



**JULY TO SEPTEMBER 2026**

# **East Africa Intellectual Property. Newsletter, Q3 2026**



## WELCOME

Welcome to the Q3 2026 edition of the Extent Corporate Advisory (ECA) East Africa Intellectual Property Newsletter, covering key intellectual property developments across the region from July to September 2026. Highlights include the Fair Competition Commission's confirmation that foreign trade mark certificates may support customs recordation in Tanzania, the tabling of Kenya's Intellectual Property Bill, 2026, and Kenya's progress towards dedicated legislation on geographical indications. In our Knowledge Hub, we review a significant Tanzanian copyright judgment against Vodacom Tanzania concerning the unauthorised commercial use of a voice-over artist's recordings. As always, our team remains on hand to provide guidance on any matters arising.

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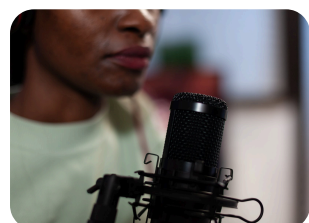
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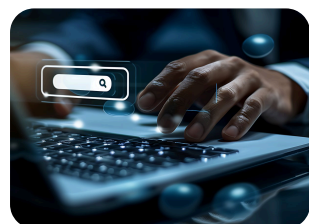
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## 01 RECENT IP DEVELOPMENTS



### Tanzania: FCC Confirms Acceptance of Foreign Trade Mark Certificates for Customs Recordation

The Fair Competition Commission (FCC) has confirmed that trademarks registered in foreign jurisdictions may support applications for customs recordation in Mainland Tanzania. As neither the Merchandise Marks Act, Cap. 85 R.E. 2023 nor the Merchandise Marks (Recordation) Regulations, 2025, distinguishes between local and foreign registrations, the Chief Inspector will accept either, provided the other requirements are met.

The FCC drew a firm line between recordation and enforcement. Recordation is an administrative measure and does not itself confer enforceable rights. Marks protected in Mainland Tanzania, whether registered locally or through a recognised international or regional system, may be enforced; marks registered only abroad cannot presently be enforced by the Chief Inspector, even if recorded. As the Regulations prescribe no renewal procedure, the FCC has directed that renewals be processed administratively while amendments are prepared.

Brand owners whose goods reach Tanzania through import channels can now record their marks on the strength of a foreign registration. To rely on recordation for border enforcement, however, they should also secure trade mark protection in Tanzania. Existing recordations approaching expiry should be renewed through the current administrative channel.



## Kenya: Intellectual Property Bill, 2026, Proposes as Single IP Authority

The Kenya Intellectual Property Bill, 2026 (National Assembly Bill No. 40 of 2026), was tabled for First Reading on 2 July 2026 and is now before a parliamentary committee. The Bill would repeal the Industrial Property Act, the Copyright Act, and the Anti-Counterfeit Act, consolidating them into a single statute, and merge the Kenya Industrial Property Institute (KIPI), the Kenya Copyright Board (KECOBO), and the Anti-Counterfeit Authority (ACA) into a new Kenya Intellectual Property Authority (KIPA). KIPA would register IP rights, maintain the IP registers, administer a recordal system for imported and locally manufactured goods, and lead anti-counterfeit enforcement, while a single Intellectual Property Tribunal would determine IP disputes.

The Bill runs alongside the draft National Intellectual Property Policy and Strategy, whose countrywide public participation forums concluded on 31 July 2026. Commentators have noted that the two do not fully align, as the draft Policy envisions several specialised agencies while the Bill consolidates them into one. **Until the Bill is enacted, existing filings and procedures before KIPI, KECOBO, and the ACA remain unchanged.**



## Kenya: KIPI and WIPO Host Roundtable on Geographical Indications

On 23 September 2026, KIPI and WIPO hosted a high-level roundtable in Nairobi on the WIPO Lisbon System for the international protection of geographical indications (GIs) and appellations of origin. KIPI confirmed that Kenya is finalising the Geographical Indications Bill, 2026 following public participation. Once enacted, the Bill will give producers of region-specific products a dedicated framework to protect and commercialise their products' reputation.

