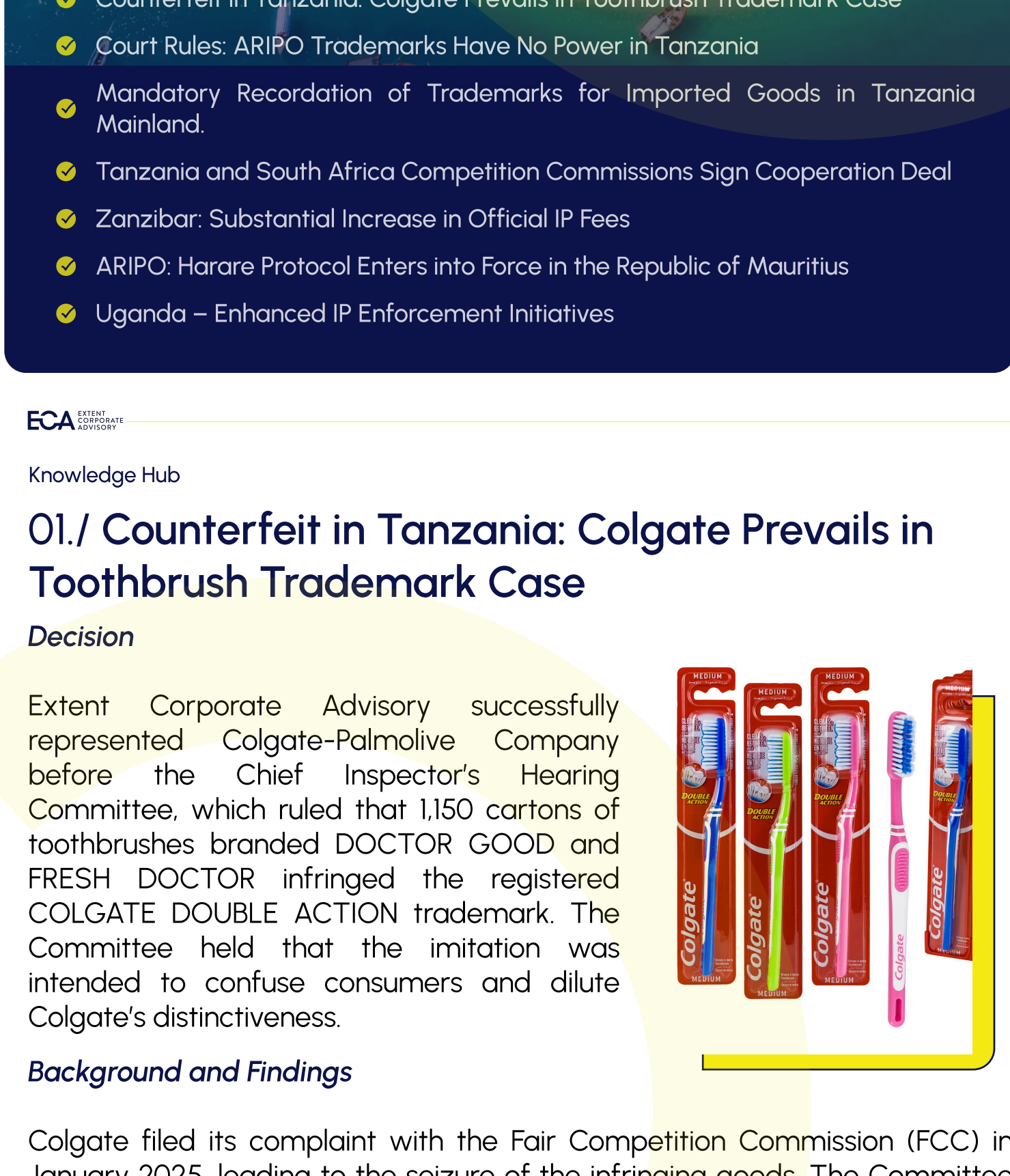


## Dear Esteemed Clients,

Welcome to the latest edition of our **Quarterly Intellectual Property (IP) Newsletter**. This issue provides comprehensive insights into recent legislative reforms, regulatory developments, and enforcement initiatives across East Africa, together with key updates from ARIPO.

