

ITEKA RYA MINISITIRI N°24 RYO KU
WA 17/03/2016 RIGENA IKIGUZI
CY'IBIKORWA BYO KWANDIKA
UMUTUNGO BWITE MU BY'UBWENGE

MINISTERIAL ORDER N°24 OF
17/03/2016 DETERMINING FEES
PAYABLE FOR REGISTRATION
SERVICES OF INTELLECTUAL
PROPERTY

ARRETE MINISTERIEL N°24 DU
17/03/2016 PORTANT FRAIS A PAYER
POUR LES SERVICES
D'ENREGISTREMENT DE LA
PROPRIETE INTELLECTUELLE

ISHAKIRO

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ITEKA RYA MINISITIRI N°24 RYO KU WA 17/03/2016 RIGENA IKIGUZI CY'IBIKORWA BYO KWANDIKA UMUTUNGO BWITE MU BY'UBWENGE

MINISTERIAL ORDER N°24 OF 17/03/2016 DETERMINING FEES PAYABLE FOR REGISTRATION SERVICES OF INTELLECTUAL PROPERTY

ARRETE MINISTERIEL N°24 DU 17/03/2016 PORTANT FRAIS A PAYER POUR LES SERVICES D'ENREGISTREMENT DE LA PROPRIETE INTELLECTUELLE

Minisitiri w'Ubucuruzi n'Inganda,

The Minister of Trade and Industry,

Le Ministre du Commerce et de l'Industrie,

Ashingiyeye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015, cyane cyane mu ngingo zaryo, iya 121, 122 n'iya 176;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 121, 122 and 176;

Vu la Constitution de la République du Rwanda de 2003 révisée en 2015, spécialement en ses articles 121, 122 et 176;

Ashingiyeye ku Itegeko n° 31/2009 ryo ku wa 26/10/2009 rigamije kurengera umutungo bwite mu by'ubwenge, cyane cyane mu ngingo zaryo, iya 23, iya 34, iya 42, iya 43, iya 44, iya 51, iya 64, iya 76, iya 83, iya 84, iya 85, iya 96, iya 105, iya 106, iya 107, iya 111, iya 122, iya 128, iya 142, iya 153, iya 154, iya 155, iya 159 n'iya 169;

Pursuant to Law n° 31/2009 of 26/10/2009 on the protection of intellectual property, especially in Articles 23, 34, 42, 43, 44, 51, 64, 76, 83, 84, 85, 96, 105, 106, 107, 111, 122, 128, 142, 153, 154, 155, 159 and 169;

Vu la Loi n° 31/2009 du 26/10/2009 portant protection de la propriété intellectuelle, spécialement en ses articles 23, 34, 42, 43, 44, 51, 64, 76, 83, 84, 85, 96, 105, 106, 107, 111, 122, 128, 142, 153, 154, 155, 159 et 169;

Asubiye ku Iteka rya Minisitiri n°06/10/Minicom ryo ku wa 25/08/2010 rigena amafaranga atangwa ku bikorwa by'iyandikisha mu bijyanye n'umutungo bwite mu by'ubwenge;

Having reviewed Ministerial Order n°06/10/Minicom of 25/08/2010 determining the fees payable for registration services of an intellectual property;

Revu l'Arrêté Ministériel n°06/10/Minicom du 25/08/2010 fixant les frais à payer pour l'enregistrement relatif à la propriété intellectuelle;

Inama y'Abaminisitiri yo ku wa 08/12/2015 imaze kubisuzuma no kubyemeza;

After consideration and approval by the Cabinet, in its session of 08/12/2015;

Après examen et adoption par le Conseil des Ministres, en sa séance du 08/12/2015;

ATEGETSE:

HEREBY ORDERS:

ARRETE:

Ingingo ya mbere: Icyo iri teka rigamije

Iri teka rigena ikiguzi cy'ibikorwa byo kwandika umutungo mu by'ubwenge.

Ingingo ya 2: Kwandika Umutungo bwite mu by'ubwenge

Imirimo yo kwandika umutungo bwite mu by'ubwenge n'amafaranga ajyanye nayo bigaragara ku mugereka w'iri teka. Ayo mafaranga ntasubizwa.

Ikiguzi cya serivisi giteganyijwe mu mafaranga y'amahanga cyishyurwa mu mafaranga y'u Rwanda hakurikijwe igiciro kiri ku isoko ry'ivunjisha gishyirwaho na Banki Nkuru y'Igihugu kuri uwo munsu.

Ikiguzi cyerekeranye no gusuzuma mu mizi ubuvumbuzi ku rwego mpuzamahanga ndetse n'amafaranga agomba kwishyurwa kuri taransiferi gitangwa na nyir'ubuvumbuzi hakurikijwe ikiguzi cy'ikigo gishinzwe umutungo bwite mu karere kigomba gukora isuzuma.