## 02 KNOWLEDGE HUB



## Tanzania: High Court Holds Vodacom Liable for Unauthorised Use of Voice-Over Recordings

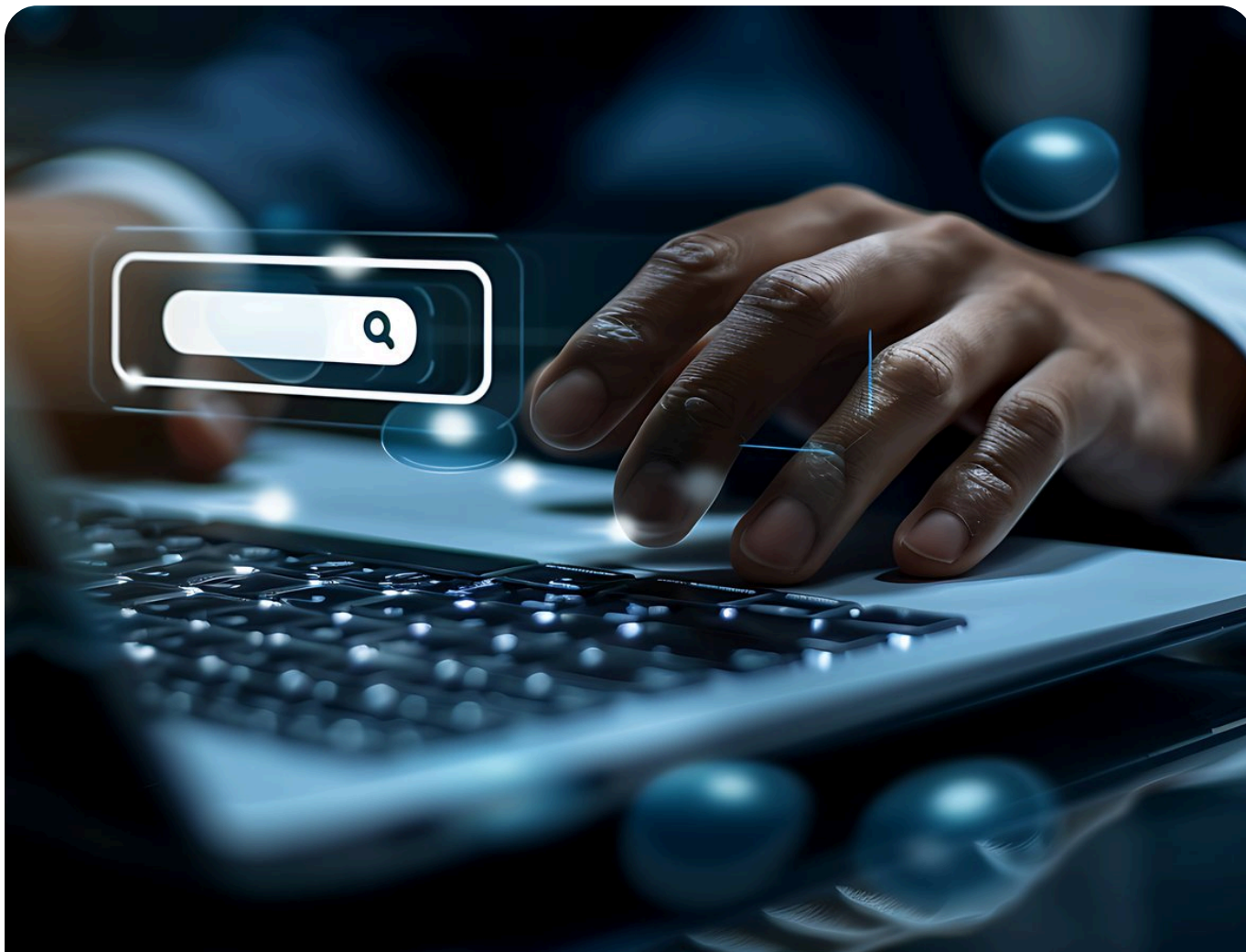
In *Lisa Steven Semgalawe v. Vodacom Tanzania Public Limited Company & 2 Others* (Civil Case No. 26033 of 2024) [2026] TZHC 5238 (4 September 2026), the High Court at Dar es Salaam held that Vodacom Tanzania infringed the copyright of a voice-over artist whose Interactive Voice Response (IVR) recordings, made in 2016, it had used on its network and M-Pesa service without authorisation. The artist had been paid TZS 1,800,000 as a basic session fee, but no model release agreement was ever signed.

### Key Findings

- ✓ **The author retains ownership:** As the person who recorded the IVRs, the plaintiff is the author and first owner of the work under section 17 of the Copyright and Neighbouring Rights Act [Cap. 218 R.E. 2023]. A recording session fee does not, on its own, transfer copyright or authorise commercial use.
- ✓ **No transfer at source, no title downstream:** Vodacom's Master Procurement Agreement with its supplier could not confer rights that the supplier never acquired from the artist. Under section 18 of the Act, any person intending to use a protected work must obtain the copyright holder's authorisation.
- ✓ **Infringement attracts a remedy even where damages are unproven:** The claim for TZS 263.5 billion in specific damages was rejected as unproven, but the Court awarded general damages of TZS 100,000,000 with 7% court interest, punitive damages of TZS 20,000,000 for deliberate infringement, and costs.