As the IP landscape continues to evolve through new recordation systems, revised fee structures, and heightened enforcement measures, staying informed has never been more critical. At **Extent Corporate Advisory (ECA)**, we are dedicated to keeping you strategically prepared by equipping your business with the knowledge and tools needed to safeguard innovation, ensure compliance, and confidently navigate the complexities of cross-border IP management.



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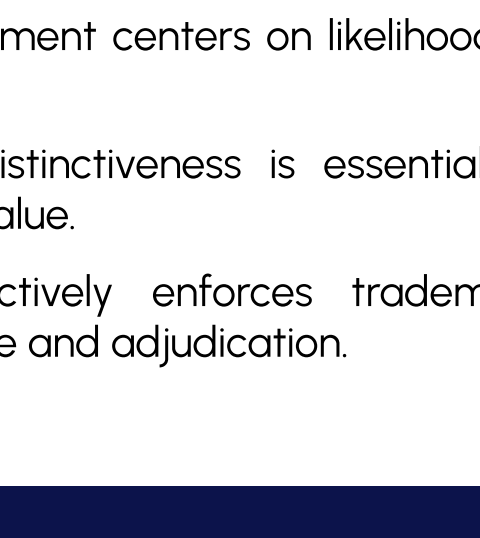
- ✓ Counterfeit in Tanzania: Colgate Prevails in Toothbrush Trademark Case
- ✓ Court Rules: ARIPO Trademarks Have No Power in Tanzania
- ✓ Mandatory Recordation of Trademarks for Imported Goods in Tanzania Mainland.
- ✓ Tanzania and South Africa Competition Commissions Sign Cooperation Deal
- ✓ Zanzibar: Substantial Increase in Official IP Fees
- ✓ ARIPO: Harare Protocol Enters into Force in the Republic of Mauritius
- ✓ Uganda – Enhanced IP Enforcement Initiatives

## Knowledge Hub

### 01./ Counterfeit in Tanzania: Colgate Prevails in Toothbrush Trademark Case

#### Decision

Extent Corporate Advisory successfully represented Colgate-Palmolive Company before the Chief Inspector's Hearing Committee, which ruled that 1,150 cartons of toothbrushes branded DOCTOR GOOD and FRESH DOCTOR infringed the registered COLGATE DOUBLE ACTION trademark. The Committee held that the imitation was intended to confuse consumers and dilute Colgate's distinctiveness.



#### Background and Findings

Colgate filed its complaint with the Fair Competition Commission (FCC) in January 2025, leading to the seizure of the infringing goods. The Committee confirmed that only a registered proprietor may institute proceedings,

with ownership proven by a sealed certificate from the Registrar. It further emphasized that infringement requires proof of ownership and likelihood of confusion. In this case, similarities in colour scheme, packaging, and overall get-up demonstrated deliberate imitation of Colgate's brand.



#### Key Takeaways

- ✓ Counterfeit goods are defined by their infringement of registered trademarks.
- ✓ The test for infringement centers on likelihood of consumer confusion.
- ✓ Protecting brand distinctiveness is essential to preserving market value.
- ✓ Tanzania's FCC actively enforces trademark rights through seizure and adjudication.



## ECA

### 02./ Court Rules: ARIPO Trademarks Have No Power in Tanzania



**Lakairo Industries Group Co. Ltd & Others v. Kenafira Industries Ltd & Others (Civil Appeal No. 593 of 2022)**

#### Background

Kenafira Industries Limited, a Kenyan company, claimed ownership of the trademarks Pipi Kifua, Special Veve, and Orange Drops. It alleged that Lakairo Industries and others were infringing these marks in the Tanzanian market by selling similar confectionery products under nearly identical names and packaging. Kenafira relied on ARIPO registrations obtained under the Banjul Protocol and sought wide-ranging remedies, including injunctions, damages, and expungement of the appellants' trademarks from Tanzania's register.

