EXTENT CORPORATE ADVISORY



LEGAL UPDATE

Tanzania: ARIPO Trademark Designations for Mainland Tanzania Resume Under the Banjul Protocol

Dear Esteemed Clients,

Greetings from Extent Corporate Advisory.

The African Regional Intellectual Property Organization (ARIPO) has resumed, with immediate effect, the processing of trademark applications designating the United Republic of Tanzania under the Banjul Protocol on Marks. The development was announced in an ARIPO Notice dated 10 November 2026, issued on the advice of the Business Registrations and Licensing Agency (BRELA), and restores the regional route to trademark protection in Mainland Tanzania.

BACKGROUND

Although Tanzania has long been recorded as a member of the Banjul Protocol, the Protocol was never incorporated into national law. In September 2025, the Court of Appeal of Tanzania held in *Lakairo Industries Group Co. Limited & Others v. Kenafric Industries Limited & Others* (Civil Appeal No. 593 of 2022) that, for that reason, ARIPO trademark registrations designating Tanzania could not be enforced in the country. ARIPO responded in October 2025 by declaring Tanzania ineligible for designation until further notice, leaving national filings as the only secure route to protection.

Parliament moved to close the gap through the Written Laws (Miscellaneous Amendments) Act, 2026 (Act No. 6 of 2026), assented to on 2 October 2026, which domesticates the Banjul Protocol and gives ARIPO registrations designating Tanzania effect under the Trade and Service Marks Act (Cap. 326). With that legislative foundation in place, ARIPO has now reopened Tanzania for designation.

KEY CHANGES UNDER THE ARIPO NOTICE

1 New applications may designate Mainland Tanzania

Applicants and agents may now file new ARIPO trademark applications designating the United Republic of Tanzania. A single regional application can once again secure trademark protection in Mainland Tanzania alongside other Banjul Protocol member states.

2 Pending applications may proceed

Applications designating Tanzania that were held in abeyance during the suspension may now proceed in accordance with the Banjul Protocol and its Implementing Regulations, with BRELA examining them as the designated office.

3 Existing ARIPO registrations are deemed registered

Under the new section 28A of the Trade and Service Marks Act (Cap. 326), a trademark registered by ARIPO on or after 1 September 1999 and designating Tanzania is deemed to be registered under the Act, save where the Registrar communicated to ARIPO a decision that the mark shall have no effect in Tanzania.

WHAT THIS MEANS FOR RIGHTS HOLDERS

For brand owners, the reopening restores an efficient route to trademark protection in Mainland Tanzania. Businesses operating across the region can once again cover Tanzania through a single ARIPO application, although the choice between the ARIPO and national routes should still be made mark by mark, having regard to cost, timelines, and the markets that matter commercially. Applicants whose filings were held in abeyance should now take steps to advance them, while owners of existing ARIPO registrations should confirm that their registrations remain in force and that no refusal was communicated by the Registrar so that those rights can be relied upon with confidence in opposition, infringement, and customs enforcement matters.

HOW WE CAN ASSIST

We can file new ARIPO applications designating Tanzania, advance applications that were held in abeyance during the suspension, review existing ARIPO portfolios to confirm which registrations are recognised in Mainland Tanzania, and attend to customs recordation and enforcement on the strength of those rights.

We would be pleased to review your portfolio against this development and advise you accordingly. Please let us know should you wish to proceed, and we shall provide the requirements and a costs estimate.

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