



European  
Commission

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



## IP Factsheet ETHIOPIA





## SECTION 1: COUNTRY OVERVIEW

### 1.1 GENERAL INFORMATION

<b>Capital</b>	Addis Ababa
<b>Population</b>	129.7 million (UNFPA <sup>1</sup> , 2024)
<b>Currency of government (official) fees</b>	Ethiopian Birr (ETB)
<b>Language for filing IP applications:</b>	Amharic, English
<b>GDP per capita (USD):</b>	USD 878 (World Bank, 2022)
<b>Human Development Index:</b>	0.492 (UNDP <sup>2</sup> , 2022)
<b>Main exports:</b>	Coffee, other oily seeds, gas turbines, other vegetables, and gold.
<b>Main imports:</b>	Refined petroleum, gas turbines, planes, helicopters, and/or spacecraft, wheat, and packaged medicaments

### 1.2 INTERNATIONAL IP AGREEMENTS AND CONVENTIONS

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

- Treaty establishing the Common Market for Eastern and Southern Africa (COMESA) of 5 November 1993;
- Convention Establishing the World Intellectual Property Organization of 14 July 1967 ([as amended on September 28, 1979](#));
- Nairobi Treaty on the Protection of the Olympic Symbol of 25 September 1981;
- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization of 28 October 2010;
- UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage of 16 November 1972;

<sup>1</sup> United Nations Population Fund

<sup>2</sup> United Nations Population Fund





- 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;
- UN Convention on Biological Diversity of 5 June 1992;
- Abuja Treaty establishing the African Economic Community (AEC) of 3 June 1991;
- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled of 27 June 2013;
- WIPO Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge 2024

Ethiopia is not a member of the World Trade Organisation (WTO) nor is it a party to the WTO's agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

### 1.3 REGIONAL AGREEMENTS

Ethiopia 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 effective protection and promotion of IP rights in Africa. Once this enters into force, it may impact the future shape of Ethiopian 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 21 states. They are Burundi, Comoros, Congo, Djibouti, Egypt, Eritrea, Eswatini, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Somalia, Sudan, Tunisia, Uganda, Zambia and Zimbabwe.

### 1.4 LEGAL FRAMEWORK OF IP PROTECTION AVAILABLE IN ETHIOPIA

The following IP protection is available in Ethiopia:

- 1) trade marks: national;
- 2) patents: national;
- 3) minor inventions / utility models: national;
- 4) industrial designs: national;





- 5) plant breeders' rights: national;
- 6) traditional knowledge: national;
- 7) copyright and neighbouring rights: national.

## 1.5 IP REGISTRATION ROUTES

IP protection in Ethiopia can be secured only at national level. Ethiopia is not a contracting party to any regional or international IP registration system.

### National

All the above mentioned IP rights can be protected directly in Ethiopia through the Ethiopian Intellectual Property Authority (EIPA). More details can be found on the IP Office website: <https://eipa.gov.et/>.

### Useful information:

#### Professional representation

Foreign applicants whose principal place of business is outside Ethiopia must appoint a local agent. (For local applicants this is optional.) EIPA accepts signed and legalised powers of attorney. However, applicants should check with their IP service provider in Ethiopia whether hard copies are necessary or scanned copies sent by email are acceptable.

## SECTION 2: OVERVIEW OF IP ENFORCEMENT

Ethiopia is not a signatory to the WTO and the TRIPS Agreement. The accession process is currently ongoing. As such, its IP laws are not TRIPS compliant.

Ethiopia maintains a relatively comprehensive regulatory and legislative system for the protection of intellectual property and is a party to the World Intellectual Property Organization (WIPO). Historically, however, enforcement of these laws has been weak and there is widespread infringement of intellectual property rights, especially counterfeits. The government has taken steps in recent years to improve enforcement, including setting up a specialised intellectual property court, but it is still an ongoing issue.

