

**TRADEMARK RENEWAL AND  
ALLOWABLE GRACE PERIOD IN  
EAST AFRICAN COMMUNITY  
MEMBER STATE INCLUDING  
ZAMBIA AND MALAWI**



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## **EAST AFRICAN COMMUNITY MEMBER STATES**

The East African Community (EAC), headquartered in Arusha, Tanzania, is made up of 8 member states, which are: Burundi, the DR Congo, Kenya, Rwanda, Somalia, South Sudan, Uganda & Tanzania. However, EAC as a regional intergovernmental organization does not have a unified system for the registration and protection of trade and service marks. Each country has its own laws and system for the registration and protection of trademarks.



# Malawi & Zambia

Malawi and Zambia are not members of the EAC but are neighboring countries that share many things with EAC member states once comes issues of culture, trade & finance as well as politics. For instance Tanzania-Zambia Railway Authority – TAZARA, a bi-national railway linking the Southern Africa Regional transport network to Eastern Africa's seaport of Dar es Salaam.



# Why Trademark Renewal

The life of a registered trademark is extended through trademark renewal. Through renewal the proprietor maintains exclusive rights to a trademark, preventing unauthorized use by competitors and safeguarding the brand's reputation.

When the mark is renewed the owner have the right to institute court proceedings against any person who infringes the mark by using, without his agreement, the mark or who performs acts which make it likely that infringement will occur.

Below we have made it easy for you to know the validity of registration of trade mark, renewal duration and grace period to renew after expiration in Burundi, the DR Congo, Kenya, Rwanda, Somalia, South Sudan, Uganda, Tanzania, Zanzibar, Malawi and Zambia.



# Renewal Period

Country	Validity of registration of trade mark	Renewal duration	Grace period to renew after expiration
Burundi	Ten (10) years from the date of application	Consecutive periods of ten (10) years	Six (6) months upon payment of a late renewal fee
DR Congo	Ten (10) years from the date of application	Consecutive periods of ten (10) years	Six (6) months after expiration
Kenya	Ten (10) years from the date of application	Consecutive periods of ten (10) years	Thirty (30) days after expiration
Rwanda	Ten (10) years from the date of application	Consecutive periods of ten (10) years	Six (6) months with penalty
Somalia	Ten (10) years from the date of application	Consecutive periods of ten (10) years	Six (6) months without penalty
South Sudan	Ten (10) years from the date of registration	Consecutive periods of ten (10) years	Six (6) months with penalty
Uganda	Seven (7) years from the date of application	Consecutive periods of ten (10) years	Thirty (30) days after expiration
Tanzania	Seven (7) years from the date of application	Consecutive periods of ten (10) years	Thirty (30) days after expiration
Zanzibar	Ten (10) years from the date of registration	Consecutive periods of Seven (7) years	Six (6) months with penalty
Malawi	Seven (7) years from the date of application	Consecutive periods of Fourteen (14) years	Six (6) months with penalty
Zambia	Ten (10) years from the date of application	Consecutive periods of Fourteen (10) years	Six (6) months with penalty



# ABOUT THE AUTHOR

DarState Attorneys is a Tanzanian boutique consulting law firm in East Africa that specialises in intellectual property, Corporate and Commercial transaction, Real Estate and Construction, International trade, Investment as well as banking and finance.

The firm act as the trusted advisor of business and entities in navigating the Tanzanian & Zanzibar regulatory landscape and IP registration and enforcement in Africa. The firm assist Asian, European and African individuals and entity in navigating Tanzanian market, from licensing application, corporate governance, compliance review, ongoing compliance and regulatory advisory to operational implementation. It advises national and international companies on strategic investment procedures, guidelines, regulations and law in Tanzania and Zanzibar.



## ***Darstate Attorneys***

The firm consists experienced and respected legal practitioners practicing both local and international laws, researchers, trainers and consultants from legal industry, IP management and enforcement.

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# THANK YOU

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