

IP AFRICA NEWS

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- Sierra Leone implements new Trade Marks Regulations 2024
- ARIPO amends the Banjul Protocol on Marks and Implementing Regulations
- South Africa introduces Electronic issuance of Patent Certificates
- Somalia introduces Intellectual Property reforms



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Welcome to **Volume 4, Q1, Issue 2 of JEE IP Africa News**. In this edition, we highlight a series of notable IP regulatory and administrative developments across the continent: the implementation of the Trademark Regulations of 2024 in Sierra Leone, the amendment to the ARIPO Banjul Protocol on Marks, South Africa's introduction of Electronic Patent Certificates, and Somalia's IP reforms.



Sierra Leone's Trade Marks Regulations, 2024 have formally taken effect upon its release as Statutory Instrument No. 19 of 2024. The new regulations establish a detailed procedural framework for trademark operations in Sierra Leone, providing clearer guidance on both domestic and international applications, enforcement processes, and administrative matters. The introduction of the Regulations marks a significant step in modernising trademark practice in Sierra Leone, while underscoring the need for careful adherence to the prescribed procedural requirements.

The Regulations introduce several important developments that applicants and practitioners should take into account:

- **Updated fees and administrative practices:** The Regulations prescribe a revised schedule of fees in the First Schedule. These provisions are directed at strengthening administrative procedures before the Registry, to enhance transparency, procedural certainty, and overall efficiency in the handling of trademark matters.
- **Defined procedural timelines:** The Regulations establish defined timelines governing the prosecution and administration of trademark rights. Key provisions include:
 - Examination and acceptance of applications. Where the Registrar accepts an application, the applicant must be notified in writing and required to pay the publication fee within one month of such notification. Upon timely payment, the Registrar shall proceed to publish the application.
 - Renewals: Renewal applications must be lodged within the six-month period immediately preceding the expiry of the registration.

- Appeals and discretionary hearings before the Registrar: Any party aggrieved by a decision of the Registrar concerning an international registration designating Sierra Leone may file an appeal before the Tribunal within two months of the Registrar's decision.
- **Introduction of prescribed statutory forms:** All acts relating to trademarks must now be undertaken strictly through the statutory forms introduced under the Regulations. These forms cover a wide range of proceedings, including new trademark registration and renewal applications, opposition proceedings, assignment applications and changes in ownership, restoration of existing registrations, applications for invalidation or cancellation on grounds of non-use, etc. Failure to comply with the prescribed format may result in outright rejection by the Registry, thereby making strict adherence to formal requirements indispensable.
- **Reinstatement of lapsed trademark rights:** One of the significant provisions of the Regulations relates to the reinstatement of lapsed trademark rights. This provision introduces a formal mechanism for restoring trademark rights that have lapsed. It allows a trademark owner to apply for reinstatement within a strict two-month window following the lapse of the registration. The application must be made in writing to the Registrar and accompanied by payment of the prescribed reinstatement fee.
- **Implementation of Madrid Protocol in Sierra Leone:** The Regulations establish clear procedures for international trademark registrations under the Madrid Protocol, covering examination, refusals, oppositions, grants of protection, replacement of national rights, and transformation after cancellation.
- **Examination of International Registration:** Under the new regulations, the Registrar is required to examine any trademark that is the subject of an international registration designating Sierra Leone for compliance with section 5 of the Trademarks Act. This examination ensures that international registrations meet the requirements applicable under the National law.



ARIPO

ARIPO AMENDS THE BANJUL PROTOCOL ON MARKS AND IMPLEMENTING REGULATIONS

The African Regional Intellectual Property Organization (ARIPO) has announced updates to the Banjul Protocol on Marks and its Implementing Regulations, Forms and Fees, which will take effect on **1 March 2026**.

The revised regime introduces changes to official fees and procedural requirements for trademarks processed under the Banjul Protocol. Once in force, the amended framework will affect both new and existing trademark applications.

