



European
Commission

AFRICA
IP SME HELPDESK



IP Country Fiche
ERITREA



SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Capital:	Asmara
Population:	3 660 000 (2021)
Currency of government (official) fees:	Nakfa (ERN)
Language for filing IP applications:	English, Arabic
GDP per capita (USD):	Current data not available - 642.5 (World Bank, 2011)
Human Development Index:	Current data not available
Main exports:	Gold, copper ore, zinc ore, silver, textiles
Main imports:	Wheat flours, delivery trucks, sorghum, rubber tyres, raw sugar

1.2 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

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

- the Convention on Biological Diversity of 05 June 1992;
- the UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage of 16 November 1972;
- the UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage of 17 October 2003;
- the convention establishing the World Intellectual Property Organization of 14 July 1967;
- the treaty establishing the Common Market for Eastern and Southern Africa (COMESA) of 05 November 1993.



1.3 REGIONAL AGREEMENTS

Eritrea is a member of the following regional agreements:

- **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: Burundi, Comoros, Democratic Republic of Congo (DRC), Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Eritrea, Sudan, Swaziland, Uganda, Zambia and Zimbabwe.

1.4 LEGAL FRAMEWORK OF IP PROTECTION AVAILABLE IN ERITREA

No procedure for the protection of industrial property currently exists in this jurisdiction. Intellectual property was previously safeguarded on the basis of sufficient public recognition by publishing cautionary notices in leading local newspapers.

Although the publication of cautionary notices was essentially an informal arrangement instead of a legal one, the Eritrean government had to accept and approve these notices to be valid. Regrettably, and without providing any explanation to stakeholders, the government suspended the publication of all notices. This suspension has been in force for more than 2 years and shows no signs of being lifted.

The enactment of requisite IP laws and the establishment of the competent authority for IP administration is said to be in progress. As such, there is no IP legislation in place in the country.

1.5 IP REGISTRABLE ROUTES

No registration routes are currently available in Eritrea.

SECTION 2: OVERVIEW OF IP ENFORCEMENT

Eritrea is not a signatory of the World Trade Organization (WTO) and the TRIPS Agreement, and its IP laws are said to be in the process of being established.

With the enactment of requisite IP laws as well as the establishment of the competent authority for IP administration being in progress, enforcement is significantly difficult, as the country does not have the respective legislation in place.





SECTION 3: TYPES OF AVAILABLE IP PROTECTION

3.1 TRADE MARKS

It is not currently possible to obtain trade mark protection in Eritrea. The publication of cautionary notices was the only way to protect trade marks. The government suspended the publication of all notices. This suspension has been in force for more than 2 years and shows no signs of being lifted.

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 financing.

3.2 PATENTS

Eritrea patent registrations

It is currently not possible to obtain patent protection in Eritrea.

3.3 UTILITY MODELS

Eritrea utility model registrations

It is currently not possible to obtain utility model protection in Eritrea.

3.4 INDUSTRIAL DESIGNS

It is currently not possible to obtain industrial design protection in Eritrea.





3.5 GEOGRAPHICAL INDICATIONS (GIS)

About GIs in Eritrea

It is currently not possible to obtain GI protection in Eritrea.

There is also no regional or international registration system through which GIs can be registered in Eritrea.

3.6 LAYOUT DESIGNS OF INTEGRATED CIRCUITS

About layout designs of integrated circuits in Eritrea

It is currently not possible to obtain protection for layout designs for integrated circuits in Eritrea.

3.7 TRADITIONAL KNOWLEDGE AND HANDICRAFTS

About traditional knowledge and handicrafts in Eritrea

There are currently no legal provisions for the registration and protection of traditional knowledge, traditional cultural expressions (TCEs) and handicrafts in Eritrea.

3.8 COPYRIGHT AND NEIGHBOURING RIGHTS

About copyright and neighbouring rights in Eritrea

Eritrea does not have a dedicated law for the protection of copyright and neighbouring rights. The country is also not a member of any copyright-related international treaty, including the Berne Convention for the Protection of Literary and Artistic Works.

Links to legislation:

Provisional Legislation relating to IP: <https://wipolex.wipo.int/en/legislation/details/11037>.

Links to institutions:

AfCFTA (African Continental Free Trade Area) – Africa Trade House, Ambassadorial Enclave, Liberia Road, Ridge, Accra Ghana: <https://au-afcfta.org/>

COMESA (Common Market for Eastern and Southern Africa): <https://www.comesa.int/>.



