
GENERAL NOTICES**PRACTICE NOTE NINE (9)****REGISTRATION OF CHANGE IN OWNERSHIP AND LICENCE CONTRACTS IN RELATION TO PATENTS, UTILITY MODELS AND INDUSTRIAL DESIGNS UNDER THE HARARE PROTOCOL**

1. The Protocol on Patents and Industrial Designs (the Harare Protocol) empowers the African Regional Intellectual Property Organization (ARIPO) to receive applications and grant patents, utility models and industrial designs on behalf of States that are party to the Harare Protocol. Kenya is party to the Harare Protocol and can therefore be designated in patent, utility model or industrial design applications filed as provided for under the Harare Protocol.
2. In relation to registration of licences, assignments and other similar rights pertaining to patents, utility models and industrial designs filed under the Harare Protocol, rule 22(3) of the Regulations for Implementing the Harare Protocol provide that registration of such licences, assignments and other similar rights shall be carried out by the industrial property offices of designated States in case where the national laws provide for such registration.
3. It is hereby notified for general information of the public that the Industrial Property Act, No. 3 of 2001, Laws of Kenya (IPA) provides under sections 62, 68 and 93 for registration in the Patent Register of changes in ownership and licence contracts in relation to patents, utility models and industrial designs as well as applications thereof.
4. Applications for registration of any change in ownership or licence contracts of patents, utility models and industrial designs or applications thereof designating Kenya under the Harare Protocol are required to be submitted to the Institute as provided under sections 62, 68 and 93 of the IPA and regulations 39 and 40 of the Industrial Property Regulations 2002. Upon registration, the Institute is required to inform the ARIPO Office as provided for under rule 22(3) of the Regulations for Implementing the Harare Protocol.
5. Any change of ownership or licence contract that is not registered as indicated in this notice would be contrary to the provisions of section 62 (2) of the IPA and would therefore have no effect in Kenya.

Dated this 30th day of July 2018



Mr. Sylvance A. Sange
Managing Director