Key updates include:

- **Upward adjustment of trademark official fees:** A key feature of the amendments is an upward adjustment of official fees payable for ARIPO trademark services, including filings, renewals, recordals, and opposition-related procedures. The revised fee structure is intended to strengthen administrative capacity and support more efficient service provision across the regional trademark system. Applicants and practitioners should therefore anticipate increased costs for trademark protection under the Banjul Protocol once the new regime becomes operational.
- **Updated Implementing Regulations and Prescribed Forms:** The revised Implementing Regulations now expressly incorporate electronic filing provisions and reference ARIPO's online filing platform. All filings under the Protocol must now use the updated prescribed forms introduced.
- **Opposition Proceedings:** Under the 2026 amendments to the Protocol, the provisions on opposition to trademark applications have been reorganised. The rules previously contained in Section 6bis and Rule 11ter under the pre-2026 framework are now set out under Section 30 of the Protocol and Rule 23 of the Implementing Regulations. Interested parties may oppose a trademark following its publication in the ARIPO Marks Journal and prior to registration. Key aspects include:
 - **Transmittal fees:** A transmittal fee of USD 100 is required, and payment of the prescribed amount is necessary for the opposition to be considered valid.

- **Filing Procedure:** Notices of opposition are to be filed with the ARIPO Office, which will transmit them to the applicant and the relevant designated states.
- **Coordination with Designated States:** Opposition cases are handled according to the laws of each designated member state, with outcomes communicated back to ARIPO and shared with the relevant parties.
- **Withdrawal Following ADR Settlement:** Where the parties reach a settlement through Alternative Dispute Resolution, an opposition may be withdrawn in line with the applicable national laws.
- **Effect on Publication and Registration:** Opposition decisions apply only to the designated states in which the opposition was filed and do not affect the registration of the trade mark in other states.
- **Reduced Refusal Timelines:** Designated states must now communicate refusals to ARIPO within six months of notification, reduced from nine months under the previous regime.
- **Language of Proceedings:** English has been formally designated as the official language for proceedings before the ARIPO Office.
- **Computation of Time Limits:** The revised Regulations provide detailed guidance for calculating procedural time limits, clarifying how durations expressed in years, months, weeks, or days are determined.
- **Exhibition Priority:** The 2026 framework formally incorporates exhibition priority into the Protocol and Implementing Regulations. Applicants may now claim priority, within a specified period, for marks displayed at officially recognised international exhibitions, subject to compliance with prescribed requirements.



The Companies and Intellectual Property Commission (CIPC) has announced a transition to the electronic issuance of patent certificates, effective from 2 February 2026. Under the new system, patents and patents of addition granted

from January 2026 will be issued exclusively in electronic format. The electronic patent certificates will incorporate several security features, including a digital seal, the Registrar of Patents' electronic signature, and a QR code to enable immediate verification. Upon issuance, a certified patent certificate may be downloaded on a one-time basis. Watermarked, uncertified copies will remain available for download. Additional certified copies may be obtained electronically upon request and payment of the applicable fees.

Going forward, the CIPC will discontinue the routine issuance of bound paper patent certificates, although physical copies may still be made available on request.



Somalia has introduced a series of reforms aimed at modernising its intellectual property (IP) regime, combining adjustments to official fees, operational improvements at the trademarks office, and ongoing legislative development. Following a government announcement made in late 2025, a revised schedule of official fees for intellectual property matters took effect on 1 October 2025. The changes include a reduction in the trademark filing fee and the introduction of fees for oppositions, patents, and industrial designs.

Concurrently, the Somali Trademarks Office has implemented administrative reforms intended to make the system more accessible to rights holders. These include the removal of the requirement for a notarised declaration of ownership in trademark filings and the introduction of structured recordal procedures, which provide formal pathways for assignment of rights and updates to registered details.

Somali authorities are preparing to operationalize comprehensive systems for patents and industrial designs. While the official fees for these categories have already been established, formal procedures for their administration are still pending.

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