

**REGISTRAR GENERAL'S DEPARTMENT
(GHANA)
AS
DESIGNATED (OR ELECTED) OFFICE**

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List of abbreviations:

Office: Registrar General's Department (Ghana)

PL: Patent Law, 1992

PR: Patent Regulations, 1996

SUMMARY**Designated
(or elected) Office****SUMMARY****GH****REGISTRAR GENERAL'S DEPARTMENT****GH****(GHANA)****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)(a): 30 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, as amended only), 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, only as amended by the annexes to the international preliminary examination report)
Is a copy of the international application required?	No
National fee: ¹	Currency: Ghanaian cedi (GHC) For patent: National processing fee: GHC 100,000 (50,000) ² Annual fees: for the first year: GHC 10,000 (5,000) ² for the second year: GHC 20,000 (10,000) ² for the third year: GHC 30,000 (15,000) ² For utility certificate: National processing fee: GHC 50,000 (25,000) ² Annual fees: for the first year: GHC 10,000 (5,000) ² for the second year: GHC 20,000 (10,000) ² for the third year: GHC 30,000 (15,000) ²
Exemptions, reductions or refunds of the national fee:	None

[Continued on next page]

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

² The amount in parentheses is applicable in case of filing by an individual or by an entity employing less than 25 persons.

SUMMARY**Designated
(or elected) Office****SUMMARY****GH****REGISTRAR GENERAL'S DEPARTMENT****GH****(GHANA)***[Continued]*

Special requirements of the Office
(PCT Rule 51*bis*):³

Document evidencing a change of name of the applicant if the change occurred after the international filing date

Document of assignment or transfer if the applicant has changed after the international filing date and the change has not been reflected in a notification from the International Bureau (Form PCT/IB/306)

International application or translation to be furnished in three copies

Furnishing, where applicable, of a nucleotide and/or amino acid sequence listing in computer readable form

Declaration justifying the applicant's right to a patent if he is not the inventor⁴

Appointment of an agent if the applicant is not resident in Ghana

Who can act as agent?

Any attorney or lawyer registered in Ghana or any engineer or other qualified scientist registered to practice before 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

³ 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.

⁴ This requirement may be satisfied if the corresponding declaration has been made in accordance with PCT Rule 4.17.

THE PROCEDURE IN THE NATIONAL PHASE

GH.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).

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

PL Sec 14(1) **GH.03 AMENDMENT OF THE APPLICATION; TIME LIMITS.** The applicant may amend or correct the claims, description, and drawings in the international application at any time during the national phase provided that the amendment does not go beyond the disclosure in the application as originally filed.

PL Sec 22 **GH.04 APPEALS; TIME LIMITS.** The applicant may appeal to the Patent Tribunal against any decision by which the Registrar rejects the application, considers any of the claims to be withdrawn or refuses to grant a patent, within one month from the date on which he is notified of such decision.

PCT Art. 28
41 **GH.05 EXCUSE OF DELAYS IN MEETING TIME LIMITS.** Reference is made to paragraphs 6.022 to 6.027 of the National Phase. Time limits may be extended at the discretion of the Registrar and may be extended even if the time or period for doing the act of taking the proceeding has already expired.

GH.06 UTILITY CERTIFICATE. Any desire of the applicant to obtain, in Ghana, on the basis of the international application, a utility certificate instead of a patent should be indicated in the international application (in Box No.V of the request) when filed.

PL Sec 66(1)
PL Sec 66(2) **GH.07 CONVERSION.** At any time before the grant or the notification of rejection of the application or of refusal to grant, the applicant may, upon payment of the prescribed fee, convert his application for a patent into an application for a utility certificate, and vice versa.

GH.08 PRIORITY DOCUMENT (TRANSLATION). A translation of the priority document into English must be furnished in all cases. If the translation of the priority document is not furnished, the Office will invite the applicant to furnish it within three months from entry into the national phase.

PL Sec 32(1)-(4) **GH.10 ANNUAL FEES.** Annual fees must be paid in advance starting with the second year after the international filing date. A period of grace of six months is granted for the payment of the annual fee upon payment of a prescribed surcharge. Within 12 months from the expiration of the period of grace, any interested person may, upon payment of the prescribed fee, request the Registrar to restore the international application that is deemed to have been withdrawn, or a patent that has lapsed, because of non-payment of the annual fee.

GH.11 REVIEW UNDER ARTICLE 25. The applicable procedure is outlined in paragraphs 6.018 to 6.021 of the National Phase. If, upon review under PCT Article 25, the Office denies an error or omission on the part of the receiving Office or the International Bureau, an appeal against this decision may be lodged with the patent Tribunal within one month from the date of notification of the decision.