The EIPA oversees and administers intellectual property rights (IPR) issues. The country has not signed several major IPR treaties, such as the Paris Convention





for the Protection of Industrial Property, the WIPO Copyright Treaty, the Berne Convention for Literary and Artistic Works, the Madrid System for the International Registration of Marks and the Patent Cooperation Treaty (PCT). This has a significant impact on IP enforcement in line with international standards or TRIPS minimum standards since Ethiopia is also not a member of the World Trade Organisation (WTO) nor party to the TRIPS agreement. The government expressed its intention to accede to the Berne Convention, the Paris Convention, the Marrakesh Protocol and the Madrid Protocol, and EIPA is currently working on drafting a ratification proclamation.

EIPA has been tasked primarily to protect Ethiopian patent rights and copyrighted materials, as well as to fight pirated software. However, the authority faces challenges regarding staff and budget, and does not have law enforcement authority.

## SECTION 3: TYPES OF AVAILABLE IP PROTECTION

### 3.1 TRADE MARKS

Trade marks are protected under the Trademark Registration and Protection Proclamation No. 501/2006. The law defines a trade mark as 'any visible sign capable of distinguishing goods or services of one person from those of other persons; it may include words, designs, letters, numerals, colours or the shape of goods or their packaging or combinations thereof.'

Ethiopia uses a multi-class filing system, single class applications can also be filed. The country is not a signatory to the Nice Agreement and uses the Nice Classification. Classifications based on the 10th edition of Nice at the time of filing of an application are accepted.

Trade marks can be registered in Ethiopia as explained below.

#### Benefits of registering a trade mark

- A registered trade mark gives the owner exclusive rights to use it to market their goods/ services throughout the country;
- It gives the owner protection against others using the same, or a similar, mark without authorization. The prevention of infringement of a trade mark is easier, less time consuming and less costly in cases where a registered trade mark is held as opposed to proceedings based on unregistered rights;
- Registration allows for the effective appointment and control of licensees and







franchisees. Trade mark registration in one country can assist trade mark registration in other countries.

### 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 Ethiopia will need to appoint a professional representative.

### 3.1.2 What are the registration requirements?

A trade mark application must contain the following:

- a signed and authenticated/legalised power of attorney (if the applicant is represented);
- three copies of a reproduction of the trademark;
- a list of the goods and/or services for which protection is sought, 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;
- A completed application form and payment of the prescribed application fee.
- A renewed Business license or Investment license with supporting letter [local Applicants]
- Renewed business license or Certificate of registration of a foreign trademark or Certificate of Incorporation [foreign applicant]
  - The certificate of incorporation must be certified or notarized with verified English translation;
  - the business license must be certified or notarized with verified English translation in which the business purpose is mentioned, it should also match the products for which the trademark is being filed;
  - the registration certificate of the trademark from a different jurisdiction must be certified or notarized exactly as it shall be filed in Ethiopia.





### 3.1.3 What qualifies for registration?

According to Article 5 of the Trademark Registration and Protection Proclamation No. 501/2006, the following qualifies for trademark registration in Ethiopia:

Any trade mark that is capable of clearly distinguishing goods or services of a person from those of other persons will be eligible for registration.

A trade mark may be registered in black and white or colour. A trademark, which is registered in black and white, will be protected in all colour combinations; a trade mark, which is registered in colour, will only be protected in the colour combination in which it is registered.

A trade mark eligible for registration may include elements which are not subject to protection unless they decrease the distinctive character of the trademark or infringe the rights of other persons.

### 3.1.4 What cannot be registered?

The following may not be registered:

- a trademark which does not conform to the provisions of Article 5 of this Proclamation
- a trade mark which consists of sound or odour;
- a trade mark that is incapable of distinguishing the goods or services of one person from those of other persons;
- a trade mark that is contrary to public order or morality;
- a trade mark consisting exclusively of signs or indications that designate the kind, quality, quantity, intended purpose, value, geographical origin of goods or services, the time of production of the goods or rendering of the services, or other characteristics of the goods or services;
- a trade mark consisting exclusively of signs or indications that have become customary in the current language use in relation to such goods or services for which the registration of a trademark is applied for, or which have become customary in economic and business activities;
- a trade mark consisting exclusively of a shape that results from the nature of the good itself for that is necessary to obtain a technical result of the good or that gives substantial value to the good;





