

Dear Sir/Madam,
Please find bellow the responses for C. 8403.

Inventive Step

According to article 27 of Mozambican Industrial Property Code (here attached), an invention shall be considered to involve an inventive activity if, for a person skilled in the art, the result is not obvious from the state of the art.

- i. No definition is provided in the Mozambican Industrial Property Code of “a person skilled in the art”.
However, Mozambique considers that a person skilled in the art should be an expert in the field the patent in claimed. For example: a Biologist could not be considered a person skilled in the art when it comes to a patent in the field of construction engineering.
- ii. Regarding the methodologies employed for evaluating the inventive step, Mozambique does not carry out the substantive examination. However, if need arises, Mozambique may request ARIPO for assistance.
- iii. Regarding prior art, article 26 of Mozambican Industrial Property Code indicates that, non-obvious inventions should be those that have never been disclosed by any other means before the patent filing date or if appropriate, before the priority date of the patent application, which is claimed to that invention.

Sufficiency of Disclosure

- i. Enabling disclosure requirement- in Mozambique, a patent application should include a report, claims, drawing and an abstract. (article 44 of Mozambican Industrial Property Code). The disclosure is done by all these elements. The Code does not provide for other means of disclosure other than these.
- ii. No indication is provided in the Mozambican Industrial Property Code regarding support requirement.
- iii. According to article 46 (1) of Mozambican Industrial Property Code "The report shall describe the invention sufficiently clearly and fully so as to enable a person skilled in the art to execute the invention, and shall indicate at least one way of executing the invention known to the applicant, on the date of filing or, in the case of a claim for priority, on the date of priority of the application"

With kind regards,

Com os melhores cumprimentos,



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