#### Decision

On 26 September 2025, the Court of Appeal of Tanzania allowed the appeal, overturning the High Court's decision. The Court held that ARIPO trademarks designating Tanzania are not recognized or enforceable in the country. This is because Tanzania has not ratified the Banjul Protocol on Marks. The Court emphasized that exclusive rights in Tanzania arise only through direct national registration with BRELA under the Trade and Service Marks Act (Cap 326).

#### Regional Updates

### 01./ Mandatory Recordation of Trademarks for Imported Goods in Tanzania Mainland.

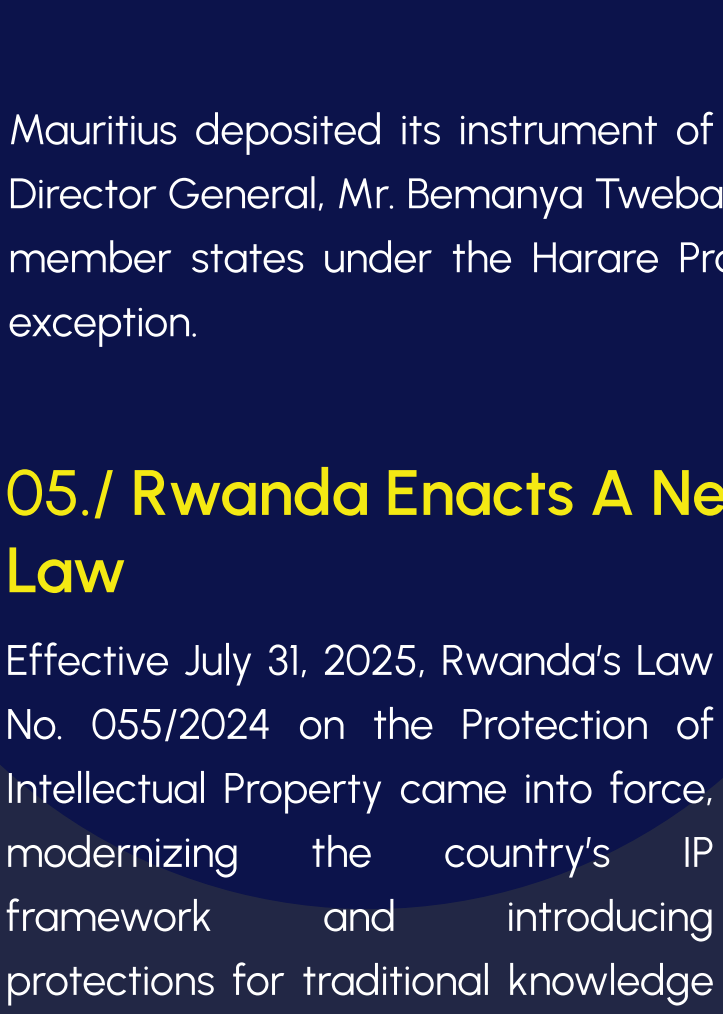


#### Beginning December 1, 2025.

Tanzania will implement one of the most pivotal reforms to its intellectual property framework in recent years. The Fair Competition Commission (FCC) has announced that all trademarks linked to imported goods must be formally recorded with the Chief Inspector of Merchandise Marks. This landmark requirement is designed to enhance brand protection and curb the persistent challenge of counterfeit trade.

Under the new regime, customs officials will have the authority to detain goods at entry points, granting clearance only to products tied to trademarks that are both registered and properly recorded. Beyond compliance, early recordation provides trademark owners with a strategic advantage ensuring robust border enforcement and minimizing the risk of counterfeit goods infiltrating the Tanzanian market.

### 02./ ARIPO: Harare Protocol Enters into Force in the Republic of Mauritius



On 27 August 2025, the Harare Protocol on Patents, Utility Models, and Industrial Designs officially entered into force in the Republic of Mauritius, making it the 22nd ARIPO Contracting State to join the Protocol.

With this development, applicants using the ARIPO system can now designate Mauritius in their patent, industrial design, and utility model filings. In addition, Mauritian nationals and residents may file such applications directly with the ARIPO Office.