Ingingo ya 3: Kurengera Uburenganzira bw'umuhanzi n'uburenganzira bushamikiyeho

Imirimo yo kurengera uburenganzira bw'umuhanzi n'uburenganzira bubushamikiyeho ntibyishyurwa.

Article One: Purpose of this Order

This Order determines fees payable for registration of intellectual property.

Article 2: Registration of intellectual property

Registration of intellectual property and related fees are annexed to this Order. Those fees are not refundable.

The rates set in foreign currency are paid in Rwandan francs at the exchange rate of the payment date as provided by the National Bank of Rwanda.

Service fee relating to national or international substance examination of a patent of invention, the utility model and its transfer fee are paid by the applicant pursuant to the tariffs established by the institution or the regional organization which must conduct the examination.

Article 3: Protection of copyright and related rights

The protection of copyright and related rights is free of charge.

Article premier: Objet du présent arrêté

Le présent arrêté porte sur les frais à payer pour les services d'enregistrement de la propriété intellectuelle.

Article 2 : Enregistrement de la propriété intellectuelle

Les services d'enregistrement de la propriété intellectuelle et les frais y relatifs sont en annexe du présent arrêté. Ces frais ne sont pas remboursables.

Les tarifs prévus en monnaie étrangère sont payés en francs rwandais au taux de change du jour de paiement tel que fixé par la Banque Nationale du Rwanda.

Les frais de service pour une application d'examen de fond d'une invention ou modèle d'utilité au niveau national ou international ainsi que les frais de transfert sont payés par le demandeur suivant les tarifs établis par l'institution ou l'organisation régionale qui doit faire l'examen.

Article 3: Protection du droit d'auteur et des droits connexes

La protection du droit d'auteur et des droits connexes se fait gratuitement.

Ingingo ya 4: Ivanwaho ry'iteka n'ingingo zinyuranyije n'iri teka

Iteka rya Minisitiri n° 06/10/Minicom ryo ku wa 25/08/2010 rigena amafaranga atangwa ku bikorwa by'iyandikisha mu bijyanye n'umutungo bwite mu by'ubwenge n'izindi ingingo zose z'amateka abanziriza iri kandi zinyuranyije na ryo bivanyweho.

Ingingo ya 5: Igihe iteka ritangira gukurikizwa

Iri teka ritangira gukurikizwa ku muni ritangarijweho mu Igazeti ya Leta ya Repubulika y'u Rwanda.

Kigali, ku wa **17/03/2016**

(sé)

KANIMBA François
Minisitiri w'Ubucuruzi n'Inganda

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)

BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Article 4: Repealing provision

Ministerial Order n°06/10/Minicom of 25/08/2010 determining the fees payable for registration services of an intellectual property and all other prior provisions contrary to this Order are hereby repealed.

Article 5: Commencement

This Order comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on **17/03/2016**

(sé)

KANIMBA François
Minister of Trade and Industry

Seen and sealed with the Seal of the Republic:

(sé)

BUSINGYE Johnston
Minister of Justice/Attorney General

Article 4: Disposition abrogatoire

L'Arrêté Ministériel n° 06/10/Minicom du 25/08/2010 fixant les frais à payer pour l'enregistrement relatif à la propriété intellectuelle ainsi que toutes les autres dispositions antérieures contraires au présent arrêté sont abrogés.

Article 5: Entrée en vigueur

Le présent arrêté entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.

Kigali, le **17/03/2016**

(sé)

KANIMBA François
Ministre du Commerce et de l'Industrie

Vu et scellé du Sceau de la République:

(sé)

BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux

**UMUGEREKA W'ITEKA RYA
MINISITIRI N°24 RYO KU WA 17/03/2016
RIGENA IKIGUZI CY'IBIKORWA BYO
KWANDIKA UMUTUNGO BWITE MU
BY'UBWENGE**

**ANNEX TO MINISTERIAL ORDER N° 24
OF 17/03/2016 DETERMINING FEES
PAYABLE FOR REGISTRATION
SERVICES OF INTELLECTUAL
PROPERTY**

**ANNEXE A L'ARRETE MINISTERIEL
N°24 DU 17/03/2016 PORTANT FRAIS A
PAYER POUR LES SERVICES
D'ENREGISTREMENT DE LA
PROPRIETE INTELLECTUELLE**

INTELLECTUAL PROPERTY SERVICE	FEES TO BE PAID
1. PATENT OF INVENTION	
Application for a protection of a patent with a provisional specification(Formal examination)	10,000 RWF
Application for a protection of a patent with a final specification(formal examination)	30,000 RWF
Publication of a patent application	20,000 RWF
Annual fees	100,000 RWF
Surcharge of a late payment of renewal	30,000 RWF
Registration and publication of the agreement granting the licence	20,000 RWF
Requesting for a unilateral licence	100,000 RWF
Request to transfer ownership	40.000 Rwf
Withdrawal of a patent before the request of substantive examination	10,000 RWF
Amendment or change of name , address or contact information	10,000 RWF
Substantive examination	Determined by the institution in charge of the substance examination
Amendment or division of an application	10,000 RWF
Restoration of a patent application	30,000 RWF
Registration and publication of the invalidation of patent	20,000 RWF
Radiation of the contractual license	10,000 RWF
Modification or withdrawal of compulsory license	10,000 RWF
Convert a patent application into application for utility model certificate	5,000 RWF
Collection of international fees	CHF 1,330
Transmittal fees	150 USD
Request of a missing copy	100 USD
Request to have an international application treated as an application in the national phase	150 USD
Priority document	50 USD
Restoration of right of priority	50 USD
Restoration of right of priority by designated office	50 USD
Compliance with the requirement in response to the invitation	40 USD
Delay in meeting time limit	50 USD

