the work for people who are visually impaired.

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

Unpermitted/restricted acts include:

- reproduction of the work;
- translation of the work;
- adaptation, arrangement or other transformation of the work;
- rental of the original or a copy of an audiovisual work, a work embodied in a phonogram or a computer program;
- communication to the public of the work by distribution of the original or a copy of the work to the public by sale or other transfer of ownership;
- public performance of the work;
- communication to the public of the work by broadcasting;
- communication to the public of the work by wire or any other means.





3.8.7 What is the duration of protection?

The duration of copyright protection is as follows:

- **literary works:** the lifetime of the author (or last surviving author in the case of co-authored works) plus 50 years;
- **an audiovisual work, a collective work, a photograph, or a computer program**
 - 50 years from the date on which the work was first lawfully published;
 - 50 years from the date on which the work was created;
 - 50 years from the latest date of the year in which the work was lawfully made available to the public.
- **work published anonymously or under a pseudonym**
 - 50 years from the date on which the work was first lawfully published;
 - 50 years from the date on which the work was made;
 - 50 years from the latest date of the year in which the work was lawfully made available to the public.
- **a work of applied art:** 25 years from the making of the work.

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

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

Links to legislation:

Rwanda Development Board: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-3>

Links to institutions:

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

Rwanda Development Board: <https://rdb.rw/neworg1/intellectual-property-rights/#tab-2-1>

Business Procedures Rwanda: <https://businessprocedures.rdb.rw/>