Mauritius deposited its instrument of accession on 27 May 2025 with ARIPO Director General, Mr. Bemanya Twebaze. This milestone brings nearly all ARIPO member states under the Harare Protocol, with Somalia remaining the sole exception.

### 03./ Tanzania and South Africa Competition Commissions Sign Cooperation Deal

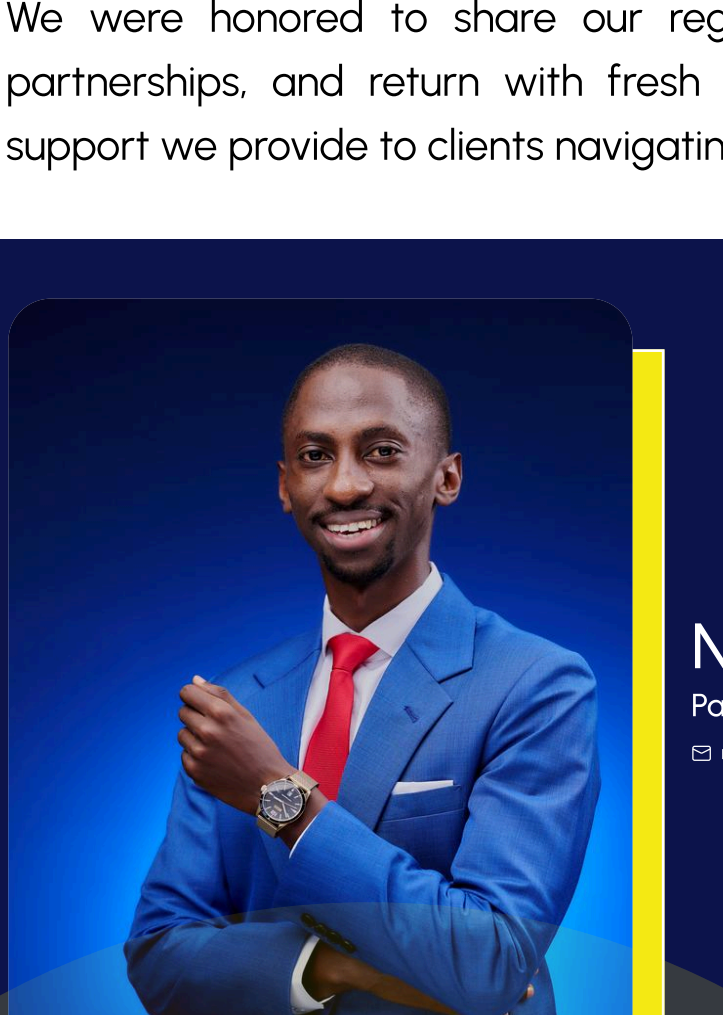
On September 9, 2025, Tanzania's **Fair Competition Commission (FCC)** and the **Competition Commission of South Africa (CCSA)** signed a Memorandum of Understanding (MoU) to enhance cross-border collaboration in competition and consumer protection.

The agreement paves the way for information sharing, capacity building, joint research, and coordinated enforcement. FCC Acting Director General, Ms. Khadija Ngasongwa, highlighted the MoU as a vital



step toward building stronger, fairer, and more innovative markets, while CCSA Commissioner, Ms. Doris Tshepe, emphasized the importance of regional cooperation in tackling emerging challenges. The partnership is expected to strengthen institutional capacity and promote transparent, competitive, and consumer-friendly markets across Africa.

### 04./ Uganda – Enhanced IP Enforcement Initiatives



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### 05./ Rwanda Enacts A New Intellectual Property Law

Effective July 31, 2025, Rwanda's Law No. 055/2024 on the Protection of Intellectual Property came into force, modernizing the country's IP framework and introducing protections for traditional knowledge and cultural expressions. The law aligns with international standards, offering stronger safeguards for indigenous innovations and cultural heritage.



For businesses, this means a clearer enforcement environment for foreign investors but also heightened obligations for those using cultural motifs in branding. Local creators will benefit from enhanced recognition and remedies, while companies are advised to review branding, packaging, and marketing strategies to ensure compliance.

