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IP Country Fiche
MOZAMBIQUE



SECTION 1: COUNTRY OVERVIEW

1.1 GENERAL INFORMATION

Capital:	Maputo
Population:	34.89 million
Currency of government official) fees:	Mozambican Metical (MT)
Language for filing IP applications:	Portuguese
GDP per capita:	608.4 (est. in 2023)
Human Capital Index:	0.461 (est. in 2022)
Main exports:	Aluminium, electric energy, tobacco, natural gas, sugar, and prawns.
Main imports:	Machinery and equipment, vehicles, fuel, chemicals, metal products and foodstuffs.

1.2. INTERNATIONAL LEGAL INSTRUMENTS

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

- Madrid Agreement (Marks)
- Madrid Protocol
- Berne Convention
- Marrakesh VIP Treaty
- Nice Agreement
- Paris Convention
- Patent Cooperation Treaty (PCT)
- Vienna Agreement
- WIPO Convention¹
- WTO/TRIPS²

¹ WIPO: World Intellectual Property Organization

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



1.3 REGIONAL LEGAL INSTRUMENTS

- Mozambique is a contracting state to the following regional legal instruments:
- African Continental Free Trade Area Agreement (AfCFTA)
- ARIPO³ Agreements: Lusaka Agreement, Banjul Protocol on Trade marks ,Harare Protocol, on Patents and Industrial Designs and Arusha Protocol for the Protection of New Varieties of Plants
- Declaration and Treaty of SADC⁴ (also referred to as the SADC Treaty)

1.4. OVERVIEW OF REGIONAL AGREEMENTS

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

Mozambique signed the Agreement and has recently ratified the Agreement on January 9, 2023. The Agreement is available here:

<https://au.int/en/treaties/agreement-establishing-african-continental-free-trade-area>.

It contains a Protocol on Intellectual Property Rights (IPRs) which aims at the effective protection and promotion of IPRs in Africa and may, therefore, have legal implications for Mozambique.

- ARIPO Agreements

Mozambique is a signatory of the Lusaka Agreement on the Creation of the African Regional Intellectual Property Organization (ARIPO). It is also a contracting party to the Banjul, Harare Protocols and Arusha Protocol for the Protection of New Varieties of Plants that are administered by ARIPO.

- SADC Treaty

Mozambique is a member of the [Southern African Development Community](#), (SADC). SADC has no regional IP agreements, protocols, or registration systems in place.

It has the SADC Industrialization Strategy and Roadmap (2015–2063) which includes a focus on promoting the use and enforcement of IP rights to encourage research and development and innovation amongst SADC countries.

1.5 AVAILABLE IP PROTECTION

The following IP protection is available in Mozambique:

³ African Regional Intellectual Property Organisation

⁴ Southern African Development Community



- 1) trade marks: national, regional (ARIPO) 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) copyright and related rights: national

1.6 IP PROTECTION NOT AVAILABLE:

- 1) layout designs of integrated circuits
- 2) plant breeders rights
- 3) traditional knowledge and handicrafts

1.7 IP REGISTRATION ROUTES

IP protection in Mozambique is available through three routes: national, regional, and international.

1.7.1 National

The six types of IP mentioned above can be protected directly in Mozambique through the Industrial Property Institute (IPI).

1.7.2 Regional

The ARIPO regional route can be used in Mozambique for:

- 1) the registration of trade marks under the Banjul Protocol on marks;
- 2) the grant of patents and the registration of utility models and industrial designs under the Harare Protocol on Patents and Industrial Designs.

Trade marks

Mozambique is a signatory of the Banjul Protocol, which means it can be designated for the purpose of registering trade marks using the [ARIPO trade mark system](#).

Member States carry out the substantive examination of applications after which ARIPO registers such trade marks on behalf of its Member States and subsequently administers the registrations in accordance with the Banjul Protocol. ARIPO member states are free to join any of ARIPO's protocols. Not all ARIPO member states are signatories of the Banjul Protocol. Consequently, non-members cannot be designated in an ARIPO trade mark application or in a subsequent designation application. A list of current states that have





joined the Banjul Protocol can be found [here](#). Filing requirements, the registration process and payable fees can be seen on [ARIPO's trade mark web page](#).

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

Advantages of the ARIPO trade mark system

The ARIPO system allows an applicant to file a single application that designates one or more Banjul Protocol member states for the registration of trade mark rights that will be enforceable in multiple states that are members of the system. In this regard, the ARIPO trade mark system is similar to the [Madrid System for the international registration of marks](#) except that the ARIPO system covers a limited geographical area in Africa, and a few other differences.

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

Disadvantages of the ARIPO trade mark system

Despite its advantages, brand holders have major concerns about the ARIPO trade mark system. These concerns include:

- a poor opposition procedure which derives from the fact that oppositions are dealt with in a decentralised manner in individual states with different and non-harmonised national laws. This makes it expensive for brand holders and undermines the efficiencies of a centralised system for trade mark registration through a single application.
- the limited number of contracting parties. The accession of Cape Verde as the 13th and latest Banjul Protocol state with effect from 14 October 2022 was a positive step for the ARIPO trade mark system. However, a system that has only 13 out of 22 [ARIPO's current member states](#) may be of concern to brand owners who want the convenience of designating a large and diverse number of countries in one trade mark application. Considering that the majority of users of the ARIPO trade mark system are from Europe and non-African countries, the system suffers heavily from the competition of the Madrid System. Statistics for 2014–2023 can be found in the [ARIPO Annual Reports](#).

Tips for effective use of the ARIPO trade mark system



- Compare costs with other registration systems (national and Madrid), if available for the states that you want. The ARIPO system tends to be cheaper than national routes if you intend to designate several countries. It will also be a cheaper option in comparison to countries that operate a single class registration system.