- a trade mark that is likely to mislead the public or the business community, in particular as regards the geographical origin of the goods or services concerned, or their nature or characteristics;
- unless authorised by a competent authority, a trade mark that is identical with or an imitation of or contains an armorial bearing, flag or other emblem, a name or abbreviation or initials of the name of, or official sign or hallmark adopted by any state, intergovernmental organisation, or other organisation created by international conventions;
- a trade mark that consists exclusively of the surname of the applicant;
- a trade mark that consists exclusively of the full name of a living individual without his/her consent.

### 3.1.5 Where can I file an application?

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website: <https://eipa.gov.et/>.

### 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 (Ethiopian Birr - ETB). Information on fees is available at: <https://eipa.gov.et/tm-fees-and-payments/>.

#### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three EIPA-accredited professionals. Lawyers can be verified through their Bar Association at: <https://www.ethiopian-bar.org/>.

#### Likely overall registration costs

An applicant can expect the cost of registering a trade mark to be approximately as shown in the table below (in ETB), unless objections and other special circumstances that may increase the costs apply.

Description of Process/Service	Official Fees (ETB)
Application fees	1 750
Registration fees	3 000





Application for Renewal	1300
Renewal of Registration	2200

### 3.1.7 How long does registration take?

The trade mark registration process takes 3-12 months from the filing date to completion, assuming that there are no unusual delays or oppositions. Trade marks are published after registration and there is an opposition period of 60 days.

### 3.1.8 What is the duration of protection?

Protection lasts for 7 years from the filing date and is renewable every 7 years.

## 3.2 PATENTS

Patents are protected under the Inventions, Minor Inventions and Industrial Designs, Proclamation, No. 123/1995. This law provides for the following types of patents:

- **utility patents** - granted to anyone who invents or discovers any new and useful process, machine, article of manufacture, or composition of matter, or any new and useful improvement thereof;
- **design patents** - granted to anyone who invents a new, original, and ornamental design for an article of manufacture; and
- **plant patents** - granted to anyone who invents or discovers and asexually reproduces any distinct and new variety of plant.

### Ethiopia Patent Registrations

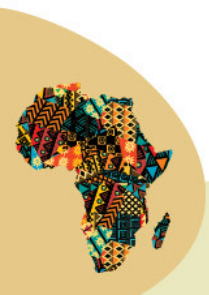
National patents can be registered in Ethiopia in the following ways.

#### National (EIPA) Patents

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website: <https://eipa.gov.et/>

### 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?

An EIPA patent application must contain the following:

- a signed and authenticated/legalised power of attorney
- a request for the grant of a patent, a description of the invention, one or more claims, an abstract, and where necessary, drawings;
- the applicant's details including full name, nationality, legal status and physical address or, if it is a company, its Certificate of Incorporation;
- the signed 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?

An invention is patentable if it is new, involves an inventive step and is industrially applicable. A patent must meet the following requirements:

- **novelty** - it must not be anticipated by prior art. Prior art consists of everything disclosed to the public, anywhere in the world, by publication in tangible form or by oral disclosure, by use or in any other way, prior to the filing or, where appropriate the priority date, of the application claiming the invention;
- **inventive step** – which means that, having regard to the prior art, the invention is not obvious to a person skilled in the art;
- **susceptible of industrial applicability** - where it can be made or used in handicraft, agriculture, fishery, social services and any other sectors.

### 3.2.4 What cannot be registered?

The following cannot be patented:

- inventions contrary to public order or morality;
- plant or animal varieties or essentially biological processes for the production of plants or animals;





- schemes, rules or methods for playing games or performing commercial and industrial activities and computer programs;
- discoveries, scientific theories and mathematical methods;
- methods for treatment of the human or animal body by surgery or therapy, as well as diagnostic methods practiced on the human or animal body

### 3.2.5 Where can I file an application?

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website: <https://eipa.gov.et/>.