Businesses commissioning creative content through agencies or studios should obtain written assignments or licences from the original authors and require suppliers to evidence the chain of rights.

## 03 UPDATES FROM REGISTRIES



Tanzania Mainland (BRELA) and Zanzibar (BPRA) continue to publish online trademark journals, with a **60-day opposition period** from the date of publication. Stakeholders should monitor [www.brela.go.tz](http://www.brela.go.tz) and [www.bpra.go.tz](http://www.bpra.go.tz) regularly to protect existing rights and prevent conflicting registrations.



Tanzania Mainland (BRELA)  
[www.brela.go.tz](http://www.brela.go.tz)



Zanzibar (BPRA)  
[www.bpra.go.tz](http://www.bpra.go.tz)

## 04 FIRM NEWS

## ECA Shortlisted at the Africa Legal Awards

ECA was shortlisted for **IP Team of the Year** and the **Innovation Award** at this year's Africa Legal Awards. The nominations recognise the depth of our intellectual property practice and our continued investment in innovative, client-focused service.



Our Partner and Head of Litigation, **Jeremiah Odinga**, was shortlisted for Partner of the Year, and our Senior Associate, **Noreen Nicolaus Maghimbi**, for Women Leaders in Law (Private Practice). We congratulate our nominees and thank our clients for their continued trust.



## ECA Named a Trusted Talent Firm in Managing IP's IP STARS 2026

ECA has been named a Trusted Talent firm in Managing IP's IP STARS 2026 rankings, and our Partner and Head of Intellectual Property, **Nabiry Jumanne**, has been ranked a Tanzania IP Star for 2026.

These recognitions reflect the confidence of our clients and peers in our trademark, patent, copyright, and anti-counterfeiting work. We remain committed to delivering practical, high-quality IP advice across Tanzania and East Africa.



## ECA Attends the Adams & Adams Africa Network Meeting

Members of our IP team attended the Adams & Adams Africa Network Meeting during the quarter, joining IP practitioners from across the continent.

The meeting provided a valuable forum for regional collaboration and the exchange of perspectives on legislative, registry, and enforcement developments, strengthening the continental reach we bring to our clients' IP portfolios.



## ECA Attends FCC Stakeholders' Consultative Meeting on the Merchandise Marks Act

On 9 September 2026, ECA attended the Fair Competition Commission's Stakeholders' Consultative Meeting at the Hyatt Regency, The Kilimanjaro, Dar es Salaam. Convened by the FCC's Directorate of Anti-Counterfeit, it focused on strengthening enforcement of the Merchandise Marks Act.

Discussions covered key enforcement challenges, best practices, and improved coordination among stakeholders in combating counterfeiting. ECA was pleased to contribute, reaffirming our commitment to protecting brand integrity in the Tanzanian market.



## ECA Hosts International IP Law Firm from China

During the quarter, ECA hosted a delegation from an international intellectual property law firm based in China, exchanging perspectives on IP protection and enforcement in our respective jurisdictions.

The visit explored opportunities to collaborate in supporting clients with trademark, patent, and anti-counterfeiting needs in Tanzania and the wider East African region.

## 05 PREPARED BY



Author

**NOREEN MAGHIMBI**

Senior Associate - Trademark Practice

noreen.maghimbi@extentadvisory.co.tz



Key Contact

For further information, kindly reach the contact below

**NABIRY JUMA JUMANNE**

Partner &amp; Head of IP

nabiry.jumanne@extentadvisory.co.tz

We remain at your disposal for guidance on any of the developments discussed in this edition, or on any intellectual property matter arising from your business operations across East Africa.

For more information, please contact us at:

[info@extentadvisory.co.tz](mailto:info@extentadvisory.co.tz)[www.extentadvisory.co.tz](http://www.extentadvisory.co.tz)



[www.extentadvisory.co.tz](http://www.extentadvisory.co.tz) | [info@extentadvisory.co.tz](mailto:info@extentadvisory.co.tz)

LinkedIn | Instagram

Extent Corporate Advisory (ECA),  
7th Floor Tanzanite Park, Victoria Area,  
New Bagamoyo Road,  
P.O Box 75211,  
Dar es Salaam, Tanzania