Because ARIPO and national trade mark registrations have the same legal effect you therefore secure the same IP protection for your trade mark at a fraction of the fee which you would otherwise pay.

- Reduce the list of goods/services. ARIPO's surcharge of USD 5 per word can mean a significant cost for long specifications. Aim to designate only the goods/services that you genuinely need.

Be strategic with your state designations. The ARIPO trade mark system is flexible enough to allow you to be strategic. You do not have to designate all the Banjul Protocol states in an application. You can leave out some or you can create your own 'sub-designations' to suit your business needs. Develop the strategy by establishing which states operate a 'first to file' and a 'first to use' system so that you do not jeopardise your rights. You can also 'mix and match' system use approaches, for instance by carrying out national IP office searches in the states that you wish to designate in your ARIPO application. These searches will help to avoid objections during the substantive examination phase of your ARIPO application which is carried out by the designated states under their national laws. ARIPO examines for formalities only and transmits the application to the designated member states for substantive examination.

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

Patents, utility models and industrial designs

Mozambique is a signatory of the Harare Protocol under which ARIPO grants patents and registers utility models and industrial designs on behalf of those of its member states that are contracting parties to the Harare Protocol. More information about ARIPO's processes and applicable fees is available here for [patents](#), [utility models](#) and [industrial designs](#). A list of current ARIPO Member States that have joined the Harare Protocol is available [here](#).

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

Information that you may need about the relevance of the ARIPO system to your IP





protection strategy in Mozambique.

Patent filings

- ARIPO is a member of the Patent Cooperation Treaty (PCT); over 75 % of its applications are PCT-based.
- Mozambique receives most of its patent applications through its designation under the ARIPO region in PCT applications. In 2019, Mozambique's national IP office, IPI, received 26 patent applications compared to 586 ARIPO PCT-based applications and, in 2018, 34 patent applications compared to 577 ARIPO PCT-based applications. The pattern is similar for most ARIPO member states. See the ARIPO Annual Report 2019 available [here](#). However, [the volume of PCT applications](#) filed through ARIPO has dropped over the course of 2020–2022.

Substantive examination of patents and utility models

- ARIPO offers technical support to its member states, including Mozambique, to carry out the substantive examination of patents and utility models.

Searches

- You can carry out free online simple and advanced searches for trade marks, patents, utility models and industrial designs from the [ARIPO's e-service platform](#), even if you are not registered for e-services.
- You can also access the Regional IP Database through this [link](#).

1.7.3 International

The WIPO international route can be used for Mozambique for two IP rights:

- 1) The registration of trade marks under the Madrid System;
- 2) The filing and processing of patents in accordance with the Patent Cooperation Treaty (PCT).

Trade marks: Madrid System

- Mozambique is a signatory of the Madrid Protocol, which means it can be designated for the purpose of registering trade marks under the Madrid trade mark system.
- The Madrid system makes it possible for a brand owner to designate a country in an international application to secure trade mark protection in that country. Brand owners can also extend their trade mark protection to other



countries that are members of the Madrid Protocol.

- A brand owner can file one application and pay a single fee to obtain the registration of a trade mark in many other countries that are members of the Madrid System. Information about the Madrid trade mark system is available through these links: [General information](#) and [How to file](#).

Patents: PCT

- The PCT makes it possible to seek patent protection for an invention simultaneously in many countries by filing a single international patent application instead of several separate national or regional patent applications. More information about the PCT is available through this [link](#).
- Mozambique is a contracting party to the PCT and is also a member state of ARIPO which, as a region, is also a contracting party to the PCT. As a result, Mozambique can be designated in a PCT application as a country or under the designation of ARIPO as a regional block.

1.8 National / Regional / International: How do I choose a route?

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

1.8.1 When would I use the national route?

- When the national route is the only available route for the protection of the IP right in question. Some IP rights – geographical indications, for example – can only be protected under national law, because protection is not available under regional and international systems.
- When IP protection is required in one country only it may not be necessary to use regional or international routes.
- When used in response to specific national law provisions. ARIPO confers IP protection as a 'bundle of rights' which an IP holder must enforce in each designated state, based on the laws of that state. Some IP rights – pharmaceutical patents, for example – are not readily accepted in all ARIPO Member States.

When the national route provides special advantages. Examples include:

- Preferential substantive examination timeframe: it takes an average of 18



months for a patent filed through a national IP office to complete substantive examination compared to an average of 36 months if a patent application is filed directly with ARIPO.

- Exemption from substantive examination fees and surcharges: patent applications submitted through national IP offices are currently exempt from the substantive examination fees and surcharges for excess claims and pages that are payable in all other applications. However, this is being reviewed by ARIPO and is likely to change.

1.8.2 When would I use the regional (ARIPO) route?

This route is currently available for trade marks, patents, utility models and industrial designs only. It is advisable to use the ARIPO regional route when:

- IP protection is required in multiple ARIPO states. In this case, a single application for the registration of an IP right using the regional system may be more efficient and cost-effective than applying for registration in two or more countries.
- the regional route offers more technical capacity. For example, ARIPO has more capacity to substantively examine patents, especially those with a complicated subject matter.

1.8.3 When would I use the international route?

You should use this route if you want IP protection that covers Mozambique for international trade marks under the Madrid System and patent filings under the PCT.

Trade marks and industrial designs

In general, it is advisable to use the international route when:

- you want a wider coverage of IP protection than that available under the national and regional routes. The international route can be used to secure and extend protection to multiple countries and continents. Mozambique's national and regional IP protection routes are limited to Mozambique and to the ARIPO region only and not all ARIPO member states can be designated in trade mark and industrial design applications. Therefore, the Madrid System will give more coverage for the protection of your trade marks and designs.