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Duplicate of certificate	10.000 RWF
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2. UTILITY MODEL FEES

Application to register the utility model	10,000 RWF
Publication of utility model	20,000 RWF
Substantive examination	Determined by the institution in charge of the substance examination
Renewal of utility model after five years from the filing date	250.000 RWF
Surcharge for the late payment of renewal	50.000 RWF
Application of transfer of ownership	15.000 RWF
Registration of the contractual license	50.000 RWF
Application with a provisional specification	5.000 RWF
Application with a final specification	5.000 RWF
Amendment or division of an application	10.000 RWF
Registration and publication of the invalidation of utility model	20.000 RWF
Amendment or change of name , adress or contact information	5.000 RWF
Withdrawal of the utility model before the request of substantive examination	10.000 RWF
Restoration of the utility model application	10.000 RWF
Publication of transfer of ownership	20.000 RWF
Radiation of the contractual license	10.000 RWF
Request for the grant of licenses as of right (license de plein droit)	10.000 RWF
Duplicate of certificate	10.000 rwf

3. INDUSTRIAL DESIGN FEES

Application to register an industrial design and publication	30.000 RWF
Application and publication of transfer of ownership	50.000 RWF
Application and publication of contractual licence	20.000 RWF
Application for a renewal of an industrial design (annuity after five years):	50.000 RWF
Surcharge for the late payment of renewal	20,000 RWF
Transmittal fees for international application (Hague Protocol):	150 USD
Request for amendment of name, address;	20.000 RWF
Duplicate of certificate :	10.000 RWF

4. TRADE MARK , COLLECTIVE MARK , TRADE NAME AND CERTIFICATION MARK FEES

Application for the certification trademark, Collective mark, trade name and	30.000 RWF
Transfer of rights over the mark	50.000 RWF
Registration and publication of the agreement granting licence	50.000 RWF
Transfer of rights over a collective mark	50.000 RWF
Filing a notice of opposition to an application to register a trademark	20.000 RWF
Amendment or change of name, address, merger...	20.000 RWF
Application for the renewal of mark and classes	80,000 RWF
Surcharge for the late application for Renewal of registration of the trademark, collective mark and trade name	20.000 RWF
Request of international classes First class	5000 RWF
Each additional class	3000 RWF
Transmittal fees for international application (Madrid Protocol)	150 USD
Duplicate of certificate	10.000 RWF

5. GEOGRAPHICAL INDICATION

Application to register a geographical indication	10.000 RWF
Filing a notice of opposition to an application to register a geographical indication	10.000 RWF
Filing a counter statement	5.000 RWF
Removal from register	10.000 RWF
Restoration fee, restoration of registration after removal from register	10.000 RWF

6. LAYOUT DESIGN AND INTEGRATED CIRCUIT

Application to register the layout design and integrated circuit	10.000 RWF
Request to change the name, address or contact information	10.000 RWF
Request for a compulsory licence	30.000 RWF

7. SEARCH FEES

IPR Search fees (for each mark, patent, industrial design etc..)	5,000 RWF
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Bibonywe kugira ngo bishyirwe ku mugereka w'Iteka rya Minisitiri n°24 ryo ku wa 17/03/2016 rigena ikiguzi cy'ibikorwa byo kwandika umutungo bwite mu by'ubwenge

Kigali, ku wa 17/03/2016

(sé)

KANIMBA François
Minisitiri w'Ubucuruzi n'Inganda

Bibonywe kandi bishyizweho Ikirango cya Repubulika:

(sé)

BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

Seen to be annexed to the Ministerial Order n°24 of 17/03/2016 determining fees payable for registration services of intellectual property

Kigali, on 17/03/2016

(sé)

KANIMBA François
Minister of Trade and Industry

Seen and sealed with the Seal of the Republic:

(sé)

BUSINGYE Johnston
Minister of Justice/Attorney General

Vu pour être annexé à l'Arrêté Ministériel n°24 du 17/03/2016 portant frais à payer pour les services d'enregistrement de la propriété intellectuelle

Kigali, le 17/03/2016

(sé)

KANIMBA François
Ministre du Commerce et de l'Industrie

Vu et scellé du Sceau de la République:

(sé)

BUSINGYE Johnston
Ministre de la Justice/Garde des Sceaux