### 3.2.6 How much does it cost?

#### National (EIPA) 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 in United States Dollars (USD). Information on fees is available at: <https://eipa.gov.et/patent-fees-and-payments/>.

#### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three EIPA-accredited professionals. Lawyers can be verified through their Bar Association at: <https://www.ethiopian-bar.org/>.

#### Likely overall registration costs for an EIPA patent

An applicant can expect the cost of registering a patent to be approximately as shown in the following table (in ETB), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees - Individual (USD)	Official Fees - Firm (USD)
Application fees	17.50	70
Search & Examination	50	200
Grant and Publication fees	56.25	225



### 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. Lawyers can also be verified through their Bar Association at: <https://www.ethiopian-bar.org/>.

### 3.2.7 How long does registration take?

Patent applications are formally and substantively examined in Ethiopia. The registration process takes up to 24 months to complete.

### 3.2.8 What is the duration of protection?

A patent will be granted for an initial period of 15 years from the filing date. However, the validity of the patent may be extended for a further period of 5 years provided that proof is furnished that the invention is being used in Ethiopia.

### 3.2.9 When are renewal fees paid?

In order to maintain the patent or the patent application, an annual fee will be paid in advance each year, starting one year after the filing date of the patent. Late payment is possible, with a corresponding surcharge, within a grace period of 6 months after the due date.

### Annuities

The following government (official) fees are currently applicable:

Type of Fee	Official Fees - Individual (USD)	Official Fees - Firm (USD)
Annual fees	12.50	50

## 3.3 UTILITY MODELS

Utility models or minor inventions are protected under the Inventions, Minor Inventions and Industrial Designs, Proclamation, No. 123/ 1995.

### Utility model registration

Utility models or minor inventions can be registered in Ethiopia in the following ways.





## National

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website at: <https://eipa.gov.et/>.

### 3.3.1 Who can register a utility model / minor invention?

An inventor or successor in title of an invention can apply to register a utility model / minor invention.

### 3.3.2 What are the registration requirements?

An EIPA minor invention application must contain the following:

- a signed and authenticated/legalised power of attorney;
- a request for the grant of a utility model, including a description of the invention, one or more claims, an abstract, and where necessary, drawings;
- the applicant's details including full name, nationality, legal status and physical address or, if it is a company, its Certificate of Incorporation;
- the signed 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?

Utility Models / minor inventions that possess novelty and industrial applicability.

- A minor invention will not be considered new if, at the time of filing the application, it has already been described in printed publications, made available to the public or has already been publicly used in Ethiopia.
- Any description or use, within six months prior to the filing of the application, will not destroy novelty if it is based on the work of the applicant.

### 3.3.4 What cannot be registered?

The following cannot be protected by utility model certificates:

- changes in the shape, proportions, or material of a patented object or of one that is public property, except where such a change alters the qualities or functions of the object thereby producing an improvement in its use or the effects







of its intended functions;

- the mere replacement of elements in a known combination by other known elements having an equivalent function, which does not thereby produce an improvement in its use or the effect of its intended functions; or
- minor inventions that are contrary to public order or morality.

### 3.3.5 Where can I file an application?

Applications can be filed at EIPA. More details can be found on their website at: <https://eipa.gov.et/>.

### 3.3.6 How much does it cost?

#### National (EIPA) 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 in United States Dollars (USD). Information on fees is available at: <https://eipa.gov.et/patent-fees-and-payments/>

#### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three EIPA-accredited professionals. Lawyers can also be verified through their Bar Association at: <https://www.ethiopian-bar.org/>

#### Likely overall registration costs for an EIPA utility model

An applicant can expect the cost of registering a utility model to be approximately as shown in the following table (in ETB), unless objections and other special circumstances that may increase the costs apply.

Type of Fee	Official Fees - Individual (USD)	Official Fees - Firm (USD)
Application fees	8.75	35
Search and examination	50	200
Grant and publication fees	56.25	225



### 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. Lawyers can also be verified through their Bar Association at: <https://www.ethiopian-bar.org/>.