Patents

- In addition to the reasons listed above, you may choose the PCT route because it offers a streamlined multi-country patent filing service that is not





available under national and regional patent routes. More information about the PCT's services is available [here](#).

SECTION 2: OVERVIEW OF NATIONAL IP ENFORCEMENT

Mozambique is a signatory of the WTO's TRIPS Agreement, and its laws are substantially TRIPS-compliant in terms of providing a legal framework for the protection and enforcement of IP rights.

IPI is mandated by the Industrial Property Code Decree to enforce compliance and bring IP infringers to justice. The industrial property code provides that people who are guilty of infringement are punishable with a fine equivalent to one hundred and twelve times the minimum wage, if the offender is a natural person and two hundred and twenty-four times the minimum wage if the offender is a corporate entity, both of the public sector.

In recent years in collaboration with Mozambique Police, IPI has increased anti-piracy campaigns and raids of counterfeit goods in different locations around the country. IPI engages constantly with other stakeholders who have a role to play in combating IP infringements. These include Interpol, border officials, customs officials, the legal profession, the Department of Trade and Consumer Affairs, retailers, and the general public.

Despite the IPI and State efforts to curb IP infringement, rights holders must play a significant role in policing the use of their IP in Mozambique. They must constantly check that the industrial and commercial markets in which they sell their goods or services take appropriate action against the infringement of their IP rights by competitors, retailers, or street vendors. Mozambican Law entitles rights holders to take civil action against infringers to recover their lost revenue and/or to have the infringing products destroyed.

SECTION 3: AVAILABLE IP PROTECTION

3.1 TRADE MARKS -NATIONAL

WHAT YOU SHOULD KNOW ABOUT MOZAMBIQUE TRADE MARKS.

- National Trade Mark application in Mozambique is governed by the [Industrial Property Code \(approved by Decree No. 47/2015 of December 31, 2015\)](#)
- Foreigners need to appoint a local agent.





- The same mark for the same product or service may only have one registration.
- Member State of Madrid.
- Uses international classification established by the Nice Agreement
- 'First to file' jurisdiction - pre-filing rights clearance searches are advisable.
- One is required to submit a declaration of intention to use (DIU) for trade marks.
- Appointment of and recordal of licensees at the IP office is advisable.
- Opposition period is 30 days.

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 Mozambique needs a professional representative i.e a trademark agent accredited by the IPI. You can access list of IPI accredited agents here: <https://www.ipi.gov.mz/lista-de-agentes>

3.1.2 Do I need a local representative?

You must be represented by an agent if you are a foreign national (i.e. not a citizen of Mozambique) or if you are applying on behalf of a company that has its principal place of business outside Mozambique.

Representation is optional for local applicants.

You can find a local agent for Mozambique [here](#).

3.1.3 What qualifies for registration?

A trade mark that is fanciful and unique and is not in conflict with earlier registrations or pending applications.

The national IPI registration process involves 4 stages: application, publication, substantive examination, and registration.

Application stage

- Submission of application to the registrar and all the required documents

Publication Stage

- Once the formal requirements have been fulfilled, the IPI shall immediately publish the application, as it was accepted, in the Industrial Property Bulletin.





The opposition period is 30 days from the publication date of the Journal. The time period referred to above may be extended only once for a maximum period of sixty days, at the request of the interested party and upon payment of the respective fee. If your application is not opposed, you can proceed to the registration stage.

Substantive Examination Stage

- The examination process consists, primarily and obligatorily, of an examination of the mark for which registration is sought and its comparison with the earlier marks registered for the same product or service or for similar or related products or services.

Registration

- Rights conferred by registration. Registration of a mark shall grant its owner the right to its exclusive use and to prevent third parties from using in commercial activities, without the owner's consent, identical or similar signs for products or services identical or similar to those for which the mark has been registered, where such use is likely to cause confusion to the public.

3.1.4 What cannot be registered?

A trade mark cannot be registered if it contains:

- false indications, is deceptive or is likely to deceive or mislead the public or cause confusion;
- false indications concerning a geographical indication;
- a likeness to a specific armorial bearing, flag emblem;
- or constitutes a name or likeness of individuals without the authorisation of such individuals;
- or is likely to cause confusion with an earlier registered trade mark or pending application;
- or is contrary to law, public order, or morality; and
- or is incapable of distinguishing the goods or services applied for;

3.1.5 Where can I file an application?

- Industrial Property Institute, [IPI](#).
- ARIPO, for regional marks
- International (Madrid) applications can be filed directly with [WIPO](#) through the



WIPO IPPortal or through the IPI.

3.1.6 What are the registration requirements?

A trade mark application must be submitted in Portuguese and must contain the following:

- a copy of the mark and a list of the products or services, arranged by class, for which registration of the mark is sought;
- a completed Application for Registration of a Trade mark form and payment of the prescribed application fee;
- where the application claims a priority, a certified copy of the prior application;
- where the mark contains inscriptions in little-known characters, a transliteration;

3.1.7 How do I register?

The national IPI registration process involves four stages: application, publication, substantive examination, and registration.

3.1.8 How much does it cost?

Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Mozambique Metical). Application forms and information on fees are available through this link: [Home – IPI – Instituto da Propriedade Industrial](https://www.ipi.gov.mz/attachments/article/147/BR_250_I_SERIE_10.%C2%BA_SUPLAMENTO_2023%20(003).pdf) or [https://www.ipi.gov.mz/attachments/article/147/BR_250_I_SERIE_10.%C2%BA_SUPLAMENTO_2023%20\(003\).pdf](https://www.ipi.gov.mz/attachments/article/147/BR_250_I_SERIE_10.%C2%BA_SUPLAMENTO_2023%20(003).pdf).

