ZIMBABWE INTELLECTUAL PROPERTY OFFICE

AS
DESIGNATED (OR ELECTED) OFFICE

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List of abbreviations:

Office: Zimbabwe Intellectual Property Office

ZPL: Zimbabwe Patents Act

ZPR: Zimbabwe Patents Regulations

SUMMARY **Designated (or elected) Office** SUMMARY

ZW ZIMBABWE INTELLECTUAL PROPERTY OFFICE ZW

Summary of requirements for entry into the national phase

Time limits applicable for entry into the national phase:	Under PCT Article 22(1): 30 months from the priority date Under PCT Article 39(1)(b): 31 months from the priority date
Translation of international application required into:[1]	English
Required contents of the translation for entry into the national phase:[1]	Under PCT Article 22: Description, claims (if amended, both as originally filed and as amended, together with any statement under PCT Article 19), any text matter of drawings, abstract Under PCT Article 39(1): Description, claims, any text matter of drawings, abstract (if any of those parts has been amended, both as originally filed and as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	Yes
National fee:[1]	Currency: Zimbabwe dollar (ZWD) Filing fee: ZWD 6,000
Exemptions, reductions or refunds of the national fee:	None
Special requirements of the Office (PCT Rule 51*bis*):[2, 3]	Address for service in Zimbabwe (no representation by an agent is required but, if an agent is appointed, a power of attorney must be furnished) Instrument of assignment of the international application if the applicant has changed after the international filing date and the change has not been reflected in the international publication or in a notification from the International Bureau (Form PCT/IB/306) Document evidencing a change of name of the applicant if the change occurred after the international filing date and has not been reflected in the international publication or in a notification from the International Bureau (Form PCT/IB/306) Verified translation of the international application to be furnished in duplicate Verified translation of the priority document[4]
Who can act as agent?	An attorney, legal practitioner or patent agent. A list of registered agents may be obtained from the Office.
Does the Office accept requests for restoration of the right of priority (PCT Rule 49*ter*.2)?	Yes, please refer to the Office for the applicable criteria and/or any fee payable for such requests

1 Must be furnished or paid within the time limit applicable under PCT Article 22 or 39(1).

2 If not already complied with within the time limit applicable under PCT Article 22 or 39(1), the Office will invite the applicant to comply with the requirement within a time limit fixed in the invitation.

3 The list of special requirements is still subject to confirmation by the Office.

4 If the validity of the priority claim is relevant to the determination of whether the invention concerned is patentable.

THE PROCEDURE IN THE NATIONAL PHASE

ZPL Art. 54(1)(a)

ZW.01 **TRANSLATION (CORRECTION).** Errors in the translation of the international application can be corrected with reference to the text of the international application as filed (see National Phase, paragraphs 6.002 and 6.003).

ZW.02 **FEES (MANNER OF PAYMENT).** The manner of payment of the fees indicated in the Summary and in this Chapter is outlined in Annex ZW.I.

PCT Art. 28, 41
ZPL Art. 37

ZW.03 **AMENDMENT OF THE APPLICATION.** The applicant may amend or correct the international application at any time up to the acceptance of the complete specification, provided that the scope of the subject matter of the application is not broadened thereby, and that the request is made in writing, states the nature of the amendment and the reasons for the amendment. The request should be accompanied by the prescribed fee (see Annex ZW.I). Requests for amendment of an accepted specification and its nature and reasons therefor must be published by the applicant in the *Patent and Trade Marks Journal*, and any person may notify the Registrar of opposition to the amendment within three months of that publication.

ZPL Art. 54
ZPR Art. 74-75

ZW.04 The Registrar may also authorize the correction of any clerical error or omission or error in translation in any patent application or other document, amendment of any documents not otherwise provided for in the Patents Act or correction of any procedural irregularity relating to proceedings before the Registrar. Such corrections may be made upon request in writing accompanied by the prescribed fee (see Annex ZW.I) or without such a request.

ZPL Art. 16
ZPR Art. 24

ZW.05 **PUBLICATION.** The applicant must publish a notice in the *Patent and Trade Marks Journal* upon acceptance of the complete specification by the Registrar, and the application form, specification and other documents are open to public inspection as of the date of publication of that notice.

ZPL Art. 27
ZPR Art. 37

ZW.06 **RENEWAL FEES.** After a patent has been granted, renewal fees must be paid for maintaining the patent in force. The first renewal fee is payable for the third year following the international filing date. Payment of the annual fees for subsequent years must be made before the anniversary of the international filing date. The Registrar may, upon the request of the applicant and subject to the payment of an additional fee, extend the time for payment of the renewal fee for a period not exceeding six months. The amounts of the renewal fees are indicated in Annex ZW.I. No renewal fees are payable for the renewal of a patent of addition.

PCT Art. 24(2), 48(2)
PCT Rule 82*bis*
ZPL Art. 28

ZW.07 **EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Owners of patents which have lapsed due to failure to pay any renewal fee within the prescribed time limit may, within three years from the date on which the patent lapsed, apply in the prescribed manner to the Registrar for restoration of the lapsed patent. The request for restoration must contain a verified statement setting out the circumstances which led to the failure to pay the renewal fee. The Registrar may require the submission of additional evidence or may permit the applicant to have a hearing. Where the Registrar is satisfied that the failure to pay the renewal fee was unintentional and there was no undue delay in making the request for restoration, the request for restoration may be granted upon payment of the unpaid renewal fee and such additional fee as may be prescribed (see Annex ZW.I), and after providing for opposition to the request.

PCT Art. 25
PCT Rule 51
ZPL Art. 69-71, 76

ZW.08 **REVIEW UNDER ARTICLE 25 OF THE PCT.** The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. Where so provided in the Patents Act, applicants may appeal from decisions of the Registrar to the Patents Tribunal within three months after the date of the decision by the Registrar, or within such further time as the Patents Tribunal may allow.

ZPL Art. 74
76

ZW.09 **APPEALS.** Any order or decision of the Patents Tribunal may be appealed to the Supreme Court within three months after the date of the decision by the Tribunal, or within such further time as the Patents Tribunal may allow.

PCT Rule 49*bis*.1(c)
76.5
ZPL Art. 26

ZW.10 **PATENT OF ADDITION.** Any desire of the applicant to obtain, in Zimbabwe, on the basis of an international application, a patent of addition instead of a patent must have been indicated, for international applications filed before 1 January 2004, in the international application (in Box No. V of the request) when filed; for international applications filed on or after 1 January 2004, since the request form no longer provides for the furnishing of such an indication, the applicant, when performing the acts referred to in Article 22 or 39, shall so indicate to the Office.

FEES

(Currency: Zimbabwe dollar)

Filing fee	6,000
Publication fee	1,000
Fee for amendment of the specification:	
— before sealing	1,000
— after sealing	2,000
Fee for correction	500
Renewal fees:	
— for the 4th to the 10th year, counted from the international filing date, per year	2,000
— for the 11th to the 15th year, counted from the international filing date, per year	3,000
— for the 16th to the 20th year, counted from the international filing date, per year	4,000
Fee for extension of time limit to pay renewal fees, per month (not exceeding six months)	1,000
Fee for restoration of lapsed patent	5,000

How can payment of fees be effected?

(i) All fees must be paid to the Office.

(ii) The national fees may be paid by money order, check, bank draft or in cash. All payments should include the complete application number, the name of the applicant and the type of fee being paid.