

## SOUTH AFRICA (ZA)

### I. LEGISLATIVE PROFILE

#### 1. National Legislation



##### a. Industrial Property

**Capital:** Pretoria  
**Population:** 43,240,000

##### Patents:

- Patents Act No. 57 of 1978, as amended by the Patents Amendment Act No. 14 of 1979, the Patents Amendment Act No. 67 of 1983, and Act No. 44 of 1986.
- Atomic Energy Act No. 90 of 1967 (as amended) (Sections 21 and 21A: Patents).
- Patents Regulations of 1978, effective January 1979.
- Amendments, Nos R.1110 and R.1613 of the Regulations published by virtue of the Patents Act No. 57 of 1978, August 1984.

##### Trade Marks:

- Trade Marks Act No. 194 of 1993, assented to December 1993.
- Merchandise Marks Act No. 17 of 1941 as amended by the Merchandise Marks Amendment Act No. 55 of 1967.
- Unauthorized Use of Emblems Act No. 37 of 1961.
- Trade Marks Act of 1963, Regulations, No. R. 2313, December 1971.
- Amendment, No. R.1615, of Schedule 1 of the Regulations proclaimed in terms of the Trade Marks Act No. 62 of 1963, August 1984.
- Business Names Act No. 27 of 1960, as amended by the Business Names Amendment Act No. 84 of 1972, and the Business Names Amendment Act No. 31 of 1979.

##### Industrial Designs:

- Designs Act No. 195 of 1993, assented to December 1993.
- Proclamation by the Acting State President of the Republic of South Africa No. R. 360 of 1967 (commencement of the Designs Act).
- Designs Regulations No. R. 361 of 1968, as amended by Designs Amending Regulations No. R. 3755 of 1969.

##### b. Copyright and Related Rights

##### Copyright:

- Copyright Act No. 98 of 1978, as amended by the respective Copyright Amendments Acts, No. 56 of 1980, No. 66 of 1983, No. 52 of 1984, No. 39 of 1986, No. 13 of 1988, No. 61 of 1989 and No. 1125 of 1992.
- Performers' Protection Act No. 11 of 1967.
- Intellectual Property Laws Amendments Act of 1997.

##### Related Rights:

As above, under Copyright.



## 2. Copyright and Related Rights

### Supervisory Ministry:

As above, under Supervisory Ministry for Industrial Property.

### Copyright Office:

As above, under Industrial Property Office. Tel.: (27.12) 310.87.00

### Collective Management Societies:

Information not available.

## III. AUTHORITIES ENFORCING INTELLECTUAL PROPERTY

### **Industrial Property Tribunal**

*Contact point:*

As above, under Industrial Property Office.

### **Copyright Tribunal**

*Contact point:*

As above, under Industrial Property Tribunal.

### **Other**

Information not available.

## IV. EDUCATIONAL INSTITUTIONS TEACHING INTELLECTUAL PROPERTY

University of Cape Town Private Bag 7701 Rondebosch South Africa	_____	Tel.: (27.21) 650.91.11 Fax: (27.21) 650.21.38/40.40 E-mail: <a href="mailto:webmaster@uct.ac.za">webmaster@uct.ac.za</a> Internet website: <a href="http://www.uct.ac.za">www.uct.ac.za</a>
University of Pretoria 0002 Pretoria South Africa	_____	Tel.: (27.21) 420.41.11 Fax: (27.21) 362.51.68 Internet website: <a href="http://www.up.ac.za">www.up.ac.za</a>
University of the Witwatersrand Private Bag 3 WITS 2050 Johannesburg South Africa	_____	Tel.: (27.0) 11.717.1000 Fax: (27.0) 11.339.7620 Internet website: <a href="http://www.wits.ac.za">www.wits.ac.za</a>
Stellenbosch University Private Bag 1 7602 Matieland South Africa	_____	Tel.: (27.21) 80.89.111 Fax: (27.21) 80.84.499 Internet website: <a href="http://www.sun.ac.za">www.sun.ac.za</a>
University of Natal 4041 Durban South Africa	_____	Tel.: (27.0) 31.260.1111 Fax: (27.0) 31.260.2214 Internet website: <a href="http://www.nu.ac.za">www.nu.ac.za</a>

Potchefstroom University  
 Private Bag 6001  
 2520 Potchefstroom  
 South Africa

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Tel.: (27.18) 299.11.11  
 Fax: (27.18) 299.27.99  
 E-mail: [enquiries@puknet.puk.ac.za](mailto:enquiries@puknet.puk.ac.za)  
 Internet website: [www.puk.ac.za](http://www.puk.ac.za)

## V. INDUSTRIAL PROPERTY STATISTICS

Applications filed and/or registered for 2005:

	Patents	Trade Marks	Industrial Designs
Applications by:			
residents			
non-residents		28,331	
Grants to:			
residents			
non-residents		19,895	

### PCT

Applications by residents and non-residents: 5,554 (National Phase Entries)  
 Grants to residents and non-residents: Information not available.