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals⁵. A list is available through this link: <https://www.aripo.org/ip-agents/> or <https://www.ipi.gov.mz/lista-de-agentes>.

⁵ The professional fees listed on this page are for informational purposes only and are subject to change without notice. No guarantees are made regarding the accuracy, validity, or applicability of these fees to any specific situation. The Africa IP SME Helpdesk is not liable for any damage or loss arising from the use of this information. For an accurate and personalised quote, it is recommended to contact the relevant professional directly.





Regional ARIPO Route

ARIPO's current trade mark fees are calculated as follows.

- Application fees are currently USD 80 per application which can designate one, some or all Banjul Protocol states.
- In addition to the application fees, a state designation fee of USD 50 per state is payable for each designated state.
- In addition to the application fees and designation fees, an additional class fee of USD 10 per class is payable for the second and any additional classes that are included in the application.
- A surcharge of USD 5 per word is applied for each word when a specification of goods or services exceeds 50 words, excluding punctuation marks.
- The latest fees are available through this link: [Fee Schedules – The African Regional Intellectual Property Organization \(ARIPO\)](#).
- Assistance can be requested by sending an email to: asscounts@aripo.org or mail@aripo.org.

3.1.9 How long does registration take?

- The trade mark registration process takes between 18 - 24 months from the filing date to be completed, assuming that there are no unusual delays and no oppositions. This includes an opposition period of 30 days.

Regional ARIPO trade marks take 12–15 months to register, including a substantive examination period of 9 months and an opposition period of 3 months.

3.1.10 What is the duration of protection?

10 years from the filing date, renewable.

3.1.11 When are renewal fees paid?

On the 10th anniversary of the effective registration date.

The latest fees are available from the Mozambique IP office, the [IPI](#), or from a [local agent](#)⁶.

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3.2 PATENTS

Mozambique Patent Registrations

National Patent application in Mozambique is governed by the [Industrial Property Code \(approved by Decree No. 47/2015 of December 31, 2015\)](#)

3.2.1 Who can register a patent?

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

3.2.2 Do I need a local representative?

- You must be represented by an agent if you are a foreign national (i.e. not a citizen of Mozambique) or if you are applying on behalf of a company that has its principal place of business outside Mozambique.
- Representation is optional for local applicants.
- You can find a local agent for Mozambique [here](#).

3.2.3 What qualifies for registration?

A registrable patent must meet the following requirements:

- novelty which must be absolute novelty in that the invention must be a new characteristic which is not known in the body of existing knowledge in its technical field. It must not be anticipated by prior art;
- inventive step which means that having regard to prior art, the invention is not obvious to a person skilled in the art;
- susceptible of industrial applicability in that it can be used in any kind of industry, including agriculture; and
- the invention must be a patentable invention under national patent law. Unregistrable patents are those related to the treatment of humans or animals or to pharmaceutical inventions. The reason for the unpatentability of these inventions is so that there is no undue restriction to access to medical care and medicines by people or animals in need.

3.2.4 What cannot be registered?

The following inventions cannot be patented:

- a discovery of a plant, animal, microorganism, or substance as found in nature, including the human body;



- a scientific theory or mathematical method;
- a literary, dramatic, musical, or artistic work or other aesthetic creation;
- a scheme, rule, or method for doing business, performing mental acts, or playing a game;
- projects, whatever their nature or area of application, Computer programmes as such, Mere presentation of information, Aesthetic creations and artistic or literary works;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised in relation to them, except products for use in any such methods;
- an invention whose 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;
- plants and animals other than microorganisms;
- essentially biological processes for the production of plants or animals.

3.2.5 Where can I file an application?

- National applications must be filed with the Mozambique Industrial Property Institute, [IPI](#).
- Regional applications can be filed at IPI 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 What are the registration requirements?

A patent application must contain the following:

- a notarised power of attorney, required on the day of filing;
- specification and claims in Portuguese or English, required on the day of filing. If filed in English, a verified translation into Portuguese is required within 3 months of filing;
- abstract in Portuguese, required on the day of filing;
- formal drawings, if applicable, required on the day of filing;
- assignment of invention;
- priority document with verified Portuguese translation, can be filed later, within 2 months;
- payment of the prescribed application fees.



3.2.7 How do I register?

Application and filing

- The date of filing shall be considered as the date on which the application is received, provided that at the time of receipt of the application it contains: a) An express or implicit indication that the grant of a patent is sought; b) Information which enables one to establish the identity of the applicant; c) The factors which, at first glance, appear to be a description of an invention.
- In cases where the application is sent by mail, the date of filing is deemed to be the date on which the application is received by the IPI.

When the application contains a claim of right of priority, the date of filing shall be considered as the date of the application in which the priority is being claimed. Should the application refer to drawings that are not included therein, the applicant shall produce same within sixty days from the date of notification to this effect. If the drawings are received within the sixty days the date of receipt of drawings will be considered as the filing date. Any drawing received after the 60 days will not be considered.

Formal Examination

- Once the date of filing is determined, the IPI proceeds with the formal examination of the application, ensuring that it meets the conditions stated.
- The applicant is given 108 days to respond to any queries on the application. If the comments are not addressed upon resubmission the applicant is given a further 30 days to comply.

Publication

- After the formal examination, if the application complies with all the requested provisions the IPI shall publish the abstract of the invention in the Industrial Property Bulletin.
- Any person who feels that the granting of the patent would be prejudicial to him shall be entitled to oppose the patent application, within sixty days.

Substantive examination

- Within 36 months from the date of filing of the application, or at the conclusion of argument in the event of opposition, at the request of the applicant and against payment of the prescribed fee, the IPI shall proceed with the examination of the process.
- Should it be deemed necessary, the IPI may request technical assistance or for a substantive examination to be undertaken by national or international technical entities or experts.





