



European  
Commission

**AFRICA**  
**IP SME HELPDESK**



## IP Factsheet ERITREA





## SECTION 1: COUNTRY OVERVIEW

### 1.1 GENERAL INFORMATION

<b>Capital:</b>	Asmara
<b>Population:</b>	3,748.90 (2023)
<b>Currency of government (official) fees:</b>	Nakfa (ERN)
<b>Language for filing IP applications:</b>	English, Arabic
<b>GDP per capita (USD):</b>	Current data not available - 642.5 (World Bank, 2011)
<b>Human Development Index:</b>	0.492 This ranks Eritrea 174th out of 189 countries, indicating a very low level of socioeconomic development.
<b>Main exports:</b>	Gold, copper ore, zinc ore, silver, textiles
<b>Main imports:</b>	Wheat flours, delivery trucks, sorghum, rubber tires, raw sugar, petroleum, machinery, food.

### 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.
- [Cartagena Protocol on Biosafety to the Convention on Biological Diversity](#)  
January 29, 2000

### 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. However, it has the COMESA Policy on Intellectual Property Rights. 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, Eswatini (previously 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.



European  
Commission

AFRICA

IP SME HELPDESK



## 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.
- In Eritrea, trade mark rights are associated with the publication of a cautionary notice. However, this publication itself does not grant exclusive rights in the same way as a formal trade mark registration would in countries with more developed IP systems. The cautionary notice serves as a public announcement of the trademark owner's claim and alerts others to the ownership, potentially deterring infringement. It is a common practice in countries where formal trade mark registration systems are either absent or underdeveloped. While the publication of a cautionary notice can offer some level of protection, it does not automatically give the owner the absolute exclusive rights typically granted by a formal trade mark registration. Enforcement of these rights in Eritrea would rely on the local courts, and the process could be more challenging than in countries with established IP frameworks.

If there is infringement, the trademark owner can indeed take legal action, but the outcome would depend on the specific circumstances and the local legal environment. This procedure aligns with the general practices observed in countries with similar IP systems, although specific details on Eritrea's practices may not be well-documented due to the lack of comprehensive IP legal framework.

#### **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. As of now, there is no patent legislation in force 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. There are no statutory provisions for the registration or filing of industrial designs.

### 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. Eritrea's intellectual property Framework is underdeveloped and lacks specific provisions for certain types of IP rights, including GIs.

### 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/>.





European  
Commission

**AFRICA**  
IP SME HELPDESK

