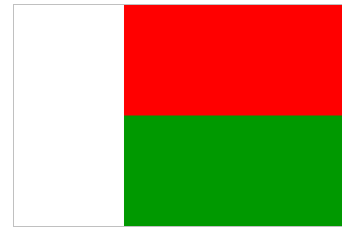


## MADAGASCAR (MG)

### I. LEGISLATIVE PROFILE

#### 1. National Legislation



##### a. Industrial Property

**Capital:** Antananarivo  
**Population:** 15,976,000

##### Patents:

- Ordonnance No 89-019 instituant un régime pour la protection de la propriété industrielle en République démocratique de Madagascar, de juillet 1989 (Titre I)(Art 3 à 54) (JO d'août 1989).
- Décret No 92-993 de décembre 1992 portant application de l'ordonnance No 89-019 de juillet 1989 instituant un régime pour la protection de la propriété industrielle à Madagascar.
- Décret No 92-994 de décembre 1992 portant création et organisation de l'Office malgache de la propriété industrielle (OMAPI).

##### Trade Marks:

- Ordonnance No 89-019 instituant un régime pour la protection de la propriété industrielle en République démocratique de Madagascar, de juillet 1989 (Titre II) (Art 55 à 87) (JO d'août 1989).  
 As above, under Patents.

##### Industrial Designs:

- Ordonnance No 89-019 instituant un régime pour la protection de la propriété industrielle en République démocratique de Madagascar, de juillet 1989 (Titre III) (Art. 88 à 115) (JO d'août 1989).  
 As above, under Patents.

##### b. Copyright and Related Rights

##### Copyright:

- Loi No. 94-036 de septembre 1995 portant sur la propriété littéraire et artistique.

##### Related Rights:

As above, under Copyright.

##### c. Other Country-Specific Legislation or Activities

##### Utility Models:

As above, under Industrial Designs.

**d. Sources for Information on National Laws**

Registrar of Civil Court  
Tribunal de Première Instance  
Anosy Antananarivo  
*Title of Head:* President

Tel.: (261.20) 222.03.81

Centre National LEGIS  
Primature Mahazoarivo  
Antananarivo  
*Title of Head:* Director

Tel.: (261.20) 223.31.16

**2. Membership of International Bodies****a. Membership of WIPO treaties:**

- WIPO Convention, since December 1989.
- Paris Convention (Industrial Property), since December 1963.
- Berne Convention (Literary and Artistic Works), since January 1966.
- PCT (Patents), since January 1978.
- PLT (Patent Law Treaty), Signatory since June 2000.
- Madrid Protocol (International Registration of Marks), since April 2008.

**b. WTO:** Member and Signatory to TRIPS Agreement, since November 1995.

**c. Membership of other bodies/treaties:**

None.

**II. ADMINISTRATION****1. Industrial Property****Supervisory Ministry:**

*Ministère de l'industrialisation, du commerce et  
du développement du secteur privé*

Tel.: (261.20) 223.22.51  
Fax: (261.20) 222.80.24

Ministry of Industrialization, Trade and  
Development of the Private Sector  
Immeuble de l'Industrie  
P.O. Box 527-Antaninarenina  
Antananarivo 101  
*Title of Head:* Minister for  
Industrialization, Trade and  
Development of the Private Sector

Industrial Property Office:

*Office Malgache de la Propriété Industrielle (OMAPI)*  
 Malagasy Industrial Property Office  
 Bâtiment de la Direction générale de l'artisanat  
 Rue Agosthino Neto – 67 Ha-Sud  
 8237 – Antananarivo 101  
*Title of Head:* Director General

Tel.: (261.20) 223.35.02/6  
 226.59.75  
 Fax: (261.20) 226.59.79  
 E-mail: [omapi@dts.mg](mailto:omapi@dts.mg)

**2. Copyright and Related Rights**Supervisory Ministry:

*Ministère de l'Information, de la Culture et de la Communication*  
 Ministry of Information, Culture and Communication  
 Lot.II - F 62, rue Fredy Rajaofera  
 P.O. Box 17bis, Antaninandro  
 Antananarivo 101  
*Title of Head:* Minister for Information, Culture and Communication

Tel.: (261.20) 222.74.77  
 Fax: (261.20) 222.94.48

Copyright Office:

*Office Malgasy du Droit d'Auteur (OMDA)*  
 Malagasy Copyright Office  
 Ministry of Information, Culture and Communication  
 As above, under Supervisory Ministry for Copyright and Related Rights.  
*Title of Head:* Director

Tel.: (261.20) 223.08.53  
 226.10.19  
 Fax: (261.20) 222.94.97  
 E-mail: [omda@dts.mg](mailto:omda@dts.mg)

Collective Management Societies:

Information not available.

**III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY****Industrial Property Tribunal**

*Contact point for industrial property:*  
 As above, under Industrial Property Office.

Tel.: (261.20) 226.59.75  
 Fax: (261.20) 226.59.79

*Tribunal de Première Instance*  
 Palais de Justice  
 Anosy  
 Antananarivo  
*Title of Head:* President

Tel.: (261.20) 222.03.81

*Cour d'Appel d'Antananarivo*  
 As above, under Tribunal de Première Instance.  
*Title of Head:* President

*Cour d'Appel de Fianarantsoa*  
 Fianarantsoa  
*Title of Head:* President

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*Cour d'Appel de Mahajanga*  
 Mahajanga  
*Title of Head:* President

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*Cour Suprême*  
 As above, under Tribunal de Première Instance.  
*Title of Head:* First President

### **Copyright Tribunal**

As above, under Industrial Property Tribunal.

*Contact point for copyright and related rights:*

*Office malagasy du droit d'auteur (OMDA)*

Tel.: (261.20) 223.08.53

*Direction générale*

Fax: (261.20) 222.94.97

As above, under Supervisory Ministry for  
 Copyright and Related Rights

### **Other**

*Main contact point of notifications under the  
 TRIPS Agreement:*

*Ministère du Commerce et de la Consommation*

Tel.: (261.20) 222.61.40

*Direction des relations commerciales  
 internationales*

Fax: (261.20) 222.64.26

Directorate of International Commercial  
 Relations

P.O. Box 454

Antananarivo 101

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*Contact point for issues related to border  
 measures:*

*Ministère chargé du budget*

Tel.: (261.20) 222.53.22

Ministry for Budget

Fax: (261.20) 222.03.65

*Direction des enquêtes et de la surveillance  
 douanière*

Directorate of Investigations & Customs Control

P.O. Box 262

Antananarivo 101

## **IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY**

Information not available.

## V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2002 and 2005:

		Patents (direct filings)	Trade Marks	Industrial Designs (2002)
Applications by:	residents		439	123
	non-residents	2	419	
Grants to:	residents	9	411	167
	non-residents	1	321	

### PCT-2005

Applications by residents and non-residents: 10 (National Phase Entries)  
 Grants to residents and non-residents: 22 (non-residents only)