Grant or refusal of a patent

The patent application is also granted or denied, depending on whether the opposition, if any, has been dismissed or upheld, respectively.

3.2.8 How much does it cost?

Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Mozambique Metical). Application forms and information on fees are available through this link:

[PCT Applicant's Guide – National Phase \(wipo.int\)](#)

[Fees for National application at IPI](#)

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals⁷. A list is available through this link: <https://www.aripo.org/ip-agents/>.

ARIPO-route patent registration fees

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

Application fees consist of three components, as follows

Type of Fee	ARIPO Fee (USD)	Total Fees (USD)
Application fee, regardless of the number of states designated in the application	232	232
State designation fee	85 per state	Depends on the number of designated states

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Mandatory annuity fee: for PCT-based applications, the first ARIPO annuity fee will usually be due and must be paid with the application fee	(multiplied by the number of designated states)	Depends on the number of designated states
Total fees, assuming only Mozambique is designated and payment of first annuity fee	50 per state	367
Total fees, assuming all 20 Harare Protocol states, including Mozambique, are designated and payment of first annuity fee	(multiplied by the number of designated states)	2932

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 professionals⁸. A list is available through this link: <https://www.aripo.org/ip-agents/>

3.2.9 How long does registration take?

- National applications are substantively examined the usual timeframe is between 24 and 36 months.

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

3.2.10 What is the duration of protection?

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

3.2.11 When are renewal fees paid?

National patents:

The validity of the registration is subject to the submission and payment of the applicable annual fees with the first and second annuities paid at the time of filing.

The patent renewal fees guide is available [here](#). The latest fees are available from the Mozambique IP office, the [IPI](#), or from a [local agent](#).

ARIPO-route Mozambique patents

Renewal fees are payable up to the 19th year. Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/resources/fee-schedules>.

ARIPO fees are payable per designated state.

The following ARIPO renewal fees are currently applicable:

Annuity Year	ARIPO Fee
1	
(NB: Due the second year after the filing date)	50
2	70
3	90
4	110
5	130
6	150
7	170
8	190
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:	100
Surcharge for late payment of annual maintenance fee	50

3.2 UTILITY MODELS

What you need to know about Utility models in Mozambique

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.

3.3.1 Who can register?

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

3.3.2 Do I need a local representative?

- You must be represented by an [IPI accredited agent](#) if you are a foreign national (i.e. not a citizen of Mozambique) or if you are applying on behalf of a company that has its principal place of business outside Mozambique.
- Representation is optional for local applicants.
- You can find a local agent for Mozambique [here](#).

3.3.3 What qualifies for registration?

- A registrable utility model must meet the following requirements: Under ARIPO: novelty: the invention must be a new characteristic and must not be anticipated by the prior art;
- industrial applicability: the invention must be useful in any kind of industry.

Mozambique : Under Mozambique national law every invention which involves a significant inventive step and has an industrial application is eligible for protection as a



utility model, with the exception of pharmaceutical and agro-pharmaceutical products.

3.3.4 What cannot be registered?

The following inventions cannot be registered as utility models in Mozambique:

- utility models related to the treatment of humans or animals or to pharmaceutical inventions. These inventions are not registrable to avoid undue restriction to access to medical care and medicines by people or animals in need.
- inventions whose commercial exploitation would be contrary to public policy or morality, public health and safety, and principles of humanity and environmental conservation;
- a discovery of a plant, animal, microorganism, or substance as found in nature, including the human body;
- a scientific theory or mathematical method;
- methods for the treatment of the human or animal body by surgery or therapy, including diagnostic methods practised on them (as opposed to medical products);
- a literary, dramatic, musical, or artistic work or other aesthetic creation;
- a scheme, rule, or method for doing business, performing mental acts, or playing a game;
- presentations of information;
- software.

3.3.5. Where can I file an application?

National Utility Model application in Mozambique is governed by the [Industrial Property Code \(approved by Decree No. 47/2015 of December 31, 2015\)](#). National applications for utility models must be filed at IPI.

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

3.3.6. What are the registration requirements?



A utility model application must contain the following:

- a request for registration;
- full details of the applicant, including name(s), nationality, and physical address;
- where the applicant is a company, full details of the company;
- utility model title, description, claims and drawings in Portuguese or English (required on the day of filing);
- abstract in Portuguese (required on the day of filing)
- signed power of attorney if the applicant is represented; notarisation is not required;
- the Deed of Assignment, if the applicant is not the inventor;
- the prescribed application fee;

3.3.7 How do I register?

- Publication in the Industrial Property Bulletin must be done within 6 months after the date of the application for registration, unless a deferment or anticipation of the publication has been requested.
- After 30 days from the publication date, if there is no opposition, the utility model application will be granted without any substantive examination.

3.3.8 How much does it cost?

National (IPI) fees

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

Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Mozambique Metical). Application forms and information on fees are available through this link: [Home – IPI – Industrial Property Institute](#).



Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three AR- IPO-accredited professionals⁹. A list is available through this link: <https://www.aripo.org/ip-agents/> or <https://www.ipi.gov.mz/lista-de-agentes>.

ARIPO-route utility model registration fees

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

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fee (USD)	Total Fees(USD)
Application fee, regardless of the number of states designated in the application	80	580
State designation fees	20 per state (multiplied by the number of designated states)	Depends on the number of designated states
Mandatory annuity fees (per designated state): <u>1st year: USD 20</u> <u>2nd to 7th year: increases by USD 5</u> <u>Each year thereafter: increases by USD 10</u>	20 (1st year) per state multiplied by the number of designated states	Depends on the number of designated states
<u>Total fees, assuming only Mozambique is designated and payment of 1st annuity fee</u>	120	<u>640</u>
Total fees, assuming all 20 Harare Protocol states, including Mozambique, are designated and payment of 1st annuity fee	880	<u>1 520</u>

⁹ The professional fees listed on this page are for informational purposes only and are subject to change without notice. No guarantees are made regarding the accuracy, validity, or applicability of these fees to any specific situation. The Africa IP SME Helpdesk is not liable for any damage or loss arising from the use of this information. For an accurate and personalised quote, it is recommended to contact the relevant professional directly.