#### 3.3.7 How long does registration take?

Utility model applications are only formally examined in Ethiopia. The registration process takes up to 6 months to complete.

#### 3.3.8 What is the duration of protection?

A utility model certificate is granted for a period of 5 years, which may be renewed for a further 5-year period provided that proof is furnished that the minor invention is being used in Ethiopia.

#### 3.3.9 When are renewal fees paid?

Application for renewal of the utility model must be filed within the 90 days up to the day before the expiration of the period of protection with payment of the prescribed fees.

### Annuities

The following government (official) fees are currently applicable:

Type of Fee	Official Fees - Individual (USD)	Official Fees - Firm (USD)
Renewal fees	12.50	50

## 3.4 INDUSTRIAL DESIGN

### Industrial designs in Ethiopia

Industrial designs are protected under the Inventions, Minor Inventions and Industrial Designs, Proclamation No. 123/ 1995.

### Ethiopia industrial design registrations

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website at: <https://eipa.gov.et/>.





## International

Ethiopia is not a signatory of the Hague Agreement. Details on the international design system can be found at: <https://www.wipo.int/hague/en/>

## Examination and novelty of designs for Ethiopia

Ethiopia does not carry out a substantive examination of design applications, only formality examination is conducted.

## National (EIPA) Industrial Designs

### 3.4.1 Who can register?

An inventor 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 an industrial design.

### 3.4.2 What are the registration requirements?

An industrial design application must contain the following:

- a signed and legalised/and or notarised power of attorney;
- a request, a specimen of the article embodying the industrial design or a pictorial presentation and an indication of the kind of products to which the industrial design applies;
- the applicant's full details, including full name, nationality, legal status, physical address and full company details if the applicant is a company;
- the signed Deed of Assignment, if the applicant is not the inventor;
- certified copy of the priority document, if claimed. This can be lodged within 2 months from the filing date;
- the prescribed application fees;

The application will relate to one design incorporated in one product or two or more designs incorporated in products belonging to the same class and sold or used in sets.

### 3.4.3 What qualifies for registration?

An industrial design will be protected if it is new and possesses practical applicability.

- **New** - considered new when the sum total of its essential features is different





from that of another design known either in Ethiopia or abroad and has not been disclosed for more than one year before the date of filing of the application for registration or, where appropriate, before the priority date. Designs will be deemed to be identical if their specific features differ only in immaterial details.

- **Practical applicability** - deemed to possess practical applicability if it is capable of serving as a model for repeated manufacture of products.

#### 3.4.4 What cannot be registered?

The following cannot be registered:

- an industrial design that is contrary to public order or morality.
- anything in an industrial design which serves solely to obtain a technical result.

#### 3.4.5 Where can I file an application?

Applications can be filed at the Ethiopian Intellectual Property Authority. More details can be found on their website at: <https://eipa.gov.et/>.

#### 3.4.6 How much does it cost?

##### National (EIPA) 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 in United States Dollars (USD).

##### Professional fees

Professional fees vary so it is advisable to obtain comparative quotes of fees from at least three EIPA-accredited professionals. Lawyers can also be verified through their Bar Association at: <https://www.ethiopian-bar.org/>.

##### Likely overall registration costs for an EIPA industrial design

There are currently no official fees published by EIPA on their website <https://eipa.gov.et/>.





### 3.4.7 How long does registration take?

Industrial design or model applications usually take an average of 3-6 months to complete registration.

### 3.4.8 What is the duration of protection?

The protection granted to an industrial design will be valid for a period of five years from the filing date. The period may be extended for two extensions of five years each if proof is furnished that the industrial design is being used in Ethiopia.

### 3.4.9 When are renewal fees paid?

Application for renewal should be filed within the 90 days up to the day before the expiration of the period of protection upon payment of the prescribed fees.