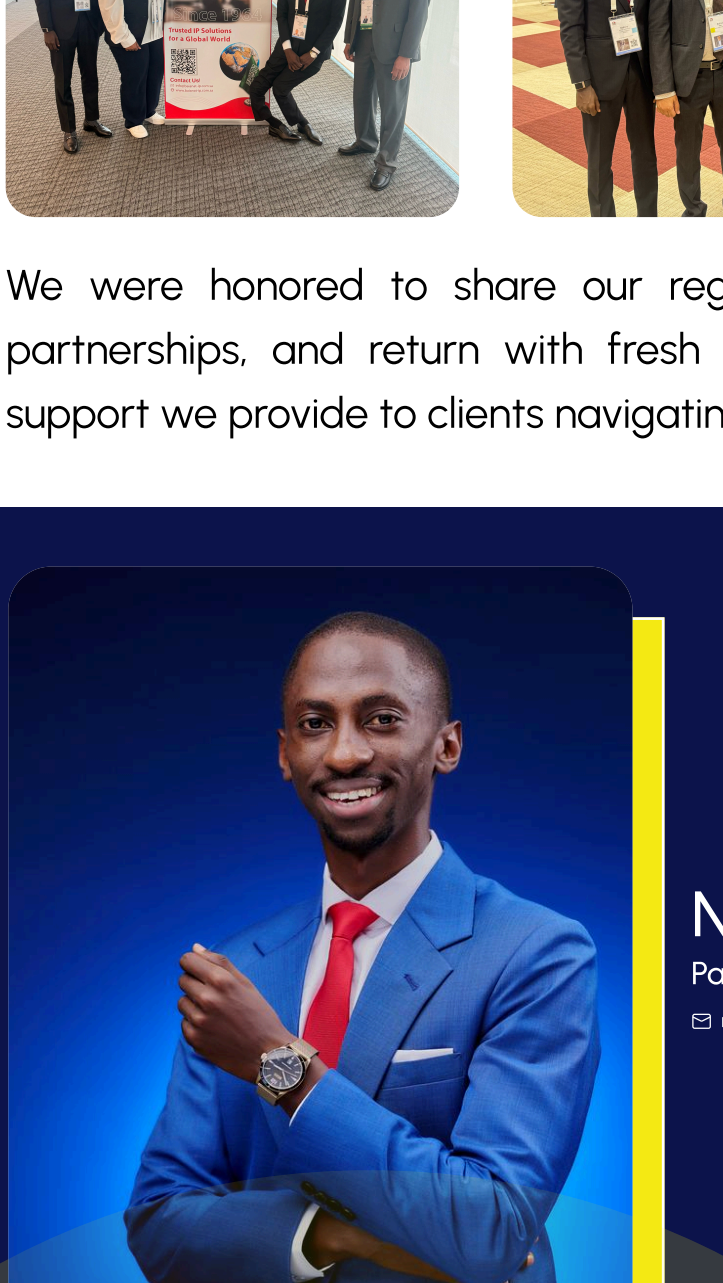
## Update from the Registries

Both Tanzania Mainland and Zanzibar have issued online trademark journals, inviting interested parties to oppose within 60 days from the date of publication. Access the journals at <https://www.brela.go.tz/> and <https://bptra.go.tz/>.

## ECA

## Firm News

### Extent Corporate Advisory's IP Team to Attend AIPPI World Congress in Yokohama, Japan



From 13–16 September 2025, our Intellectual Property Team had the privilege of participating in the AIPPI World Congress held in Yokohama, Japan, one of the world's most influential gatherings of IP professionals. The congress offered a valuable platform to engage with international peers, explore emerging global IP trends,

and exchange strategic insights across jurisdictions. Representing a firm with a strong and expanding presence in East Africa and ARIPO member states, our participation underscored our commitment to remaining at the forefront of global IP developments.



We were honored to share our regional expertise, strengthen collaborative partnerships, and return with fresh perspectives that will further enrich the support we provide to clients navigating complex, cross-border brand protection.



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