Note on professional fees

Professional fees vary and it is advisable to obtain comparative quotes of fees from at least three ARIPO-accredited professionals¹⁰. A list is available through this link: <https://www.aripo.org/ip-agents/>.

3.4.9 How long does it take to register?

National-route applications usually take 12–18 months to complete registration.

Regional-route applications usually take 8–12 months to complete registration. This includes a period of 6 months for states to examine and decide if a design will have legal effect in their territories after ARIPO has issued them with a notice of intention to register a design.

3.4.10 What is the duration of protection?

An IPI utility model is valid for 10 years.

ARIPO-route utility model registrations are valid for 10 years, with no possibility of extension.

3.4.11 When are renewal fees paid?

In Mozambique, renewal fees must be paid within 12 months from the anniversary of the filing date.

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

ARIPO-registered Utility Model renewal fees

Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/resources/fee-schedules>.

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

¹⁰ The professional fees listed on this page are for informational purposes only and are subject to change without notice. No guarantees are made regarding the accuracy, validity, or applicability of these fees to any specific situation. The Africa IP SME Helpdesk is not liable for any damage or loss arising from the use of this information. For an accurate and personalised quote, it is recommended to contact the relevant professional directly.



Annuity Year	ARIPO Fee
1	20
(NB: Due the second year after the filing date)	
2	25
3	30
4	35
5	40
6	45
7	50
Each year thereafter	10
Surcharge for late payment of annual maintenance fee	30

Professional services renewal fees

These are usually payable as a flat-rate fee per annuity payment, regardless of the number of designated states. They range between USD 150 to USD 250 per renewal. It is advisable to compare the fees of different IP agents.

3.4 INDUSTRIAL DESIGNS

3.4.1 Who can register?

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

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

3.4.2 Do I need a local representative?

- You must be represented by an agent if you are a foreign national (i.e. not a citizen of Mozambique) or if you are applying on behalf of a company that has its principal place of business outside Mozambique.



- Representation is optional for local applicants.
- You can find a local agent for Mozambique [here](#).

3.4.3 What qualifies for registration?

For a creation to qualify for design registration it must:

- not have been disclosed by publication in a tangible form;
- not have been used in any other way prior to the filing date or the priority date of the application for registration, this being its originality;
- has an industrial application, i.e., that the object of creation can be manufactured or used in any kind of industry;
- not be illegal or offensive to public order and morality or harmful to the moral welfare of society.

3.4.4 What cannot be registered?

The following will not be considered original:

- an industrial design that has already been the subject of prior registration, even if it is null or has lapsed;
- an industrial design that has been described in publications in such a way as to make it capable of being understood and worked by experts in the field;
- an industrial design used in a well-known manner or which, in any way, has become part of the public domain.

3.4.5 Where can I file an application?

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

Regional-route design applications can be filed at IPI or, clearly indicating that they are regional applications, through ARIPO. Applications filed through ARIPO for Mozambique 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 What are the registration requirements?

A design application must contain the following documents:

- a formal application on a prescribed form;
- drawings, photographs, or other graphic images which are appropriate to the subject matter of the industrial design for which it is intended;
- a Power of Attorney, simply signed if the application is filed through an agent;
- a Deed of Assignment if the creator is not the applicant;
- a priority document (original or certified copy) if priority is claimed; and
- proof of payment of the corresponding fee.

3.4.7 How do I register?





National (IPI) design

The registration process consists of the following stages:

Application

- Application must have all the required documents.
- While the application is pending, the applicant may withdraw it by written declaration.

Filing and Examination

- The date of filing shall be the date when the application is received, provided that as at the date of filing the prescribed fee has been paid and the application contains the name of the applicant and an example of the subject matter of the industrial design or a graphical image thereof.
- Once it has issued a filing date, the IPI shall examine the application to ascertain whether it fulfils the requirements set out.
- Two or more industrial designs may be included in the same application, provided they are within the same class or they incorporate the same set or composition of industrial objects.

Publication

- The application for the registration of the industrial design shall be immediately published in the Industrial Property Bulletin unless a deferment of publication has been requested.
- Any person who feels that the granting of the industrial design would be prejudicial to him may oppose the application, within thirty days from the date of its publication in the Industrial Property Bulletin, in terms of the following clauses and against payment of the respective fee. The time period referred to above may be extended only once for a maximum period of thirty days, at the request of the interested party and against payment of the respective fee.

Substantive examination

- The study of the process shall consist mainly and mandatorily in examining the industrial design and checking its compliance with the formal requirements set out.

Grant or refusal of the application

- If, on the basis of the applicant's reply, the IPI concludes that the refusal is unfounded or that the objections raised have been remedied, it shall issue a decision to grant the application within thirty days from the submission of the



said reply.

Regional (ARIPO) design

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

3.4.8 How much does it cost?

National Industrial Design

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 fees guide is available [here](#). The latest annual fees are available from the Mozambique IP office, the [IPI](#), or from a [local agent](#).