#### Design renewal fees

There are currently no official fees published by EIPA on the Ethiopia IP website

## 3.5. GEOGRAPHICAL INDICATIONS (GIs)

### GIs in Ethiopia

It is not possible to obtain protection of GIs under the current IP legislation in Ethiopia. However, EIPA is taking steps towards establishing a GI regime in Ethiopia. On the 24th May 2023, the Ethiopian Intellectual Property Authority (EIPA), in conjunction with the Ethiopian coffee Authority (ECTA), Ethiopian Commodity Exchange (ECX) and Jimma University College of Agriculture (JUCAVM), with technical assistance from the French Agricultural Research Center for International Development (CIRAD) launched a project titled "Geographical indications for origin-linked products in Ethiopia" ("the GOPE Project"). This project aims to launch a national legal framework for GIs and to implement a pilot GI in the Ethiopian coffee value chain. This project is financially backed by the French Development Agency (AFD).

## 3.6 LAYOUT DESIGNS OF INTEGRATED CIRCUITS

It is not possible to obtain protection of layout designs of integrated circuits under the current IP legislation in Ethiopia.







### 3.7. TRADITIONAL KNOWLEDGE

Traditional knowledge is protected in Ethiopia under Proclamation No. 482/2006 Access to Genetic Resources and Community Knowledge, and Community Rights. The proclamation refers to the term community knowledge (CK) and not traditional knowledge (TK) as it was believed that CK best suits the nature of such knowledge in Ethiopia and is appropriate to address the needs of local communities, as most of the TK exists at the community level.

The law defines CK as knowledge, practices, innovations or technologies created or developed over generations by local communities on the conservation and use of genetic resources.

Ethiopia has formally signed the 2024 WIPO Treaty on Intellectual Property, Genetic Resources, and Associated Traditional Knowledge. Upon its entry into force, contingent on ratification by 15 contracting parties, the Treaty will establish a new international legal obligation for patent applicants to disclose any utilisation of genetic resources or associated traditional knowledge in their inventions.

#### 3.7.1 Who can register?

There are no provisions for individuals or communities to register community knowledge or their duly appointed community representatives.

#### 3.7.2 Scope of Protection

The ownership of community knowledge will be vested in the concerned local community. Local communities will have the following rights over their community knowledge:

- the right to regulate the access to their community knowledge;
- an inalienable right to use their genetic resources and community knowledge;
- the right to share from the benefit arising out of the utilisation of their genetic resources and community knowledge.

### 3.8 COPYRIGHT AND NEIGHBOURING RIGHTS

#### About copyright and neighbouring rights in Ethiopia

Ethiopia has a dedicated law for the protection of copyright and neighbouring rights, namely the Copyright and Neighboring Rights Protection Proclamation No. 410/2004 as amended by the Copyright and Neighboring Rights Protection (Amendment)





Proclamation No. 872/2014.

Ethiopia is a signatory to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled of 27 June 2013.

### 3.8.1 Can I register?

The protection of copyright in Ethiopia is automatic and does not require any formalities. Protection is granted to every literary and artistic work as long as it is original and fixed. Despite the automatic protection afforded to copyright works under Ethiopian copyright law upon fulfilling the required criteria, copyright registration is still available through the Ethiopian Intellectual Property Authority (EIPA). The EIPA introduced copyright registration, believing that issuing certificates for copyrighted works would help mitigate infringement within the copyright industry. In accordance with the Council of Ministers Regulation No. 305/2014, which provides for the registration of works entitled to copyright and neighbouring rights, the EIPA has registered such works since the regulation's introduction. The certificate issued is valid for five years from the date of issuance and is granted based on the applicant's affidavit without substantive examination. However, the applicant may be criminally liable for fraud if the affidavit is untrue. Please see details on copyright registration fees [here](#).

Preconditions for Registration:

- 1) Completing the application form.
- 2) Swearing an affidavit.
- 3) Providing a sample of the work (e.g., on a CD, tape, etc.).
- 4) Submitting evidence of payment of the service fee.
- 5) Presenting the original work along with related documents, such as identification cards.
- 6) Submitting original work-related documents, such as ID cards and relevant evidence of assignments, if applicable.