FEES**(Currency: Ghanaian cedi)****Patents**

National processing fee	100,000	50,000 ¹
Annual fees:		
— for the 1st year	10,000	(5,000) ¹
— for the 2nd year	20,000	(10,000) ¹
— for the 3rd year	30,000	(15,000) ¹
— for the 4th year	40,000	(20,000) ¹
— for the 5th year	50,000	(25,000) ¹
— for the 6th year	60,000	(30,000) ¹
— for the 7th year	70,000	(35,000) ¹
— for the 8th year	80,000	(40,000) ¹
— for the 9th year	90,000	(45,000) ¹
— for the 10th year	100,000	(50,000) ¹
— for the 11th year	150,000	(75,000) ¹
— for the 12th year	250,000	(125,000) ¹
— for the 13th year	300,000	(150,000) ¹
— for the 14th year	350,000	(175,000) ¹
— for the 15th year	400,000	(200,000) ¹
— for the 16th year	450,000	(225,000) ¹
— for the 17th year	500,000	(250,000) ¹
— for the 18th year	550,000	(275,000) ¹
— for the 19th year	600,000	(300,000) ¹
Surcharge for extension of time for payment of annual fees:		
not exceeding 1 month	2,000	(1,000) ¹
not exceeding 2 months	4,000	(2,000) ¹
not exceeding 3 months	6,000	(3,000) ¹
up to 6 months	12,000	(6,000) ¹
Utility certificates		
National processing fee	50,000	25,000 ¹
Annual fees:		
— for the 1st year	5,000	(2,500) ¹
— for the 2nd year	10,000	(5,000) ¹
— for the 3rd year	15,000	(7,500) ¹
— for the 4th year	20,000	(10,000) ¹
— for the 5th year	25,000	(12,500) ¹
— for the 6th year	30,000	(15,000) ¹
Fee for conversion of an application for a utility certificate into an application for a patent, and vice versa		
	50,000	(25,000) ¹

¹ The amount in parentheses is applicable in case of filing by an individual or by an entity employing less than 25 persons

How can payment of fees be effected ?

Payment of fees must be effected in Ghanaian cedis. All payments must indicate the application number (national if already known; international if the national number is not yet known), the name of the applicant and the type of fee being paid.

Payment may be effected:

- (i) by cash payment at the office;
- (ii) by check;
- (iii) by payment into the account No. 4 at the Bank of Ghana, Accra.

L.I. 1616.

PATENT REGULATIONS, 1996

Form No. 2 Regulation 6, 10(4), 13 To: The Registrar The Registrar's Office (Address)	FOR OFFICIAL USE Date of Receipt by Registrar's Office: APPLICATION NO.: (Office's Stamp) Filing Date:
REQUEST FOR GRANT OF PATENT OR Utility Certificate	Applicant's or Agent's File Reference:

The Applicant(s) Request(s) the grant of a Patent Utility Certificate in Respect of the following particulars:

I. TITLE OF INVENTION:

II. APPLICANT (S)

(The data concerning each applicant must appear in this box or, if the space is insufficient, in the supplementary box). Additional information is contained in supplementary box

Name: _____

Address: _____

Nationality: _____

Country of Residence or Principal Place of Business: _____

Telegraphic Address: _____

Telephone No.: _____ Facsimile No.: _____ Telex No.: _____

III. AGENT

The following agent has been appointed by the applicant(s) in the power of attorney

accompanying this form to be filed within one month from the filing of this form

Name: _____

Address: _____

Telegraphic Address: _____

Telephone No.: _____ Facsimile No.: _____ Telex No.: _____

IV. INVENTOR

The Inventor is the Applicant
Additional information contained in supplementary box

If Inventor is not the Applicant:

Name: _____

Address: _____

The Statement under section 12(4) justifying the applicant's right accompanies this Form

PATENT REGULATIONS, 1996

V. DIVISIONAL APPLICATION

The application is a divisional application

The benefit of the filing date priority date
of the initial application is claimed in as much as the subject matter of the present
application is contained in the initial application identified below.

Initial Application No.:

Date of filing or priority date, if any, of initial application:

VI. DISCLOSURES TO BE DISREGARDED FOR PRIOR ART PURPOSES

Disclosure occurred not more than six months before the filing date, or where priority is claimed,
priority date of the present application by reason or in consequence of:

acts performed by the applicant or his predecessor in title (including the display of the invention
at an official or officially recognized international exhibition).

an evident abuse, committed by a third party with regard to the rights of the applicant or his
predecessor in title.

Additional information is contained in a statement accompanying this Form

VII. PRIORITY DECLARATION (if any)

The priority of (an) earlier application(s) is claimed as follows

The priority of more than one earlier application is claimed: the data are indicated in the
supplementary box

Country (if the earlier application is a regional or
international application, indicate the office with
which and the countries for which it was filed):

Filing Date:

Application No:
will be furnished within three months

Symbol of the International Patent Classification:
 not yet allocated

The Certified copy of the earlier application accompanies this Form
will be furnished upon request by the Registrar, as prescribed by section 15(2) and regulation 17(4)

The English translation of the earlier application accompanies this form

will be furnished within the time limit prescribed by regulation 17(5).

VIII. SUPPLEMENTARY BOX*

L.I. 1616.

PATENT REGULATIONS, 1996

IX. CHECK LIST (TO BE FILED IN BY THE APPLICANT)

A. This application contains the following

B. This Form, as filed, is accompanied by the items ticked below

- 1. request.....sheet(s)
- 2. description.....sheets(s)
- 3. claim(s).....sheet(s)
- 4. abstract.....sheet(s)
- 5. drawings.....sheet(s)
- Total.....sheet(s)

- separate signed power of attorney
- statement justifying applicant's right
- statement that certain disclosures be disregarded
- priority document(s) (certified copy of earlier application(s))
- English translation of earlier application(s) on which priority declaration is based.
- application fee
- other document(s) (specify)

C. Figure Number.....of the drawings (if any) is suggested to accompany the abstract for publication.

X. Signature(s)*..... (Date)

* Type name(s) under signature.

TO BE FILED IN BY THE REGISTRAR

1. Date of receipt of corrections or later filed documents completing the application:

2. Date fees received:

*Use this box if any of the boxes is not large enough to contain information to be furnished. Indicate the boxes continued in this box by their Roman numerals and title (e.g., "II) APPLICANT(S) (continued)").