ARIPO-route design registration fees

These fees are paid through ARIPO. ARIPO's fees are reviewed regularly. The latest fees are available through this link: <https://www.aripo.org/resources/fee-schedules>

Application fees consist of three components, as follows:

Type of Fee	ARIPO Fee (USD)	Total Fees (USD)
Application fee, regardless of the number of states designated in the application	40	340
State designation fees	10 per state (multiplied by the number of designated states)	Depends on the number of designated states
Total fees, assuming that only Mozambique is designated in the application	50	370



Total fees, assuming that all 20 Harare Protocol states, including Mozambique, are designated in the application	240	880
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Note on professional fees

Professional fees vary and it is advisable to obtain comparative quotes of fees from at least three ARIPO– accredited professionals. A list is available through this link: <https://www.aripo.org/ip-agents/>.

3.4.9 How long does it take to register?

National–route applications usually take 12–18 months to complete registration.

Regional–route applications usually take 8–12 months to complete registration. This includes a period of 6 months for states to examine and decide if a design will have legal effect in their territories after ARIPO has issued them with a notice of intention to register a design.

3.4.10 What is the duration of protection?

An IPI industrial design has an initial duration of 5 years commencing from the date of filing, which is renewable for an equal period up to a maximum of 25 years.

ARIPO–route design registrations are valid for 15 years, with no possibility of extension.

3.4.11 When are renewal fees paid?

In Mozambique, renewal fees must be paid within 12 months from the anniversary of the filing date.

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

ARIPO–registered Industrial design renewal fees

Before payment, it is advisable to confirm the amount of the fees on the ARIPO website as the official fees may change. The latest fees are available through this link: <https://www.aripo.org/fee-schedules/>.

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



Annuity Year	ARIPO Fee
1	10
2	12
3	14
4	16
5	18
6	20
7	24
8	28
9	32
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. They range between USD 150 to USD 250 per renewal. It is advisable to compare the fees of different IP agents¹¹.

¹¹ The professional fees listed on this page are for informational purposes only and are subject to change without notice. No guarantees are made regarding the accuracy, validity, or applicability of these fees to any specific situation. The Africa IP SME Helpdesk is not liable for any damage or loss arising from the use of this information. For an accurate and personalised quote, it is recommended to contact the relevant professional directly.





3.5 GEOGRAPHICAL INDICATIONS (GIs)

About Geographical Indications in Mozambique

GIs are registrable in Mozambique under article 163 dedicated for the registration of the Industrial Property Code (approved by Decree No. 47/2015 of December 31, 2015).

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

- It is possible to register foreign GIs in Mozambique as collective or certification marks; an applicant may file a single application in one of the contracting states or directly with ARIPO, and designate the states in which protection is sought. More information is available [here](#).
- Mozambique is a member of the African Union (AU) which, in partnership with the Food and Agriculture Organization of the United Nations (FAO), is developing a Continental Strategy for GIs in Africa (2018–2023). More information is available [here](#).
- Mozambique is a signatory of the African Continental Free Trade Area (AfCFTA) Agreement, and has ratified it in January 2023. The Agreement is available [here](#).
- Developments in the implementation of the Continental Strategy's goals and AfCFTA may have an impact on the protection of GIs in Mozambique. It is advisable to obtain professional advice.

3.5.1 Who can register?

The following can apply for the registration of a GI:

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

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

3.5.2 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/>.

3.5.3 What qualifies for registration?

Any GI can be registered. A GI is defined in the Code as ‘the name of a region, a specific place or, in exceptional cases, a country, which is used to distinguish or identify a product originating in that region, place or country, whose reputation, specific quality or certain characteristics may be attributed to that particular geographical origin, provided that the production, extraction and/or processing and/or creation thereof takes place in the defined geographical area’.

3.5.4 What cannot be registered?

Registration of a designation of origin or geographical indication will be refused in the following circumstances:

- The application is submitted by a person who does not have the necessary legal capacity to do so;
- incapable of distinguishing goods originating from a particular territory, region or locality, or does not possess characteristics attributed to the territory, region or locality from which the goods come
- in respect to goods, identical with the term usually used in common language as the common name for such goods in Mozambique;
- the product name has become generic for the goods designated by it;
- not protected, has ceased to be protected, or has fallen into disuse in its country of origin.
- it conflicts with the name of a plant variety or an animal breed;
- is likely to mislead the public or those in the trade, as regards the geographical origin of the goods concerned, or their nature or characteristics;
- is contrary to public order or morality;
- it encourages unlawful competition.

3.5.5 Where can I file an application?

An application for registration must be submitted to IPI

3.5.6 What are the registration requirements?

An application for the registration of a GI must include:



- completed application form;
- the applicant's name and address;
- the specifications including the name of the product, description of the product, including raw materials, if any, and the main physical, chemical, microbiological or organoleptic of the product, demarcation of the geographical area, factors that prove that the product originates in the defined geographical area and description of the method used to obtain the product;
- single document containing the following:
 - I. name, description of the product, including, where appropriate, specific rules relating to its packaging and labelling, and a concise description of the geographical area product or products to which the geographical indication is to be applied; and
 - II. description of the link between the product and the geographical environment or the geographical origin, as applicable, including, if appropriate, the specific elements in the product description or production method that justify such link;
- contain such other particulars and information as the Registrar may prescribe; and
- be accompanied by the prescribed government/official fees.

3.5.8 How do I register?

The registration process has the following stages:

Application

- The application for registration is made using a special form, accompanied by proof of payment of the applicable fee.
- **Compliance with specifications** with regard to geographical indications and designations of origin relating to a geographical area in Mozambique, the verification of compliance with the specifications before it is placed on the market, shall be done by the competent authorities to be designated by supplementary legislation or by control authorities operating as product certification bodies. With regard to designations of origin and geographical indications relating to geo- graphic areas outside Mozambique, the verification of compliance with the specifications before it is placed on the market shall be done by the competent authorities to be designated by the competent authorities designated by the third country or by bodies designated for this purpose.
- The cost of such verification of compliance with the specifications shall be borne by the operators subject to those controls



Examination

IPI shall check whether it complies with the requirements

Publication

- Once the requirements have been fulfilled, the IPI shall cause the application for registration, together with the single document, to be published in the Industrial Property Bulletin.