### 3.8.2 What qualifies for protection?

Any original and fixed work in the literary, scientific and artistic categories. This includes the following:

- books, booklets, articles in reviews and newspapers, computer programs;





- speeches, lectures, addresses, sermons, and other oral works;
- dramatic, dramatico-musical works, pantomimes, choreographic works, and other works created for stage production;
- musical compositions;
- audiovisual works;
- architectural works;
- drawings, paintings, sculptures, engravings, lithographs, tapestries, and other works of finearts;
- photographic works;
- illustrations, maps, plans, sketches, and three-dimensional works related to geography, topography, architecture or science;
- translation, adaptations, arrangements and other transformations or modifications of works;
- collection of works such as encyclopaedias or anthologies or databases whether in machine readable or other form provided that such collections are original by reason of the selection or arrangement of their contents.

### Scope of Protection

- works of authors who are nationals of, or have their principal residence in Ethiopia;
- works first published in Ethiopia and, works first published abroad and also published in Ethiopia within 30 days, irrespective of the nationality or residence of their authors;
- audio-visual works, the producer of which has his headquarters or principal residence in Ethiopia;
- works of architecture erected in Ethiopia and other artistic works incorporated in a building or other structure located in Ethiopia; and
- works that are eligible for protection in Ethiopia by virtue of and in accordance with any international convention or other international agreement to which Ethiopia is a party.

### 3.8.3 What cannot be protected?

Any work that does not qualify for legal protection. This includes the following:

- any idea, procedures, system, method of operation. concept, formula, numerical table and forms of general use, principle, discovery or mere date, even if expressed, described, explained, illustrated or embodied in a work; and





- any official text of a legislative, administrative or legal nature, as well as official translation thereof.

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

Permitted acts that do not infringe copyright include:

- copies for personal purposes;
- quotations from copyright works;
- copies for teaching purposes;
- copies by libraries and similar institutions to replace or conserve archival copies of works;
- reproduction, broadcasting and other communication to the public for information purposes;
- reproduction and adaptation of computer programs;
- a single copy or adaptation of a computer program;
- a backup copy by a person having a right to use the computer program in so far as it is necessary to ensure future use;
- adaptation that is indispensable for using the computer program in conjunction with a machine for the purpose, and to the extent of use, for which the program has been lawfully obtained.
- importation for personal purposes;
- private performance free of charge;
- issuance of non-voluntary license by the authorities;
- display of works;
- distribution of copies of works, where a copy of a published work has been sold to the public such a copy may, without authorisation and payment, be redistributed by means of sale.

#### 3.8.5 What acts are not permitted in relation to copyright works?

Unpermitted/restricted acts include:

- reproduction of the work;
- translation of the work;
- adaptation, arrangement of other transformation of the work;
- distribution of the original or a copy of the work to the public by sale or rental;





- importation of original or copies of the work;
- public display of the original or a copy of the work;
- performance of the work;
- broadcasting of the work;
- other communication of the work to the public.

### 3.8.6 What is the duration of protection?

The duration of copyright protection is as follows:

- **literary and artistic works:** economic rights belong to the author during his lifetime and to the heirs or legatees for 50 years from the date of death of the author. In the case of joint authorship, the term of 50 years will commence from the death of the last surviving author;
- **collective work:** 50 years from the date on which the work was either made or first made available to the public, or first published, whichever date is the latest;
- **pseudonym or anonymous work:** 50 years from the date on which the work was either made or first made available to the public or first published, whichever date is the latest;
- **posthumous work:** the term of 50 years will commence from the date of publication of the work;
- **audio-visual works:** 50 years from the date of making of the work or communication of the work to the public, whichever date is the latest;
- **photographic work:** 25 years from the making of the work.

### 3.8.7 Can I renew copyright after its term of protection expires?

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

#### Links to legislation:

Proclamations and Regulations: <https://eipa.gov.et/proclamation-and-regulation/>







**Links to institutions:**

- ✓ AfCFTA – African Continental Free Trade Area: <https://au-afcfta.org/>
- ✓ EIPA – Ethiopian Intellectual Property Authority: <https://eipa.gov.et/>