Within thirty days of the date of publication of the application in the Industrial Property Bulletin, any natural or legal person with a legitimate interest may institute an opposition, on notice directed to the Director General, upon payment of the respective fee.

Examination and decision

- If no agreement is reached, or when the discussion has come to an end, the IPI shall proceed with the examination of the process.
- If the opposition is not upheld or if it is considered that the requirements of this Code are fulfilled, the registration shall be granted.

Publication of the decision

- The decision shall be published in the Industrial Property Bulletin together with the single document and the reference to the publication of the specifications.

3.5.8 How much does it cost to register?

National (IPI) fees

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

Government (official) fees

The fee schedule is published in a statutory instrument. Both local and foreign applicants may pay these fees using the local currency (Mozambique Metical). Applications forms and information on fees are available through this link:

<https://www.ipi.gov.mz/images/Taxas/Nova-tabela-de-taxas.pdf>

Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least



three ARIPO-accredited professionals¹². A list is available through this link: <https://www.aripo.org/ip-agents/>.

3.5.9 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.

3.5.10 What is the duration of protection?

The duration of geographical indications and designations of origin is unlimited.

3.6 COPYRIGHT AND NEIGHBOURING RIGHTS

About Copyright and Neighbouring rights in Mozambique

Mozambique has a dedicated law for the protection of copyright and neighbouring rights, namely the Law No. 9/2022 of June 29, 2022, on Copyright and Related Rights and Repealing Law No. 4/2001 of February 27, 2001, Mozambique.

Mozambique is a contracting party to the following international agreements:

- WIPO's Berne Convention for the Protection of Literary and Artistic Works (22 November 2013);
 - The Marrakesh VIP Treaty (27 June 2013)
- WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (26 August 1995).

3.6.1 Can I register?

Formerly, Mozambique copyright law provides for the registration of copyright although rights exist on creation of works. Based on Article 9 of the Copyright Act 2022, Copyright belongs to the intellectual creator of the work, unless otherwise expressly provided, and is recognized, regardless of registration, deposit, or any other formality.

3.6.2 Do I need a local representative?

¹² The professional fees listed on this page are for informational purposes only and are subject to change without notice. No guarantees are made regarding the accuracy, validity, or applicability of these fees to any specific situation. The Africa IP SME Helpdesk is not liable for any damage or loss arising from the use of this information. For an accurate and personalised quote, it is recommended to contact the relevant professional directly.



- you must be represented by an agent if you are a foreigner i.e., not a citizen of Mozambique or if you are applying on behalf of a company, its principal place of business is outside Mozambique.
- an agent is an attorney who has been enrolled to practice in the Courts of Mozambique, or persons prescribed by the Minister.
- for local applicants' representation is optional.
- you can find a [local agent](#) for this country.

3.6.3 What qualifies for protection?

Any original work in respect of the listed works below qualifies for protection (please note that this is not the full list):

- a) written works, including computer programs;
- b) lectures, addresses, sermons and other works consisting of words;
- c) expressed orally;
- d) musical works;
- e) dramatic and dramatic-musical works;
- f) choreographic works, mimed works;
- g) audio-visual works;
- h) works of fine art, including painting, drawing, sculpture, engravings;
- i) lithographs;
- j) works of architecture;
- k) photographic works;
- l) works of applied art or craft;
- m) illustrations, maps, plans, sketches, three-dimensional works relating to geography, topography, architecture; and
- n) expressions of folklore.

3.6.4 What cannot be protected?

- a) official texts of a legislative, administrative nature or judicial, nor their official translations;
- b) the news of the day and reports of events with simple information character;
- c) simple facts and data;
- d) political speeches, except when gathered in volume by their holders;
- e) ideas, processes, operational methods or concepts mathematics, principles or discoveries;
- f) to titles consistent with generic, necessary, or usual designations of the theme or object of works of a certain genre;
- g) to titles exclusively made up of names of historical, historical-dramatic or literary and mythological or by names of living personalities.

3.6.5 What are the requirements for legal protection?

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



- a) written works, including computer programs;
- b) lectures, addresses, sermons, and other works consisting of words;
- c) expressed orally;
- d) musical works;
- e) dramatic and dramatic-musical works;
- f) choreographic works, mimed works;
- g) audio-visual works;
- h) works of fine art, including painting, drawing, sculpture, engravings;
- i) lithographs;
- j) works of architecture;
- k) photographic works;
- l) works of applied art or craft;
- m) illustrations, maps, plans, sketches, three-dimensional works relating to geography, topography architecture; and
- n) expressions of folklore.

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

Permitted acts that do not infringe copyright include:

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

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

Unpermitted/restricted acts include:

- reproducing the work;
- translating the work;
- publishing the work;
- importing the work into Mozambique or exporting it from Mozambique, otherwise, then 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.





3.6.8 What is the duration of protection?

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

- Computer program: The right attributed to the intellectual creator over the creation of the program expires 50 years after his death. 2. If the right is originally attributed to a different person of the intellectual creator, the right expires 50 years after the date on which the program was first tendered, published or disclosed; performances and phonograms: 50 years from the end of the year of recording;
- an audio-visual work: 70 years after the work is lawfully made public or after its completion;
- work of applied art: 70 years from its completion;
- a broadcast: 25 years from the end of the year in which the broadcast first takes place;
- joint authorship: protected during the lifetime of the last surviving author, and for a further 70 years following his death;
- anonymous and pseudonymous work: 70 years from the date on which the work is legally published for the first time; and
- folklore: protection is not limited in time.

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

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



